

ORDINANCE NO. 49
ORDINANCE OF THE BOARD OF DIRECTORS OF RUNNING SPRINGS WATER
DISTRICT ADOPTING RULES AND REGULATIONS FOR WATER AND
WASTEWATER SERVICE

WHEREAS, The Running Springs Water District ("District") has adopted Ordinance No. 8, Rules and Regulations for Water Service, as amended by Ordinance Nos. 13, 15, 18, 20, 22, 27, 31, 32 and 33; and

WHEREAS, the District has adopted Ordinance No. 23, Regulating the Use and Construction of Public Sewer Facilities; and


WHEREAS, the District now desires to reorganize, combine and restate the District's Rules and Regulations for Water and Wastewater Service in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of Running Springs Water District as follows:


1. The Rules and Regulations for Water and Wastewater Service as set forth in Exhibit "A" which is attached and incorporated by reference are adopted; and
2. Ordinance Nos. 8, 13, 15, 18, 20, 22, 23, 27, 31, 32 and 33 are rescinded, superseded and replaced with this Ordinance No. 49.

ADOPTED this 19th day of July, 2017.

Ayes:	Ayers, Bennett, Terry, Grabow, Mackzum
Noes:	0
Abstentions:	0
Absent:	0


President of the Board of Directors
of Running Springs Water District

ATTEST:


Board Secretary

Running Springs Water District



Rules and Regulations for Water and Wastewater Service

Adopted: July 19, 2017
Ordinance No. 49

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SECTION 1.0 GENERAL PROVISIONS

1.1 Introduction

The rules and regulations for water and wastewater service set forth herein identify the terms and conditions under which the Running Springs Water District will provide water and wastewater service to its customers. By accepting service, customers and owners explicitly and implicitly agree to be bound by these rules and regulations for water and wastewater service and to hold harmless the District, its employees, Board members, agents and representatives from any liability associated with the implementation of these rules and regulations for water and wastewater service or for service provided hereunder.

1.2 General Policy

The general policy of the District is to acquire, maintain, and operate adequate water and wastewater systems within the District to serve the residents of the District and to serve such areas outside the District as deemed appropriate by the Board of Directors. This is an ordinance regulating the use and construction of public water and wastewater facilities, the installation and connection of sewer laterals, and the discharge of wastes into the public sewer systems, and providing penalties for violation thereof, as ordained and enacted by the Boards of Directors of said District.

1.3 Authority

The general powers of the District are contained in the County Water District Law, beginning with Section 30000 of the California Water Code. These powers include, without limitation, the right to levy taxes; to acquire, construct, and operate water and wastewater facilities within the District; and to compel connection to the sewerage systems.

1.4 Short Title

This Ordinance shall be known and may be cited as "Rules and Regulations for Water and Wastewater Service."

1.5 Words and Phrases

For purposes of this Ordinance, all words used herein in the present tense shall include the future tense; all words in the plural number shall include the singular number; all words in the singular number shall include the plural number; and all words in either gender shall include the other gender.

1.6 Water System

The functional system owned, operated and maintained by the District for the supply, treatment, storage and distribution of potable water for public and private uses and including all raw water pumping, facilities, transmission mains, treatment plants, storage reservoirs, distribution pipelines, fire hydrants and appurtenances, lands, right-of-ways and easements.

1.7 Wastewater System

The functional system owned, operated and maintained by the District for the collection, treatment and disposal of wastewater coming from public and private dischargers and including all sewers, manholes, pumping stations, treatment and disposal facilities, appurtenances, lands, right-of-ways and easements.

1.8 Validity

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance, not held invalid, and to this end the provisions of this Ordinance are declared to be severable.

1.9 Pressure Conditions

All applicants for water service connection or water service shall accept such conditions of water pressure and service as are provided by the District's distribution system at the location of the proposed service connection, and the District shall not be responsible for any damages arising from low pressure or high pressure conditions. Water pressure shall, as a minimum, comply with standards set forth by the State Health Department.

1.10 Interruption of Service for Emergency Repairs

The District may interrupt water and/or wastewater service to any customer or customers when necessary to make emergency repairs or when other such emergencies necessitate such interruption, and the District shall not have any responsibility for damage arising out of such an interruption in service.

1.11 Tampering with District Property

No one except an employee or representative of the District shall at any time or in any manner operate the curb stops, meter valves, main-cocks, gates or valves of the District's water or wastewater system or interfere with water meters, their connections, street mains, or other parts of such water or wastewater system; provided that licensed plumbers may close and open District curb stops in order to repair a customer's control valve.

1.12 Penalty for Violation

If any person fails to comply with all or any part of these rules and regulations, or a District resolution, ordinance or order fixing rates and fees, the District may pursue any remedy provided to it by law. Violations and penalties are further considered in Section 21.0 of these rules and regulations.

1.13 Charges for Work by District Personnel

The Board of Directors shall establish by resolution a charge for work done by District personnel and District equipment to be paid by owners or customers requesting such work, or in the event of damage to District water or wastewater system facilities, by the person or persons responsible for such damage. The amount owing for any such work shall be billed by the District to the person requesting same or responsible therefor as soon as is reasonably possible following the completion of such work, and said amount shall be due and payable as of the date of the District's bill and delinquent if not paid within thirty (30) days thereafter. The schedule of rates for work by District personnel and equipment shall be made available at the District office for inspection by any interested person.

1.14 Notices

Notice from the District shall be given in writing and shall be mailed, postage prepaid, to the customer to whom water and/or wastewater service is billed; provided that where conditions warrant, in emergencies, and where required by law, the District may provide notification either by telephone, email or messenger. Notice from an owner or customer to the District shall be given either in writing, by email or verbally at the District office or by telephone to the District office.

1.15 Annexation

The District has the power, pursuant to applicable provisions of law, to annex areas that can be served by the District. The terms of annexation may include, among others, the payments of fees and transfer of facilities.

1.16 Fees

The District has the power, subject to approval of Board of Directors, to charge special fees. Generally, charges will be made for operations performed by the District for the benefit of those charged.

1.17 Sale of By Products

The District has the power, subject to approval of Board of Directors, to sell treated and reclaimed wastewater or any other by-product to private individuals, corporations or to public entities.

SECTION 2.0 DEFINITIONS

2.1 Applicant for Permit

"Applicant for Permit" shall mean the person making application for a water and/or sewer connection permit hereunder and shall be the owner of the premises involved or their authorized agent or authorized licensed plumber or contractor.

2.2 Board of Directors

"Board of Directors" means the Board of Directors of the Running Springs Water District, County of San Bernardino, State of California.

2.3 Building Sewer

"Building sewer" shall mean that portion of sewer from the building sewer drain to the public sewer, including the sewer lateral and cleanout.

2.4 Contractor

"Contractor" shall mean an individual, firm, corporation, partnership, or association duly licensed by the State of California to perform the type of work to be done under the permit, contract or agreement.

2.5 Cost

"Cost" means the cost of labor, material, transportation, supervision, engineering, and all other necessary overhead expenses.

2.6 County

"County" shall mean the County of San Bernardino, State of California.

2.7 Cross-Connection

"Cross-Connection" means any physical connection between the piping system from a District service connection and that of any other water supply which is not or cannot be, approved as safe and potable for human consumption, whereby water from the unapproved source may be forced or drawn into the District's distribution mains.

2.8 Customer

"Customer" means a person who receives water service from the District.

2.9 Developer

"Developer" means a person who makes application to the District for water service for subdivided property within the District.

2.10 District

"District" means Running Springs Water District.

2.11 District Engineer

"District Engineer" shall mean the engineer appointed by the Board and acting for the District.

2.12 Dwelling or Living Unit

"Dwelling or living unit" shall mean any residence, apartment, habitation, or other structure designed to be occupied by persons or family and requiring water and/or wastewater service.

2.13 Fire Service Connection

"Fire Service Connection" means the service line extending from a District water main to the property line of premises for the purpose of providing private fire protection service and the shut-off valve, meter and meter box, back-flow protection device, check valve and detector check meter, if any.

2.14 Fixture Unit Equivalent

"Fixture unit equivalent" shall mean the unit equivalent of a plumbing fixture as indicated in the latest edition of Uniform Plumbing Code.

2.15 General Manager

"General Manager" shall mean the person appointed by the Board as the Manager of Running Springs Water District.

2.16 Inspector

"Inspector" shall mean the person who shall perform the work of inspecting sewerage facilities under the jurisdiction or control of the District.

2.17 Main

"Main" means a waterline in a street, highway, alley, or easement used for public and private fire protection and for general distribution of water.

2.18 Owner

“Owner” shall mean the person owning in fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the County Recorder’s Office, or the person in possession of the property or buildings under claim of ownership, or exercising acts of ownership over same for himself, or as executor, administrator, guardian or trustee of the owner.

2.19 Permit

“Permit” shall mean any written authorization required pursuant to this Ordinance or may any other regulation of the Board.

2.20 Person

"Person" means an individual or a company, association, co-partnership, or public or private corporation.

2.21 Premises

"Premises" means a lot or parcel of real property under one ownership, except where there are well defined boundaries or partitions such as fences, hedges, or other restrictions preventing the common use of the property by the several occupants, in which case each portion so separated shall be deemed as separate premises. Each living unit in an apartment house or condominium and each separate office in an office building shall be considered a single premise.

2.22 Private Fire Protection Service

"Private Fire Protection Service" means water service and facilities for building sprinkler systems, hydrants, hose reels, and other facilities installed on private property for fire protection, and the water available therefor.

2.23 Public Fire Protection Service

"Public Fire Protection Service" means the services and facilities of the entire water supply, storage, and distribution system of the District, including the fire hydrants affixed thereto and the water available for fire protection, excepting house service connections and appurtenances thereto.

2.24 Public Sewer

“Public sewer” shall mean a sewer lying within a public right of way or easement which is controlled by or under the jurisdiction of the District. It shall not include any portion of a building sewer.

2.25 Regular Water Service

"Regular Water Service" means water service and facilities rendered for normal, domestic, commercial, and industrial purposes on a permanent basis, and the water available therefor.

2.26 Service Connection

"Service Connection" means the service line extending from a District water main to the property line of premises and the meter and curb stop installed at or near the property line.

2.27 Sewage Treatment Plant

"Sewage treatment plant" shall mean any arrangement of devices and structure used for treating sewage.

2.28 Sewerage Works

"Sewerage works" shall mean all facilities for collecting, plumbing, treating and disposing of sewage.

2.29 Sewer

"Sewer" shall mean a pipe or conduit for carrying sewage.

2.30 Sewer Lateral

"Sewer lateral" shall mean that portion of a sewer lying within a public right of way or easement connecting a building sewer to the public sewer.

2.31 Subdivision

"Subdivision" means any division of an existing parcel of land within the District into five (5) or more lots, including a subdivision, a land division subject to a parcel map, and a condominium project.

2.32 Suspended Solids

"Suspended solids" shall mean solids that either float on the surface of, or are in suspension in, water, sewage or other liquids and which are removable by laboratory filtering.

2.33 Temporary Fire Hydrant Service

"Temporary Fire Hydrant Service" means temporary service from a District fire hydrant for construction work and other uses of limited duration with approved meter and appurtenances and the water available therefor.

2.34 Uniform Plumbing Code

"Uniform Plumbing Code" shall mean that code as published by the International Association of Plumbing and Mechanical Officials and adopted by the County of San Bernardino as its plumbing code. The code shall be the latest edition published and adopted by the County, and by this reference shall be incorporated herein and made a part of this Ordinance.

2.35 Uniform Plumbing Code Definitions

"Uniform Plumbing Code Definitions" being Chapter 1 of the County Plumbing Code are hereby incorporated as part of the definitions of this Ordinance except as specifically modified herein.

2.36 User

"User" shall mean the person or person owning or controlling property or improvements to which the sewer facilities of the District are connected or available.

2.37 Wastewater Department

"Wastewater Department" means the Board of Directors of the District performing functions related to the District wastewater service, together with the General Manager, the Wastewater Collection and Treatment Division Supervisors and the Administration Supervisor and other duly authorized representatives.

2.38 Watercourse

"Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

2.39 Water Department

"Water Department" means the Board of Directors of the District performing functions related to the District water service, together with the General Manager, the Water Division Supervisor and the Administration Supervisor and other duly authorized representatives.

SECTION 3.0 GENERAL USE REGULATIONS

3.1 Waste

No customer shall knowingly permit leaks or waste of water. When water is wastefully or negligently used on a customer's premises, the District may discontinue service to such premises if such conditions are not corrected by the customer within fourteen (14) days after receipt of a verbal or written notice thereof from the District and such service shall not be resumed until such condition is corrected. In the absence of the customer from premises where water is being wasted due to an apparent leak, the District may close the curb stop to prevent further loss of water, and shall thereupon notify the customer of such action at the address on file at the District office; and provided that the District shall not be liable for any damage to the premises or appliances therein due to such action.

3.2 District Facilities on Private Property

Upon making application for water and/or wastewater service, an owner or customer consents to the installation by the District on customer's property of such facilities as may be necessary to provide water and/or wastewater service thereto, and all such facilities installed by the District on such premises for the purpose of providing water and/or wastewater service shall be and remain the property of the District and may be maintained, repaired, or replaced by the District without the consent of the owner or occupant of the property. No payments shall be made by the District to the owner or customer for placing or maintaining such District facilities on the premises and the owner or customer shall use reasonable care not to damage such facilities. Any relocation of such facilities at the request of the owner shall be at the expense of the owner.

3.3 Damage to Water and/or Wastewater System Facilities

Owners of premises shall be liable for damage to District water and/or wastewater service facilities resulting from acts of the owners or their tenants agents, employees or contractors' including the breaking or destruction of locks on or near meters and any damage to a meter, including damage by hot water or steam from a boiler or heater on the owner's premises. An owner shall reimburse the District for the cost of repairing any such damage promptly upon presentation of a bill therefor.

3.4 Ground Wire Attachments

No person, firm or corporation shall attach any ground wire or wires or otherwise use as part of any electrical circuit any pipe or other plumbing which is or may be connected to a service connection or main belonging to the District, and the District may disconnect any such ground wire that has been connected to a District main or service connection. The owner of the premises where any such ground wire connection has been made,

and the person responsible for making the ground wire connection, shall be liable to the District for any damage occasioned thereby to the District's water system or injury to District personnel.

3.5 Owner's Control Valve

The owner shall arrange for the installation of a control valve (stop-and-waste valve) on the customer's side of each service connection to control the flow of water to the water system on the premises. If the on-site plumbing includes outside faucets or sprinklers, the owner shall place the control valve at a location which allows water to be shut off to the outside fixtures as well, or alternatively may install another control valve for the shutoff of water to outside plumbing fixtures. The owner shall not rely on the District's curb stop to control the flow of water through the meter and shall pay for all water delivered to the premises regardless of whether the District's curb stop is turned on or off. Except as provided in Section 1.11 of Section 1, the District's curb stop may only be operated by District employees, and no owner or occupant of any premises shall use the District's curb stop to control the water supply to the water system on such premises. The customer shall be responsible for turning off their control valve(s) in order to protect against water loss from leaks in the plumbing on the customer's side of the meter. In the event that the District finds it necessary to shut off the flow of water at the District's curb stop or meter in order to prevent the loss of water as a result of the customer's failure to use the control valve(s), the customer will be required to pay the District's standard service charge then in effect.

3.6 Cross-Connections

All owners of premises and customers in the District shall comply with state and federal laws governing the separation of dual water systems and the installation of back-flow protective devices to protect the public water supply from the danger of contamination through cross-connection. Whenever such back-flow protective devices are found to be necessary with respect to any premises, all water supply lines from the District's mains entering such premises or any buildings or structures thereon shall be protected by an approved back-flow device and such back-flow protective device shall be installed as close to the District's service connection as possible. Plans for the installation of such back-flow protective devices shall be approved by the District prior to installation and the District shall inspect each such device and its installation. Immediately following such installation, the owner shall be responsible for having such back-flow protective device tested by a District approved tester at the expense of the owner. Annually thereafter, the owner shall have the device tested, as may be required by the District or by the health department having jurisdiction, and shall be serviced, repaired or replaced whenever they are found to be defective, at the expense of the owner. Lawn sprinkler heads shall be equipped with an air gap separating the sprinkler heads from the other portions of the water system on the premises. Water service shall be discontinued to any premises if any defect is found in a back-flow protective device or if the District finds dangerous unprotected cross-connections on such premises, and service shall not be restored until such defect or dangerous condition is corrected.

3.7 Special Circumstances

When an owner of premises or the occupant is engaged in the handling of dangerous corrosive liquids or industrial or processed waters, the District may require such owner or occupant to eliminate certain plumbing or piping connections on such premises as an additional precaution and in order to protect against back-flow.

3.8 Pressure Regulating Valves

Pressure regulating valves shall be installed on the customer's side of all water service connections by the owner to protect the owner's water system from damage due to variations in water pressure in the District's main.

3.9 Ingress and Egress

District employees shall have the right of ingress and egress to all premises to which the District provides water and/or wastewater service, but not to buildings and structures on such premises, at reasonable hours for any purpose reasonably connected with the furnishing of water and/or wastewater service thereto. Water and/or Wastewater Department employees shall carry identification cards with them at all times during working hours, and upon entering premises for the purposes aforesaid shall display same to the owner or occupant thereof upon request.

3.10 Non-Registering Water Meters

If a water meter is found not to be registering, the District shall bill the person whose name appears on the application for service through said meter for the period of time from the date of the last meter reading when said meter was registering through the date of the discovery that said meter was not registering, based upon the District's minimum monthly water rate or based upon the estimated consumption of water through said meter during said period of time to which shall be applied the District's water rate schedule, whichever method results in a greater amount; provided that such an estimate of consumption shall be made based upon previous consumption of water through said meter for a comparable period or by such other method as is determined by the General Manager to be most equitable.

3.11 Replacement

The District may replace a water meter for testing or in the event that the General Manager or Water Division Supervisor determines that it may not be registering accurately or should be replaced because of its age or condition.

SECTION 4.0 WATER AND WASTEWATER DEPARTMENTS

4.1 Water Department

The District's Water Department consists of the General Manager, the Administration Supervisor, the Water Division Supervisor and District employees under the supervision of said Division Supervisor.

4.2 Wastewater Department

The District's Wastewater Department consists of the General Manager, the Administration Supervisor, the Wastewater Collection Division Supervisor, Wastewater Treatment Division Supervisor and District employees under the supervision of said Division Supervisors.

4.3 General Manager

The General Manager shall be responsible for the application and enforcement of the rules and regulations herein set forth and for the general supervision of the Administration Supervisor, Water Division Supervisor and other employees of the Water Department.

4.4 Administration Supervisor

The Administration Supervisor shall oversee the billing for and collection of charges for water and wastewater services. This includes the computation, preparation and mailing of all bills for water service, the making and depositing of collections, maintenance of proper books of account, collections, account for and refund deposits, and whatever else is necessary or directed by the District Auditor to set up and maintain an efficient and economical bookkeeping system for the District and shall perform any other duties now or hereafter prescribed by the General Manager.

4.5 Water Division Supervisor

The Water Division Supervisor shall be responsible for the operation and maintenance of the water system and shall regularly inspect all physical facilities related to said system to insure that they are in good repair and proper working order. The Water Division Supervisor shall supervise all repair or construction work authorized by the Board of Directors or the General Manager and perform such other duties as may be prescribed by the General Manager.

4.6 Wastewater Collection Division Supervisor

The Wastewater Collection Division Supervisor shall be responsible for the operation and maintenance of the wastewater collection system and shall regularly inspect all

physical facilities related to said system to insure that they are in good repair and proper working order. The Wastewater Collection Division Supervisor shall supervise all repair or construction work authorized by the Board of Directors or the General Manager and perform such other duties as may be prescribed by the General Manager.

4.7 Wastewater Treatment Division Supervisor

The Wastewater Treatment Division Supervisor shall be responsible for the operation and maintenance of the wastewater treatment system and shall regularly inspect all physical facilities related to said system to insure that they are in good repair and proper working order. The Wastewater Treatment Division Supervisor shall supervise all repair or construction work authorized by the Board of Directors or the General Manager and perform such other duties as may be prescribed by the General Manager.

SECTION 5.0
WATER AND WASTEWATER RATES, CONNECTION FEES AND CAPACITY
CHARGES

5.1 Water and Wastewater Rates

The rates and charges for different classes of water service and wastewater service by the District shall be established by resolution of the Board of Directors. Any such resolution adopted by the Board of Directors may also provide for and establish an amount to be deposited with the District by an applicant for water and/or wastewater service as a deposit to insure payment of bills for water and wastewater services supplied by the District. Nothing in this Ordinance shall be construed as limiting the authority of the Board of Directors to establish any fee or charge related to water service which is legally permissible. The current rates are identified in the attached Exhibit A-1 – Rates, Fees and Charges.

5.2 Connection and Capacity Charges

The Board of Directors, by resolution, shall establish and from time to time revise charges for installation of service connections to the District's water and wastewater systems and for the use of capacity in the District's water and wastewater systems. Such charges may vary depending upon the size of the meter or any other factors set forth in the resolution; provided, however, that the charges shall not exceed the estimated reasonable costs of making the connections or providing the capacity unless the schedule of charges is submitted to, and approved by, a popular vote of two-thirds of the electors in the District who vote on the issue. Any resolution establishing or revising connection or capacity charges shall be adopted only at a regularly scheduled meeting of the Board of Directors, with notice of the meeting mailed at least fourteen (14) days prior to the meeting to any interested party who has filed a written request with the District for notice of the meeting within one year preceding the meeting. At least ten (10) days prior to the meeting, the District shall make available to the public data substantiating the District's estimate of the reasonable costs of making connections and providing capacity in the District's water and wastewater systems, and the revenue sources anticipated to cover these costs. The current rates are identified in the attached Exhibit A-1 – Rates, Fees and Charges.

SECTION 6.0 REGULAR WATER SERVICE

6.1 Application

An owner requesting water service for their property shall make application for water service at the District office. Such owner shall furnish the District with all information necessary for the District to complete a water service agreement and shall thereafter sign such agreement, and at such time the owner shall also pay the District's service installation, connection, water development, capacity and other applicable charges in full. Each new owner of property who fails to make proper application for water service shall have their water service discontinued pursuant to Section 10.6 of these Rules and Regulations. An application for water service shall not be approved unless signed by the owner of the property to be served; provided, however, that any person who receives residential water service through a master meter, or who receives individually metered service in a multi-unit residential structure or mobile home park shall be entitled to become a customer of the District even if the owner of the property to be served refuses to sign the application for service, if such service is feasible and the person agrees to such terms and conditions of service as may be imposed by the Board of Directors on a case-by-case basis.

6.2 Contractor Convenience

When a contractor desires service to a building under construction and the owner is not available to sign the water service agreement and pay the required service installation, connection and capacity charges, the contractor may obtain temporary water service by paying these charges; provided that the District shall make no refund of said charges to the contractor and the contractor shall look solely to the owner for reimbursement; and provided further that if the District is unable to obtain from the owner a signed agreement for water service within thirty (30) days after the contractor obtains temporary water service from the District, the District may discontinue water service to the contractor. This section does not apply to temporary fire hydrant service for construction water.

6.3 Undeveloped Property

The District shall not install a water meter to serve undeveloped property until installation of the building pad for the structure to be served is complete or it is determined by the District that there is sufficient evidence of construction progress on the property. In the event that the building pad has not been installed within one year after the applicant has submitted a signed application and has paid applicable fees and charges, the application shall be void and the applicant shall be entitled to a refund of all fees and charges deposited with the District, less the District's service charge for processing the application.

The District may, however, install a water meter to an undeveloped lot if in the opinion of the General Manager, a vacant lot has suffered substantial vegetation damage from a wild fire and the owner of the property wishes to install a meter solely for irrigation purposes and erosion control in accordance with the following provisions:

- a. Customer will pay the Residential meter installation charge then in effect.
- b. A fixed monthly charge will be billed to the customer equal to the monthly Irrigation meter rate then in effect.
- c. Customer will be billed for any and all additional assessments and fees normally billed to Residential metered customers, including the Infrastructure Repair and Replacement (IRR) charge.
- d. Customer will not incur any sewer installation or sewer monthly fees until after a structure has been connected to the sewer system.
- e. If customer decides to build a structure at a later date, the customer will be required to pay the Water Facilities Capacity Charge then in effect in addition to all applicable sewer fees.

6.4 Undertaking of Applicant

The act of an owner in signing an agreement for water service to their property signifies willingness and intention to comply with this and other ordinances, regulations, policies and procedures of the District as they now exist or may hereafter be amended, and to make prompt payment for all water delivered to the premises by the District.

6.5 Payment for Previous Service

An application for water service shall not be honored if the applicant has a delinquent account with the District for water or other service, unless the applicant has entered into an agreement with the District pursuant to Section 10.8 to pay the delinquent amount in installments and has complied with the terms of the agreement. The General Manager, in his discretion, shall be authorized to transfer a delinquent bill for water or other service to new premises owned by the person responsible for paying the delinquency, and to secure payment by recording a lien upon the premises as authorized by law.

6.6 Size and Location of Services

The District shall determine the location of all service connections and the size of meters, pipes and other facilities to be installed therein. An owner shall not lay any pipeline from their residence or business establishment to the curb or property line until the Water Division Supervisor has approved the location and size of the water service.

6.7 General

Service installation shall be made only to property abutting distribution mains in public streets, alleys and easements, or extensions of such mains as herein provided. The District shall not be responsible for the relocation of services installed in new subdivisions prior to the completion of street improvements.

6.8 Curb Stop

Every service connection installed by the District shall be equipped with a curb stop on the inlet side of the meter. Such curb stops shall be used exclusively by the District, and shall not relieve the owner of responsibility for installing their own control valve on the owner's side of the service connection. If a curb stop is damaged as a result of use thereof by an owner or occupant of premises, such curb stop shall be replaced at the owner's expense.

6.9 Changes Resulting in Increased Water Consumption

An owner who plans to make material changes in the size, character or extent of equipment or operations utilizing water service through a District service connection which will result in a significant increase in use of water through such connection shall, prior to making any such change, notify the District in writing of such plans so that the District may determine whether an increased capacity charge will be due and payable, and whether any changes will be necessary in the size of the meter and other parts of the service connection to accommodate the expected increase in water usage. If the District determines that such changes in the service connection will be necessary, the owner shall file a new application for water service with the District and pay to the District the District's charge for the modifications of the service connection. If the District finds that an owner has made such material changes which have resulted in a significant increase in water usage on such owner's premises without notifying the District thereof, the District shall notify such owner of:

- a. Any increased capacity charge that may be due and payable;
- b. The modifications, if any, which will be necessary in the service connection to accommodate such increased water usage; and
- c. The District's requirement for the Owner to make a new application for water service and to pay the District's charge for modification of such water service.

If the owner does not make such application and pay applicable charges within ten (10) days after receipt of such notification, the District may discontinue water service to the owner's premises until the owner makes such application and pays such charges and the necessary modification of the service connection is completed.

6.10 Number of Buildings Served by a Single Connection

Service connections shall be installed by the District in accordance with the following requirements:

- a. One Connection per Building. Each residence or building under separate ownership shall receive water service through a separate service connection; provided that two (2) or more residences owned by the same person and located on the same lot or parcel may at the discretion of the General Manager be supplied water through the same service connection, and the General Manager may limit the number of such residences which may be supplied with water.
- b. Adjoining Lots. A service connection to one property shall not be used to supply water to an adjoining property, whether such adjoining property is owned by the same or a different owner, or to supply property across a street or alley from the property where the service connection is located.
- c. Division of Property. When a lot or parcel for which a service connection has been installed is subdivided or split, the service connection shall be used only to supply the portion of such lot or parcel where such service connection is located and the owner or owners of the other lots or parcels created by such subdivision or lot split shall make application to the District for water service.

6.11 Resale or Use of Water Away from Property Served

Water supplied by the District to any customer or customer of the District shall not be resold as a commodity to any other person, either within or outside the District, except as specifically permitted in writing by the Board of Directors upon such terms and conditions as the Board of Directors may impose in its discretion. Further, water supplied by the District may be utilized only upon the property served, and shall not be transported for use upon any other property either within or outside the District, except as specifically permitted in writing by the Board of Directors upon such terms and conditions as the Board of Directors may impose in its discretion. Exceptions permitted by the Board of Directors pursuant to this Section may be revoked or modified by the Board of Directors in the event of a water shortage.

6.12 Service Connections as Property of the District

The portion of a service connection extending from the District's water main to the property line and including the meter, meter box, curb stop and check valve are the property of and shall be maintained by the District.

6.13 Owner's System

All pipes and fixtures installed and located beyond the meter or check valve to provide water services to premises shall be installed by the owner of such premises in compliance with the requirements of the County of San Bernardino and shall thereafter be maintained by the owner. The District shall not be responsible for water loss due to leaks or any other occurrence involving facilities on the owner's side of the service connection not furnished and maintained by the District.

SECTION 7.0 WATER METERS

7.1 Installation and Ownership

Water meters shall be installed by the District as near to the property line as is practicable. Meters when installed shall be owned by the District. Water meters may be locked by the District and no lock shall be altered or broken except by an authorized District employee.

7.2 Testing and Deposit

Water meters shall be tested by the District prior to installation and no meter shall be installed which registers more than two percent (2%) fast or slow. An owner requesting that a water meter serving property owned or occupied by him/her be tested at the District office shall deposit with the District an amount which in the opinion of the General Manager shall cover the cost of such testing. If the water meter registers more than two percent (2%) fast, such deposit shall be refunded but if the water meter registers less than two percent (2%) fast such deposit shall be retained by the District. The owner requesting a water meter test, or the owner's representative, may request to be present when said test is conducted. No deposit shall be required for the testing of a water meter with the District's portable test meter prior to the removal of such water meter.

7.3 Adjustments for Water Meter Errors

If a water meter is tested and found to be registering more than two percent (2%) fast or slow, the District will immediately replace the inaccurate water meter and recalculate the probable flow through the water meter during the period in which the water meter is determined by the District to have been inaccurate. If the water meter is determined to have registered fast, the District shall refund to the existing owner the excess amounts collected from such owner during the period of inaccuracy. If a water meter is determined to have registered slow, the District shall bill the owner for the water which has been consumed by such owner and not paid during the period of inaccuracy.

SECTION 8.0 TEMPORARY FIRE HYDRANT SERVICE

8.1 General

The General Manager or appointed designee may make water service available for construction work and other uses of limited duration through meters installed on fire hydrants in the District's water system. Such water service is hereinafter referred to as "temporary fire hydrant service."

8.2 Application Deposit

A person, firm or corporation seeking temporary fire hydrant service must first obtain permission from the General Manager, and complete and sign the Fire Hydrant Meter/Hydrant Use Rental Agreement. In signing the agreement, the applicant shall agree to using and operating the hydrant in accordance with instructions issued by the General Manager. At the time the Fire Hydrant Meter/Hydrant Use Agreement is signed, the applicant shall make a deposit with the District. The deposit amount required, based on meter size, is identified in the attached Exhibit A-1 – Rates, Fees and Charges.

In addition to the meter deposit, a meter set-up fee of \$50 will be charged to cover the cost of setting and picking up the meter.

8.2.1 Daily Hydrant Meter Rental Fee

A hydrant meter rental fee of \$2.50 will be charged each day the applicant has requested the use of the meter. This fee will be charged daily, whether or not water was consumed on any given day. The rental fee will commence on the date the meter is set. It is the responsibility of the applicant to notify the District when the customer has finished with the use of the meter. The daily rental charge will cease on the notification date from the applicant, whether or not the meter is picked up by the District on that date.

8.2.2 Moving of Fire Hydrant Meters

Once a fire hydrant meter has been installed in the location specified by District staff, an additional \$25 charge shall be paid before a change in location, size or type of meter is made. Any change in the location of the fire hydrant meter also must be approved by District staff.

8.3 Installation and Operation

All meters and control valves for temporary fire hydrant service shall be initially installed by District employees. The control valve must be used to control the flow of water from the hydrant, and the hydrant valve shall not be used for this purpose. Proper wrenches must be used to operate hydrant valves.

8.4 Responsibility for Meters and Valves

The applicant shall exercise due care to prevent damage to the meter and control valve. If the meter is not locked to the fire hydrant, applicant shall remove the meter and control valve and store them in a safe place at the conclusion of each workday. The applicant shall then be responsible for securing the hydrant caps snugly enough so that they cannot be removed without the use of a hydrant wrench. If a meter or control valve is damaged or lost, the applicant shall be responsible for the cost of replacement or repairs.

8.5 Unauthorized Use

Temporary fire hydrant service shall be taken only from the hydrant or hydrants designated by the District. Tampering with or using any fire hydrant for the unauthorized use of water therefrom is a criminal misdemeanor and may also result in civil penalties.

8.6 Payment of Water Usage Charges

Temporary fire hydrant service meters shall be read at least every thirty (30) days during such service and at the conclusion thereof. The customer shall be billed on the basis of such meter readings at the District's then current rate for such service at the end of each calendar month and all such bills shall become delinquent on the fifteenth (15th) day of the following month. Failure to pay any bill for temporary fire hydrant service shall result in the discontinuance of such service and the District shall apply the customer's deposit to the delinquent amount. The District shall not resume such service until said deposit is restored and any further delinquent amounts are paid in full. If at the conclusion of temporary fire hydrant service all bills for such service have been paid in full, the customer's deposit shall be refunded; provided that no such refund shall be made until all such bills are paid in full, and if this does not occur within thirty (30) days after the conclusion of such service, the District shall apply the customer's deposit to the delinquent bills and refund the balance if any to the customer or in the event that the deposit is not sufficient to fully pay such delinquent amounts bill the customer for the balance.

8.7 Discontinuance of Service

The District may discontinue temporary fire hydrant service at any time, if in the opinion of the General Manager such action is warranted to protect District property or in the event of an emergency, and the District shall exercise every reasonable effort to notify the customer of an impending discontinuance before actually discontinuing service.

**SECTION 9.0
TERMINATION OF WATER SERVICE**

9.1 Termination for Nonpayment

Except as hereinafter provided, the failure to pay a delinquent water bill within twenty one (21) days after the District mails notice of the delinquency shall result in the District terminating water service to the premises by locking the meter, and the District shall not unlock the meter and resume service to the premises until all delinquent amounts, plus the unlocking fee then in effect, are paid in full. Further, the failure to pay a delinquent bill for water service within two (2) months from the date such locking occurs shall result in the District deactivating the water service account. Accounts that are locked and subsequently deactivated due to nonpayment shall not be reactivated until all delinquent bills for water service including the District's reconnection/reactivation fee and any accumulated loan repayment and/or Infrastructure Repair and Replacement (IRR) charges for the time period that the meter was deactivated have been paid in full. Fees for unlocking and reactivating the account shall be established by resolution of the Board of Directors, and may be changed from time to time. Notwithstanding the above, the District will not terminate water service for non-payment for the following reasons:

- a. While a District investigation of a customer dispute or complaint is still pending;
- b. When a customer has been granted an extension of time for payment of the bill;
- c. Upon certification by a licensed physician that to do so will be life threatening, the customer is financially unable to pay the bill in the normal payment period, and the customer has executed an agreement with the District to pay the delinquency in installments over a period of time.

9.2 Notice of Impending Termination of Water Service

Upon delinquency in payment of the District's bill for water service, the District will mail written notice of impending termination of water service, postage prepaid, to the person to whom such service is billed at least fifteen (15) days prior to the date of the proposed termination of service. Written notice will include the following information:

- a. The name and address of the customer whose account is delinquent;
- b. The amount of the delinquency;
- c. The date by which payment or an arrangement for payment is required in order to avoid termination of service;
- d. The procedure for obtaining information on the availability or non-availability of financial assistance; and

- e. The telephone number of the District's General Manager or other District representative to discuss arrangements for payment.

In addition, the District will make a reasonable, good faith effort to contact an adult person residing at the premises by telephone, in person or by hanging a door tag at least ten (10) days prior to termination of service. Water service will not be terminated for non-payment of a delinquency on any Saturday, Sunday, legal holiday, or at any time during which the District's business office is not open to the public.

9.3 Voluntary Disconnection

An owner may request in writing that the water service to the premises where water service is received be deactivated or disconnected. Upon receipt of written request, the District shall deactivate and/or physically disconnect the water service to such premises. Following such a deactivation or disconnection, the owner may have the water service reactivated and/or reconnected by paying the balance on the account including the District's reactivation/reconnection fee then in effect and all accumulated loan repayment and/or Infrastructure Repair and Replacement (IRR) charges for the time period that the meter was deactivated and/or disconnected.

9.4 Emergency Discontinuance

Upon request of the owner or customer in the event of an emergency, if the control valve on the customer's side of the meter is not working properly, the District may turn off the District's curb stop. In such event, if the Water Division Supervisor determines that the customer's control valve is not operating properly through no fault of the customer, no charge shall be made for such service regardless of when the request is made. However, if such request is made outside of normal working hours of the District, field personnel and the Water Division Supervisor determines that there was no emergency or that the customer's control valve was not functioning as a result of improper maintenance, or if there was no customer control valve as required by these Rules and Regulations, the customer shall be liable to the District for the District's cost in having its employees provide such service. The customer shall remain responsible for any water which passes through the meter, notwithstanding the District's failure to comply with a request to turn off the curb stop or failure of its District's curb stop to operate correctly, it being the responsibility of the customer to regulate such flows with the installation of a control valve on the customer's side of the meter.

9.5 Vacating Premises

Owners desiring to discontinue service shall notify the District prior to the owner or tenant vacating the premises receiving water service, and an owner or customer who vacates premises without notifying the District thereof and requesting a discontinuance of service shall continue to be liable to the District for all water supplied by the District through the service connection and meter to said premises until the District is made

aware of the fact that the premises have been vacated and an Application for water services is made by the new owner or occupant of such premises.

SECTION 10.0 BILLING

10.1 Billing

The General Manager shall establish water meter reading and billing periods so that water meters will be read and bills sent on approximately the same day of each month.

10.2 Payment of Bills

The customer and/or the property owner shall be responsible for payment of the District's bills for all water which passes through the meter serving the premises. Bills for water and/or wastewater service shall be due and payable as of the date of mailing and shall be delinquent twenty one (21) days thereafter. Payment of bills shall be made in cash, by personal check (other than a second party check), certified check, credit card, debit card or other cash-equivalent. A customer whose check is returned by their bank for insufficient funds shall be charged a service charge as set forth by resolution of the District's Board of Directors. The General Manager has the discretion to require any customer to pay their bill in cash.

10.3 New Service

New water and/or wastewater services installed during and for less than a full billing period shall receive an adjustment on the District's monthly service charges based upon the number of days during said billing period when water and/or wastewater services are supplied through such new service.

10.4 Inclement Weather

At times when water meters cannot be read because of inclement weather, the District may bill based upon average monthly consumption during the immediately preceding two-month period and the prior year month, or at the customer's option, shall bill only the minimum monthly charge applicable to that water meter until conditions permit the recommencement of regular water meter readings, whereupon the District will adjust the next subsequent bill to reflect the quantity of water actually consumed and amounts paid during the period when the meters could not be read; provided that a customer shall have the option of paying more than the charge for previous average consumption based upon their estimate of the amount of water which the customer has and will consume during the period when the meter cannot be read.

10.5 Owner Responsibility

Except as otherwise provided in Section 6.1 or as hereinafter provided, the owner of the premises to be served shall be the only person authorized to apply for water and/or wastewater service from the District and shall be responsible for payment of all District fees and charges for such service. In the event of the owner's failure to pay any District

fee or charge when due, the District shall be entitled to record a lien upon the premises receiving water and/or wastewater service, or upon other property owned by the owner if authorized by law, in addition to pursuing any other remedy legally available to the District. In unusual circumstances when an occupant of premises needs water and/or wastewater service from the District before an application for water and/or wastewater service can be signed by the owner and returned to the District, the District in its discretion may accept a deposit from the occupant prior to commencement of water and/or wastewater service equal to twice the District's average monthly usage charge plus service fees for that type of service or a similar type of service, and thereafter may provide temporary water service to the premises pending receipt of an application for water and/or wastewater service signed by the owner of the premises.

10.6 Water Use without Application

A person who takes legal title to and occupies premises and thereafter uses water from an active service connection without having made application to the District for water service shall be liable to the District for water delivered from the date of the District's last meter reading of a meter at such premises, and if the meter is found to be inoperative, the billing for such water delivered shall be based upon an estimate of the amount delivered. If such a person does not make proper application for water service within ten (10) days after receipt of notification to do so from the District, or if such person does not promptly pay the District's bill for water delivered from the date of the District's last meter reading to the date of such bill, the water service to such person's premises shall be discontinued by the District without further notice.

10.7 Responsibility for Water Loss or Resulting Damage

The customer and/or the property owner shall be responsible for paying all charges for water supplied through a water meter as a result of leaks in the owner's water system or plumbing, or as a result of the owner or occupant leaving plumbing fixtures turned on during the time when the owner or occupant is absent from the premises, or for any other water loss on the owner's side of the meter, and the District shall not be responsible for any damage or monetary loss which may result therefrom. If the District is requested by an owner or occupant to turn on the water to a residence, and such residence is vacant and the District's employees ascertain that the water meter to the residence is registering, the District's employees shall not turn on the water service but shall leave the same turned off at the curb stop on the inlet side of the water meter. Upon discovery of a leak in an owner's water system, which in the discretion of the General Manager is causing a waste of water, the General Manager may discontinue service to the premises until such leak is repaired. Water service to the premises may not be resumed until all delinquent bills for water service have been paid in full.

10.8 Disputes

If a customer, within five (5) days after receipt of a bill, disputes the amount of a bill for water and/or wastewater service or that such a bill is owed by him/her, the customer

shall notify the District in writing of such dispute. The dispute may be presented to the Board of Directors at a Board meeting for their determination. The District may enter into an agreement with the customer permitting him/her to pay the bill or the adjusted balance in installments over a specified period of time not to exceed twelve (12) months. The District will not terminate water and/or wastewater service for non-payment of the bill during the term of such an agreement, so long as the customer is complying with the agreement and also paying the District's bills for subsequent water and/or wastewater service when due. However, upon breach of the agreement, the customer shall only be entitled to a ten (10) day notice of termination.

10.9 Extension of Payment Period

Within twenty (20) days after the date the District has mailed a notice of delinquency the customer may seek an extension of the payment period of a bill asserted to be beyond their ability to pay during the normal payment period. An extension may be granted by the District Administration Staff. If the customer has not requested an extension in advance and requests it at the time a serviceman arrives at the residence to lock the meter, there will be a service charge which is equal to one-half of the current locking charge.

10.10 California Public Records Act

Except as otherwise provided in the California Public Records Act, the name, credit history, utility usage data, home address and telephone number of District customers and employees shall be exempt from disclosure to the public.

10.11 Owner and Tenant/Agent Billing Agreements

Effective January 1, 2015, the Running Springs Water District is required to notify delinquent occupants of a residence that they may become a customer of the District for residential water and/or wastewater services if they are willing and able to assume responsibility for subsequent charges. Tenants may now become a co-customer of the owner and therefore, a signed agreement from both the owner and tenant must be on file at the District. Tenants, who have become co-customers of the District, will then receive the monthly Water and Sewer Bill in place of the owner on record. If the account becomes delinquent, both the owner and tenant will receive a copy of the Termination of Water Service Notice.

A deposit of \$200 will be required for tenants to establish co-customer service with the District. This deposit will be refunded at the close of account and only when the closed account is paid in full. In addition, tenants must comply with all policies of the Running Springs Water District.

Owner and Tenant/Agent Billing Agreements are available at the District office.

10.12 Extraordinary Water Loss Policy

Under the following circumstances the District may approve a request by a Customer to reduce the consumption fees portion of a Customer's high-consumption water bill, on a one-time basis, if the Customer has properly installed a Customer shut-off valve immediately adjacent to the Customers water meter, downstream of the meter.

In the event a customer incurs an extraordinary water loss due to system failure or some other catastrophic event, not due to the Customer's own negligence, the District may adjust the unit rate charged for the water to equal only the rate the District is then paying to the Crestline Lake Arrowhead Water Agency (CLAWA) plus 15%. If the District also determines that the water loss occurred outdoors and did not enter the District's sewer system, the 15% sewer usage fee component of the sewer bill will also be waived.

This adjustment will not be applied to any losses of water after the date that the Customer has been notified by the District of suspicious or unusual water deliveries through the Customer's connection. Said notification may be made by any means available including, but not limited to, telephone, electronic mail, personal contact or United States mail service.

The District may provide this one-time only reduction to the consumption fees portion of a Customer's high-consumption water bill, to Customers who make the request and then provide evidence of a new, properly installed, Customer shut-off valve installation. A Customer who receives an adjustment will not qualify for consideration of a subsequent adjustment, even if caused by a separate event.

**SECTION 11.0
COLLECTION OF DELINQUENT BILLS**

11.1 Legal Action

The District may collect delinquent bills for water and/or wastewater service by civil action in court.

11.2 Collection on Tax Bills

Pursuant to Sections 31701 and 31701.5 of the Water Code, the District may cause delinquent or unpaid charges for water and/or wastewater service which have been delinquent and unpaid for sixty (60) days or more on July 1 of any year to be added to the annual taxes next levied upon the property upon which the water and/or wastewater services were used. Such delinquent or unpaid charges shall be collected along with the annual taxes levied against such property.

11.3 Statement of Lien

Upon discontinuance of water and/or wastewater service for failure to pay delinquent rates, charges or fees, the District may immediately record a statement of lien with the county recorder of any county in which the customer responsible for paying the delinquency is known or suspected to own real property. The statement of lien shall set forth the name of the customer responsible for paying the delinquency, the amount and nature of the delinquency, and applicable filing fees, penalties, and interest. The lien shall be released upon payment in full of all amounts due.

SECTION 12.0 MAIN EXTENSIONS

12.1 Deposit and Design

If the General Manager determines upon reviewing an application for regular water service that a District water main is not available to the property, or if an existing water main is not capable because of its size or condition to provide adequate water pressure and fire protection service to the premises for which application is made, the owner-applicant shall deposit with the District concurrently with the filing of their application for water service the estimated cost, as determined by the District's engineer, of the design and installation of an extension of the District's water main or of a new main which will provide adequate water service to the applicant's premises. Thereafter, the District's engineers shall design the water main extension or new water main and the District shall have such main extension or new main installed. The main shall be designed and constructed to extend to the far boundary of the property to be served.

12.2 Oversizing, Participation, Transfer of Services

The District may elect to install a main extension or a new main of a diameter which exceeds the diameter of the main which, in the opinion of the District's engineer, would be necessary to provide water service to an applicant's premises; in which case the District shall pay the difference between that cost as estimated by the District's engineer and the cost of the labor and materials actually installed. Provided, that if a new main is installed, the District may elect to transfer services from the existing District main to the new main, and to connect to such new main new homes and business establishments constructed on properties that were adjacent to and would have received water service from such existing main, and no reimbursement shall be owing to the applicant as a result thereof.

12.3 Additional Cost or Refund

If the cost of a main extension or new main, or the applicant's share of such cost, exceeds the amount of the applicant's deposit, the applicant shall pay such excess to the District before receiving water service from the District. If the cost of such a main extension or new main, or the applicant's share thereof, is less than the amount of the applicant's deposit, the District shall refund the balance thereof to the applicant.

12.4 Reimbursement

The District may enter into a reimbursement agreement with an applicant who pays for a water main extension or new water main whereby the District shall for a period of ten (10) years or until the applicant is fully reimbursed the cost or their proportionate share of the cost of the water main extension or new water main, whichever first occurs, collect from each property owner who connects a service lateral to such water main a reimbursement charge in an amount to be determined by the Board of Directors which

represents a proportionate fair share of such cost, and pay over such charge to the applicant; provided that pursuant to Section 12.2 no reimbursement shall be owing to the applicant with respect to connections to such water main resulting from the transfer of services from an existing District main or with respect to service laterals for new homes and business establishments constructed on properties that were adjacent to and would have received water service from such existing main.

SECTION 13.0 WATER SERVICE TO SUBDIVISIONS

13.1 Application

A developer requesting water service for a subdivision within the District shall file a letter of application with the District containing or accompanied by the following:

- a. The name, address and telephone number of the developer and the developer's engineer;
- b. Three (3) copies of a map showing the topography and boundaries of the proposed subdivision and tentative lot and road layout;
- c. A legal description of the property which is proposed for subdivision; and
- d. A statement as to whether or not the subdivision of the proposed property is to be phased and, if so a projection of the timing of the development of each phase of the subdivision.

13.2 Feasibility Study and Availability Letter

Upon receipt of such a letter of Application, the District shall conduct an investigation and determine the District's cost of conducting a feasibility study with regard to providing water service to the proposed subdivision, and upon completion of such study shall transmit to the developer a statement of the District's cost for the feasibility study. Upon receipt from the developer of the cost of the feasibility study, the District staff shall undertake an investigation of the feasibility of providing water service to the proposed subdivision and shall report the findings of such study to the Board of Directors. Upon receiving the feasibility study report from the District staff, the Board of Directors shall either approve or disapprove of the District providing water service to the proposed subdivision, and if the Board approves such service, shall authorize the General Manager to issue a letter to the San Bernardino County Planning Department and the developer stating that the District's water system is available to the proposed subdivision, and that upon the developer making satisfactory financial and other arrangements with the District regarding the construction of facilities to extend the District's water system to the proposed subdivision and the construction of the water system within the proposed subdivision and otherwise complying with the District's rules and regulations regarding water service, the District will provide water service to the proposed subdivision.

13.3 Main Extensions

If the General Manager determines that it is necessary to extend a District water main or mains to bring the District's water system to the exterior boundaries of a proposed subdivision or if the General Manager determines that an existing District water main is

not of sufficient size to provide adequate water pressure and fire protection service to a proposed subdivision, the developer shall deposit with the District at the time he presents the plans and specifications for the water system for the proposed subdivision to the District for approval for purposes of the recording of the final map for the proposed subdivision the estimated cost, as determined by the District's engineer, of the design and installation of the water main extension or the water main which in the opinion of the District's engineer is needed to replace an existing inadequate water main. Such amount shall be utilized by the District to design and install such water main extension or new water main; provided that the District may determine to install a main of greater size than, in the opinion of the District's engineer, would be necessary to supply the proposed subdivision with water service, in which event the District shall be responsible for the difference between that cost as estimated by the District's engineer and the cost of labor and materials actually installed. If the cost of the design and installation of the water main extension or new water main, not including the cost differential, if any, for oversized pipe exceeds the amount of the developer's deposit, the District shall notify the developer thereof in writing and the developer shall pay such excess to the District before receiving water service for the subdivision from the District, or if the cost of the design and installation of such water main extension or new water main is less than the amount of the developer's deposit, the District shall refund the balance thereof to the developer.

13.4 Reimbursement

Upon completion of the installation of a main extension or new water main and upon payment by the developer of the full amount of the cost of the design and installation of the water main extension or new water main, not including the cost differential, if any, for oversized pipe, the District may enter into a reimbursement agreement with the developer whereby the District shall for a period of ten (10) years or until the developer is fully reimbursed the cost of the non-oversized portion of the water main extension or new water main, whichever first occurs, collect from each property owner who connects a service lateral to such water main, a reimbursement charge in an amount to be determined by the Board of Directors which represents a proportionate fair share of such cost, and pay over such charge to the developer; provided that if such a water main replaces an existing District water main, the District may elect to transfer existing water customers from such existing main to the new main and to connect to such new main new homes and business establishments constructed on properties that were adjacent to and would have received water service from such existing main, and no reimbursement shall be owing to the developer as a result thereof.

13.5 On-Site Water System

The developer shall also construct and install at the developer's sole expense the water system within the proposed subdivision, including service lines from the main to the lots to be served. The plans and specifications for such water system shall be prepared in accordance with the District's standard construction specifications and such water system shall be constructed and installed in compliance with the District's requirements.

13.6 Plan Check

A developer requesting approval of the plans and specifications for a water system for a proposed subdivision for purposes of the recording of the final map for the proposed subdivision with the County Recorder of the County of San Bernardino shall pay to the District the District's plan check fee and shall concurrently therewith deliver to the District the following documents:

- a. Three (3) copies of the plans and specifications for the water system;
- b. A performance bond in a form and issued by a surety acceptable to the District, naming the District as obligee, and issued in a principal amount equal to 100% of the total estimated cost, as determined by the District's engineer, of the construction of the water system and facilities shown in said plans, and conditioned upon the satisfactory completion of the construction and installation of the water system and facilities and guaranteeing that such water system and facilities shall be free from defects resulting from faulty materials or workmanship for a period of two (2) years from the acceptance thereof by the District;
- c. A labor and material payment bond in a form and issued by a surety acceptable to the District naming the District as obligee, and issued in a principal amount equal to 100% of the total estimated cost as determined by the District's engineer, of the construction and installation of the water system and facilities and conditioned upon the payment by the developer and the developer's contractor of claims of all persons entitled to file mechanic's liens or stop notices pursuant to Civil Code Secs. 3110, 3111, 3112 and 3118.

Upon delivery of such plans, documents and the plan check fee, the District's engineer shall review the plans and specifications and if they are prepared in conformance with the District's requirements and if such other documents are in satisfactory form, shall certify same to the Board of Directors, whereupon the Board of Directors shall authorize the General Manager to make the required certifications to the County of San Bernardino for recording of the final map for the subdivision, and the District shall thereupon also issue to the developer a construction permit authorizing construction of the water system and facilities for the subdivision.

13.7 Construction and Inspection

Prior to commencing construction of a water system in a proposed subdivision or any required extension or replacement of a District water main (hereinafter collectively referred to as "water system"), the developer shall notify the District and shall deposit with the District the District's inspection fee for inspecting the installation and construction of the water system. The District shall inspect the construction and installation of the water system, to insure that such construction is accomplished in

compliance with the District's requirements. The District's employees and agents who perform such inspection shall have no duty to the developer or the developer's contractor and shall inspect solely for the District to insure that the water system is constructed and installed in accordance with the District's requirements.

13.8 Acceptance of Water System

Upon satisfactory completion of the construction and installation of a water system in a subdivision and any required extension or replacement of a District water main, as determined by the District's engineer, the developer or their contractor shall file a notice of completion with the County Recorder of the County of San Bernardino and shall furnish the District with a conformed copy of such notice containing thereon the stamp of the Recorder indicating the time and date of recording and the book and page number where said notice was recorded. Upon the expiration of the statutory period for the filing of mechanic's liens, the developer or the developer's contractor shall deliver to the District copies of all mechanic's liens which have been recorded and lien waivers or releases from all persons filing such mechanic's liens and from all other subcontractors, material and equipment suppliers, and all persons supplying labor for the construction and installation of the water system indicating that all such persons have been paid in full for the labor, equipment or materials supplied by them for such construction. At such time the developer shall also deliver to the District (1) duly executed and acknowledged grants of easements for all pipelines and other water system facilities which have been constructed and installed other than in the public streets within the subdivision, (2) a duly executed and acknowledged grant deed conveying unto the District all water system facilities installed within the subdivision and all extensions of the District's water mains to provide water service to the subdivision, and (3) a duly executed and acknowledged grant deed conveying to the District all water rights pertaining to the subdivision. All such instruments shall be in a form acceptable to the District's legal counsel. The developer shall also deliver to the District one set of reproducible record drawings for the water system and one set of prints showing the exact locations, depths and descriptions of all water system facilities within the subdivision. Upon receipt of all such drawings and documents, and upon receiving written certification from the District's engineer that the water system has been constructed and installed in accordance with the District's requirements, the Board of Directors shall adopt a resolution accepting the water system and all such grants of easements and deeds and authorizing the recordation of same.

SECTION 14.0 PUBLIC FIRE PROTECTION

14.1 Use of Fire Hydrants

Fire hydrants are installed in the District's water system for the use of District employees and firefighters and employees and firefighters of other fire protection agencies, and no other person shall use a District fire hydrant without first obtaining the written approval of the General Manager. A person obtaining such written approval shall operate the specified hydrant or hydrants in accordance with instructions issued by the General Manager.

14.2 Relocation or Replacement of Hydrants

Any person requesting the relocation or replacement of a fire hydrant in the District's water system shall be responsible for all costs of such relocation or replacement, and shall deposit with the District at the time of such request, the estimated cost of such relocation or replacement, and if the actual cost thereof exceeds the amount of such deposit, shall pay the balance of such cost to the District within ten (10) days after receipt of an invoice therefor from the District, or if such cost is less than the amount of such deposit, the District shall refund the balance to the depositor.

14.3 Additional Hydrants

If a property owner requests installation of additional fire hydrants in the District's water system in order to comply with increased requirements for the spacing of hydrants necessitated by a change in the zoning for the owner's property or an intended change in use of such property, or if the District determines upon examining an application for water service that the intended use of the property for which such application is made will necessitate the installation of additional hydrants, the owner of such property shall be responsible for the cost of installing such additional hydrants and shall deposit with the District the estimated cost of such installation, and if the actual cost thereof exceeds the amount of such estimate, shall pay the balance of such cost to District within ten (10) days after receipt of an invoice therefor from the District, or if such cost is less than the amount of such deposit, the District shall refund the balance to such owner.

14.4 Maintenance

The District's personnel shall maintain all fire hydrants installed in the District's water system. If a fire hydrant is damaged by act of any person, such person shall be responsible for the cost of the repair or replacement of said hydrant.

SECTION 15.0 PRIVATE FIRE PROTECTION SERVICE

15.1 Application and Deposit

A person seeking private fire protection service from the District shall enter into an agreement with the District setting forth the terms and conditions of such service. Each such applicant shall deposit with the District, concurrently with the execution of such agreement, an amount equal to the estimated cost of the installation of the fire service connection which may include at the General Manager's discretion, a shut-off valve, meter box and meter, back-flow protection device and detector check meter. If the actual cost of such installation exceeds the amount of such deposit, the applicant shall pay to the District the balance of such cost within ten (10) days after receiving an invoice therefor from the District, or if such actual cost is less than the amount of such deposit, the District shall refund the balance to the applicant. The installation of all fire service connections shall be made by District employees or a contractor selected by the District.

15.2 On-Site System

Each applicant for private fire protection service shall be responsible for and bear the entire cost of the installation of the building sprinkler system and other facilities to be installed on the applicant's property beyond the fire service connection. Upon the installation of such facilities and the fire service connection, the applicant shall be responsible for the maintenance and annual testing of the back-flow protection device, check valve and detector check meter, if any, and the facilities installed on the applicant's property to provide fire protection service. If the District finds that a back-flow protection device, check valve or detector check meter is not operating properly, it may repair or replace same and charge the owner the cost thereof.

15.3 Cross-Connections

There shall be no connection between a private fire protection service and any other water distribution system on an applicant's property and such private fire protection service shall be equipped with back-flow protective devices to protect against contamination of the public water supply.

15.4 Use of Water

There shall be no water used through a private fire protection service except for extinguishing fires and for testing the building sprinkler system and other facilities on the applicant's property. Any consumption recorded on a meter for private fire protection service which relates to water which is used for purposes other than those hereinabove permitted shall be billed at twice the District's regular domestic water rate.

15.5 Monthly Rates

Each person receiving private fire protection service from the District shall pay a monthly rate for such service to be established by the District's Board of Directors upon receipt of the application and which may be revised from time to time. The current rates are identified in the attached Exhibit A-1 – Rates, Fees and Charges.

15.6 Storage Tanks

No water storage tank connected to a building sprinkler system shall be filled with water from the private fire service connection without the written approval of the General Manager. All water thus used shall be billed at the District's regular domestic water rates.

15.7 Violation of Agreement

If water is used from a private fire service connection in violation of the agreement for such service or this Ordinance, the District may disconnect and remove the fire service connection.

15.8 Water Pressure

The District does not by entering into an agreement for or providing private fire protection service assume responsibility for loss or damage due to lack of water or pressure and agrees only to furnish such quantities and pressures as are available in its general distribution system. Private fire protection service is subject to shut-downs and variations required by the operation of the District's water system.

15.9 Commencement of Service

When a fire service connection is installed, the valve governing same shall be closed and sealed, and remain so until a written order is received from the applicant to have the water turned on. If the District does not require a meter in such a connection and if water is used through the connection for any purpose other than extinguishing fires, the District may install a meter in the fire service connection at the applicant's expense.

SECTION 16.0
RESIDENTIAL LANDSCAPE IRRIGATION METER SERVICE POLICY

16.1 Application and Deposit

A District customer who has an active residential water meter serving a single family residence on a one acre or less in size parcel may request that a separate residential landscape irrigation meter be installed to service the same property. The residential landscape irrigation meter will be installed by the District and paid for by the customer at the actual cost of material, labor, and equipment, including District overhead (“time-and-material”). To initiate a request for residential landscape irrigation meter service, the customer will submit a completed Residential Landscape Irrigation Meter Service Application to the District Office. The size of the requested meter will be specified at the time of application.

An estimated residential landscape irrigation meter connection deposit is required prior to installation. The deposit amount required, based on meter size, is identified in the attached Exhibit A-1 – Rates, Fees and Charges. In the event the actual time-and-material installation cost is less than the estimated meter connection deposit, the difference will be refunded to the customer. If the actual time-and-material installation charge is more than the estimated meter connection deposit, the customer will be billed for the difference.

The installation of all irrigation meter services shall be made by District employees or a contractor selected by the District.

16.2 Irrigation Meter Connection

It will be the responsibility of the customer to make the connection from the customer’s landscape irrigation system pipeline to the District residential landscape irrigation meter.

16.3 Backflow Prevention

If the District determines a backflow prevention device is warranted, the customer shall install an approved device on the customer’s irrigation system pipeline at a suitable location as determined by the District. To activate the residential landscape irrigation meter service, the District requires that the device be initially tested and certified by a San Bernardino County Certified Backflow Tester. Thereafter, annual testing of the backflow device at the customer’s expense is required to keep the residential landscape irrigation meter service active.

16.4 Cross-Connections

There shall be no connections between the residential landscape irrigation meter service line and any other residential plumbing on the customer’s property. Failure to abide by this provision will result in termination of the residential landscape irrigation

meter service. The customer agrees to make the customer's water system available for District inspection to determine that compliance with this stipulation is maintained.

16.5 Monthly Service Charge

Each customer that receives active residential landscape irrigation meter service from the District shall pay a monthly service charge. The monthly service charge is established by the District's Board of Directors and may be revised from time to time. The current rates are identified in the attached Exhibit A-1 – Rates, Fees and Charges.

16.6 Water Usage Charge

The water usage charge for water consumed and recorded by a residential landscape irrigation meter will be the same as the water usage charge for water consumed and recorded by a normal residential meter. The residential landscape irrigation meter service water usage charge is established by the District's Board of Directors and may be revised from time to time. The current rates are identified in the attached Exhibit A-1 – Rates, Fees and Charges.

16.7 Not-Applicable Fees and Charges

Residential landscape irrigation meter service will not be subject to the District's Water Facilities Capacity Charge, any Infrastructure Repair and Replacement (IRR) charges or the Residential Wastewater Service System Usage Charge.

16.8 Other Terms, Conditions, Fees and Charges for Service

With the exception of the non-applicable fees and charges identified above, residential landscape irrigation meter service will be subject to all applicable terms, conditions, fees, and charges for water service. This includes the terms and conditions set forth in the District's Rules and Regulations for Water and Wastewater Service, as well as the fees and charges identified in the most recent Resolution setting forth fees and charges for the District. The current rates are identified in the attached Exhibit A-1 – Rates, Fees and Charges.

16.9 Violation of Agreement

Violation of any of the provisions of this Section may result in termination of residential landscape irrigation meter service and will be subject to other remedies as are set forth in the District's Rules and Regulations for Water and Wastewater Service.

SECTION 17.0 USE OF THE PUBLIC WASTEWATER SYSTEM

17.1 Use of Public Sewers

Use of public sewer shall be specified in Chapter 3, General Regulations, of the Uniform Plumbing Codes and the provisions of this Ordinance. The Board may adopt rules and regulations on permissible discharges to the sewer system; providing for the control of prohibited wastes; grease, oil and sand interceptors; maintenance of flow equalizing systems; swimming pool discharges, and tests. The determination of a permissible discharge may require an acceptable analysis or tests from the discharges as evidence that the discharged wastes will not adversely affect the sewer system and/or treatment facilities.

17.2 Occupancy Prohibited

No building, industrial facility or other structure shall be occupied until the owner of the premises has complied with all rules and regulations of the District.

17.3 Sewer Required

The owner of any house, building, or property used for human occupancy, employment, recreation, or other purposes situated within the District and abutting on any street in which there is or shall have been located a public sewer of the District, is hereby required at their expense to connect said building directly with sewers of the District, in accordance with the provisions of this Ordinance, and to pay the District's rates and charges then in effect for connection to the public sewer, within such time as the District may require, but in no event more than 90 days after installation of the sewer. The District, in its discretion, may suspend enforcement of this requirement for any property connected to a septic system on the date of adoption of this Ordinance, provided that such property is not located within the Deep Creek watershed (generally north of Highway 18), and further provided that enforcement shall not be suspended beyond the date of a change in ownership of any such property.

17.4 Septic Tank System Use

Use of a septic tank system within the District is generally prohibited. The District may grant an exemption to this prohibition if the property using a septic tank is two hundred (200) feet or more from the nearest District sewer line and the septic tank system is fully approved, permitted and operational in accordance with the regulations of the San Bernardino County Department of Building and Safety and Department of Environmental Health Services.

The District will not grant such an exemption if an assessment district or other regulation prohibits use of a septic tank system in a particular area.

If a property is already using a septic tank and the septic tank is not failing and the property is outside an assessment district boundary and the property is not otherwise required to connect to the wastewater system, then the District may allow the property to continue using a septic tank so long as the requirements of this section are met.

SECTION 18.0
BUILDING SEWER AND CONNECTIONS TO PUBLIC WASTEWATER SYSTEM

18.1 Permit Required

No person shall make a connection to any public sewer without first obtaining a written permit from the District and paying all required fees. The owner or his agent shall make application on a form furnished by the District. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the General Manager.

18.2 Connection

The connection of the building sewer to the public sewer system shall be inspected by the District and if found to be satisfactory, the District shall affix an approval tag to the connection. The building sewer shall be inspected by the Department of Building and Safety of the County, but not before the approval tag of the District has been affixed.

18.3 Rules and Regulations

The District may adopt, subject to approval of the Board, rules and regulations for making connection to public sewers, including but not limited to permit, connection and inspection fees, procedures for installation for services, notices, testing and other regulations.

18.4 Separate Sewers

Reference is made to the Uniform Plumbing Code – Independent Systems.

18.5 Old Building Sewers

Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the District, to meet all requirements of this Ordinance. If an existing building sewer is not to be used after demolition of a building, the building sewer must be disconnected at the property line and the building sewer remaining between the property line and the public sewer must be capped by the owner at the property line. Disconnection and capping after demolition is subject to inspection and approval by the District.

18.6 Building Sewer Too Low

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted to the public sewer by a pump or other approved means installed, owned and operated by the owner.

18.7 Backwater Valve Required

The District may require the installation of an approved backwater valve as specified in the Uniform Plumbing Code, wherever the lowest plumbing fixture in the building is lower than the elevation of the sewer in the street, or whenever deemed necessary by the District to protect the owner's property.

18.8 Illegal Connection

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sewer.

18.9 Local Regulations

The connection of the building sewer into the public sewer or sewer lateral shall conform to the requirements of the District, shall be under District jurisdiction, and shall be installed by a licensed and insured contractor.

18.10 Building Sewer Maintenance

The user shall bear the burden and all expenses related to maintenance and repair or replacement of the building sewer.

18.11 Inspection of Private Property

The District's inspector shall inspect, as often as they deem necessary, buildings and premises for the purpose of ascertaining any violation of the purpose or provisions of this Ordinance and of any other law or standard affecting sewer service. Whenever the District's inspector finds it necessary to make such an inspection, the inspector is authorized to enter such building or premises at all reasonable times to inspect the same or to perform any duty authorized by this Ordinance; provided that if such building or premises is occupied, the inspector shall first present proper credentials and request entry, and if such building or premises is unoccupied, the inspector shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the inspector shall have recourse to every remedy provided by law to secure entry, and shall be authorized to obtain a proper inspection warrant or other remedy provided by law to secure entry. Owners, occupants or any other persons having charge, care or control of any building or premises shall, after proper request is made as herein provided, promptly permit entry therein for the purpose of inspection and examination pursuant to this Ordinance.

SECTION 19.0 PUBLIC SEWER CONSTRUCTION

When deemed appropriate by the District, in its discretion, the District may reimburse the user for maintenance costs incurred by the user to remove a blockage in the public sewer which prevents proper operation of the user's building sewer. Conversely, the District may bill the user for costs incurred by the District to remove a blockage produced by use of the user's building sewer, and to pursue any and all remedies for nonpayment within 30 days thereafter.

19.1 Approval Required

No person shall construct or extend any public sewer without first obtaining written approval from the District and paying all fees. The provision does not apply to condominiums and private sewers and appurtenances under contracts entered into with the District. Design and construction of public sewer systems shall be in accordance with the Design Criteria and Technical Specifications of the District.

19.2 Bonding of Improvements

A Faithful Performance Bond, when required, shall be furnished by the owner to the District. The bond shall be not less than one hundred twenty five percent (125%) of the construction estimate as approved by the engineer. The bond shall guarantee the completion of construction of those sewerage facilities proposed. The bond should be accompanied by an improvement agreement between the owner and the District.

19.3 Liability

The District and its officers, agents, and employees shall not be responsible for any liability, injury or death to any person, or damage to any property arising during, or growing out of the performance of any work or construction by any applicant, contractor or owner. The applicant shall hold the District and its officers, agents, and employees harmless from any liability imposed by law upon District or its officers, agents, or employees, including all costs, expenses, fees and interest incurred in defending same, or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of his work, or any failure which may develop therein.

19.4 Subdivisions

The developer or his engineer shall contact the District to determine whether or not sewer service is feasible. They will furnish a tentative tract map showing lot sizes, street layout, and elevations based on USGS datum, points of connection to the District's sewers, possible pump station and flow data based on the design criteria of the District. The District Engineer will review the tract map and determine whether sewer service is feasible and whether any oversizing will be required to facilitate extension of the District's system.

19.5 Main Extensions Other Than Subdivisions

Main extensions to serve one or more parcels of land may be made by the owner or owners of said land. The owner or his engineer shall follow the same procedure for main extensions as outlined for subdivisions in Section 20.4. In lieu of this procedure, the owner or owners may request the District to make the necessary investigation, prepare plans and have the work constructed. The owner or owners shall advance all necessary funds for the investigation, plan preparation and construction prior to the District commencing any of the work described above.

19.6 Main Service Charge

When persons, owning land to which sewer mains are adjacent in streets or rights-of-way (which mains have been installed by the District or an applicant for service) make application for sewer service to a lot, parcel, tract or subdivision, they shall reimburse the District or applicant for their proportionate share of the cost of said main. Their proportionate share of said cost shall be cost per frontage foot for benefited land, as set forth in the application and so determined by the District.

19.7 Payment of Cost of Oversized Mains

In the event the District elects to install sewers of greater size than, in the opinion of the District, shall be adequate to supply any new subdivision with sewer service, the owner or owners of the proposed subdivision shall not be required to pay more than the cost of mains which, in the opinion of the District, are adequate to supply such subdivision with sewer service. The District shall pay for the incremental cost of the oversized pipeline facilities, but no other adjustment of the cost of installation shall be made.

19.8 Refunds

When sewer main extensions are made and paid for by an applicant and said main extension shall be of benefit to another person or persons in the future, said applicant may enter into a refund agreement with the District. Said refund agreement shall provide for a refund payment from main service charges collected by the District for service connection to a main, paid for by a new applicant. Said refund shall be computed on the basis of actual cost to the person making the original main extension per frontage foot benefited for which the main service charge is collected. All refund agreements shall become null and void ten years from the date first written.

19.9 Plans and Specifications

The developer, their engineer and any other person proposing the construction of public sewers within the District will prepare plans and specifications for construction of said sewer in accordance with the District's "Design Criteria and Technical Specifications". Plans and specifications along with a copy of the tract map indicating sewer easements

shall be submitted to the District Engineer for approval. This submittal will not relieve the developer or other persons constructing public sewer facilities from compliance with other requirements of State and local agencies.

19.10 Plan Checking

The District Engineer will review the sewer plans for compliance with its requirements and will approve such plans after the following conditions have been satisfied:

- a. The District has certified the plans as complying with District's rules and regulations and as being in accordance with master sewerage plans for the area.
- b. The applicant has paid the required plan checking fee, the schedule for which shall be adopted by the Board.

19.11 Construction

The developer shall arrange for construction of facilities in accordance with the approved plans and specifications and construction methods as set forth by the District's rules and regulations. A five day advanced notice to start construction is required along with approval for construction plans and specifications. Construction of public sewers or sewer laterals as defined by this Ordinance shall be performed by a person or contractor duly licensed by the State of California.

19.12 Inspection

All public sewer construction and/or repair work shall be inspected by the District, its representative or an inspector acting for the District to insure compliance with all requirements of the District. No construction shall be accepted until it has been inspected and approved for acceptance. No work shall commence until the required inspection fee has been paid. The schedule of inspection fees shall be determined by the General Manager or District Engineer.

19.13 Service Refused

The District may refuse service for noncompliance with its rules and regulations, ordinances, resolutions and policies, and for failure to pay applicable fees.

19.14 Acceptance of facilities

Before the District will accept sewers and/or appurtenances into its maintained system, the developer shall furnish:

- a. A recorded Notice of Completion and evidence that the sewer work has been completed in accordance with approved plans and specifications.

- b. One set of reproducible as-built plans, plus one set of prints, showing exact locations, depths and description of all facilities in both hard copy and electronic format.
- c. Original recorded easement documents for sewers not in public property, or not within a tract boundary.
- d. The original recorded quitclaim deed transferring the title of the sewer facilities to the District.
- e. A letter from the District Engineer certifying that facilities were installed according to plans and specifications.
- f. Operation and maintenance manuals on any pump stations and/or mechanical equipment.

19.15 Easement

Where it is necessary to cross private property to achieve construction, or to provide access for future sewers serving adjacent or upstream tributary land, the following procedure shall be used in the preparation, review and processing of the easements and easement documents. The developer shall prepare easement documents with description for all sewer mains which do not lie within public roads, are outside of recorded tracts, and/or are on private property. The easements shall be delineated on the plans and the recording data shall be shown on the as-built plans. All District sewer easements shall be of not less than ten feet in width. The District Engineer shall review easement documents with descriptions as part of the plan review. The developer shall have them executed, notarized, and submit completed documents to the District for recording.

SECTION 20.0 PERMITS AND FEES

20.1 Permit Required

No authorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or perform any work on any public sewer and lateral sewer without first obtaining a written permit from District.

20.2 Permit Procedure

The Board shall adopt procedures for application and approval of permits regulating the use and construction of the sewer facilities. Permits shall specifically state the obligations and liability for costs of the permittee.

20.3 Street Excavation Permit

A separate permit must be secured from the County, or any other agency having jurisdiction there over, by the owners or contractors intending to excavate in a public street for the purpose of installing sewers or making lateral connections.

20.4 Connection Permit

A connection permit will not be issued until the County Road Department Excavation Permit and/or State Highway Encroachment Permit, as required, is issued. The connection permit will not be issued until the required set of prints have been submitted and all fees paid.

20.5 Fee Requirements

The Board shall adopt, by resolution, fees for the issuance of permits and for special services, including but not limited to, inspection, construction, plan checking and preparing special studies, and may further require fees for annexations, connections and use of sewer facilities. The current rates, fees and charges are identified in the attached Exhibit A-1 – Rates, Fees and Charges.

SECTION 21.0 VIOLATION, ENFORCEMENT AND PENALTIES

21.1 Unlawful Wastewater Disposal

It is unlawful for any person to connect, construct, install, provide, maintain or use any other means of sewage disposal from any building in the area served by sewer of said District except as provided herein. Septic tank use must be in accordance with Section 17.4 of these rules and regulations. Any person violating this provision may be subject to the penalties provided by law and these rules and regulations.

21.2 Unlawful Water Use

It is unlawful for any person to connect and otherwise extract water from the District's water supply and distribution system other than as stated in these rules and regulations. Any person violating this provision may be subject to penalties provided by law and these rules and regulations.

21.3 Protection from Damage

No person shall willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment that is part of the District's water or wastewater systems. Any person violating this provision may be subject to the penalties provided by law and these rules and regulations.

21.4 Investigation Powers

No person may represent himself or herself to be an authorized employee or representative of the District except as designated by the General Manager. Each duly authorized employee and representative of the District shall carry evidence establishing his or her position as such.

Upon exhibiting the proper credentials and identification, such an authorized employee or representative of the District shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purpose of inspection, re-inspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary to assure compliance with the provisions of these rules and regulations of the District. If such entry is refused the District shall have recourse to every remedy provided by law to secure entry.

Such an entry for inspection shall only be done upon two (2) days prior notice to the owner/customer of the subject property unless an emergency situation exists. Such notice may be given in writing or by phone or in person. The investigation shall be made with the consent of the owner/customer, or the tenant, of the subject property. If consent is refused, then the District may proceed to obtain a warrant as provided by law.

21.5 Violation

Any person found to be violating any provision of these rules and regulations of the District may be served by the District with a written correction notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Whenever a violation creates an emergency or hazard, the notice of violation may be oral, followed by a written notice as soon as reasonably possible and may require immediate correction.

Each person may be held strictly responsible under the provisions of this or any other ordinance, resolution, rule or regulation of the District for their own acts and for any and all authorized acts of their authorized representatives or employees.

Upon being notified by the District or authorized representative of any violations of these rules and regulations, the person having responsibility for the property, facility or work causing the violation shall immediately cease and desist from such violation and shall cause the commencement of such measures and procedures as may be necessary to correct the violation within the time specified by the District.

If the violation or hazard is not terminated and corrected during the length of time specified, the District shall cause the violation or hazard to be corrected and shall collect from the owner the cost thereof.

21.6 Public Nuisance

Continued habitation of any building or continued operation of any commercial facility in violation of the provisions of these rules and regulations or any other ordinance, resolution, rule or regulation of the District shall constitute a public nuisance. The District shall cause proceedings to be brought for the abatement of the occupancy of the building or commercial facility during the period of such violation.

21.7 Disconnection of Service

As an alternative method of enforcing the provisions of this or any other ordinance, rule or regulation of the District, the District, at its discretion, shall have the power to turn off and/or to disconnect the customer from the sewer and/or water system or facilities of the District.

Upon turn off and/or disconnection the District shall estimate the cost of the turn off and turn on and/or the estimated cost of the disconnection and reconnection to the system and before such user is turned on and/or reconnected the District shall require payment or a deposit covering the estimated costs. This amount may be in addition to any outstanding fees owed by the customer to the District.

The District shall refund or credit any part of such deposit remaining after payment of all costs of turn on or turn off and/or disconnection of service and reconnection or shall bill the customer for any related costs in excess of the deposit.

The District shall give ten (10) days written notice to the occupant, owner or user of the premises or property that said system will be shut off or disconnected, unless the San Bernardino County Health Department determines that an emergency situation exists that endangers the health of people within the area, in which case written notice of the turn off and/or disconnection need to be given. Where there is a shut off and/or disconnection, a "Notice of Turn off and/or Disconnection" shall be posted on the property. During the period of such disconnection, occupancy of such premises by human beings shall constitute a public nuisance, whereupon the District shall cause proceedings to be brought for the abatement of the occupancy of said premises by human beings during the period of such disconnection. In such event, and as a condition of reconnection, there is to be paid to the District a reasonable attorney's fee and cost of suit arising in said action.

Neither the District nor any of its employees or agents may be held accountable for any damage which may occur to a person or a property during or because of disconnection of service.

21.8 Abatement

During any period of disconnection of service from an authorized water or wastewater system, habitation of affected premises by humans may constitute a public nuisance whereupon the District may cause proceedings to be brought for the abatement of such nuisance. This provision shall not apply to any premises that are not required by these rules and regulations to be connected to the District's water and/or wastewater system.

21.9 Liability for Violation

Any person violating any of the provisions of any ordinance, resolution, rule or regulation of the District shall be liable to the District for all expense, loss and damage accruing to the District by reason of such violation, including reimbursement of attorney fees. This provision shall be enforced in addition to any other remedy provided by law to the District because of such violation.

21.10 Civil Enforcement

The District hereby declares that the foregoing procedures are established as a means of civil enforcement of the terms and conditions of its ordinances, resolutions, rules and regulations, and not to affect forfeiture.

21.11 Variance

When any person claims special circumstances and is of the opinion that a variance is necessary or that any provision of any ordinances, resolutions, rule or regulation of the District is unjust or inequitable as applied to his or her facilities or property, and that such special circumstances make his or her facilities or property different from any other properties which are subject to the provision disputed, that person may file a written statement request for variance with the District stating the special circumstances, citing the provision disputed and requesting suspension or modification of that provision as applied to his or her facilities or property.

The Board shall hold a hearing on the written request for variance within ninety (90) days of the receipt of the request, at which the person requesting the variance shall put forth all evidence of special circumstances necessitating the variance. Within a reasonable time after the hearing, the Board may either deny, approve, or conditionally approve with conditions the variance. Any approval or conditional approval shall include findings that (1) a special circumstance exists, which causes the property in question to differ from other properties in the District, (2) strict enforcement of the rule in question would be unjust or inequitable in the circumstances, (3) the variance is reasonably necessary to avoid or mitigate the unjust or inequitable condition, and (4) the variance will not negatively impact the health, safety, and welfare of the community.

The Board may impose any conditions on the variance, including limitations on the scope or time of the variance. Any variance with a stated time limitation shall automatically expire unless extended by the Board. In no event, regardless of the stated conditions, shall any variance remain in effect beyond the time in which the special circumstances exist.

A variance may be revoked where: (1) the variance is no longer necessary due to changed circumstances, (2) the conditions on the variance are not strictly complied with, or (3) the variance negatively impacts the health, safety, and welfare of the community or the public interest otherwise requires revocation. The Board shall give notice of an intent to revoke and a hearing on the proposed revocation prior to completing any revocation. The Board may, in its sole discretion, provide an "amortization period," constituting a reasonable period of time in which a variance will terminate.

Nothing herein shall create any right to approval of a request for a variance. A variance shall not modify any fee or fees imposed by the District.

21.12 Appeals

If the District determines to impose a fine on a person ("violator") who has violated any provision of these rules and regulations, the District shall cause a written notice of the violation to be sent to the violator. The notice shall provide, in sufficient detail, the violation(s), the amount of the penalty being imposed, and the date or times by which the penalty shall be paid to the District. Service of any notice required under this Section

shall be made by personal service in the same manner as a summons in a civil action; or registered United States mail, which service shall be completed at the time of deposit into the United States mail.

A violator may appeal the imposition of any penalty by submitting the appeal in writing to the District. All appeals shall be submitted to the District within thirty (30) calendar days of the date of the notice of the imposition of the penalty.

The District General Manager, or his/her designee, shall review the appeal and any related information provided by the violator and, if necessary, cause an investigation and report to be made concerning the imposition of any penalty. The District General Manager, or his/her designee, shall have twenty (20) calendar days from the submission of the appeal to render a decision on whether to grant the appeal and mail notice thereof to the violator. If the General Manager, or his/her designee, grants the appeal and determines that any penalty was imposed in error or should be reduced, within fifteen (15) calendar days of such determination, the District General Manager, or his/her designee, shall either refund the penalty or any portion thereof, if paid by the violator, for which the appeal was granted, including any additional penalties or interest related thereto and give written notice thereof or determine and correct the amount of the penalty for the violator, including any additional penalties or interest related thereto and give written notice thereof.

The decision of the District General Manager, or his/her designee, may be appealed by the violator to the Board. Such appeal must be submitted in writing and filed with the District within fifteen (15) calendar days of the date of decision of the General Manager, or his/her designee. The Board shall conduct a hearing on such appeal at its next regularly scheduled Board meeting; provided, however, the Board shall have received the notice of appeal at least fifteen (15) calendar days prior to such meeting. If the appeal is not submitted within at least fifteen (15) calendar days prior to a regularly scheduled Board meeting, then the hearing shall be held at the next following regularly scheduled Board meeting. A notice of the hearing shall be mailed to the violator at least ten (10) calendar days before the date fixed for the hearing. The Board shall review the decision of the District General Manager, or his/her designee. The determination of the Board shall be conclusive and constitute a final order. Notice of the determination by the Board shall be mailed to the violator within ten (10) calendar days of such determination.

If the appeal is granted in whole or in part, within ten (10) calendar days from the date of the mailing of the notice of determination by the Board, the District shall either refund the penalty or any portion thereof, if paid by the violator, including any other penalties or interest related thereto for which the appeal was granted or determine and impose the correct amount of the penalty for the violator, including any other penalties or interest related thereto.

If the appeal is denied or granted in part, the violator shall have twenty (20) calendar days from the date of the mailing of the notice of determination by the Board to pay the penalty, and any other penalties and interest fixed by the Board.

Until the conclusion of the appeal process, all provisions and decisions under appeal shall remain in full force and effect until the conclusion of the appeal process.

If a violator subject to the imposition of a penalty pursuant to these rules and regulations, after notice has been provided as set forth herein, fails to pay the penalty when due, the violator shall become liable to the District for interest at the rate of one percent (1%) per month on the delinquent penalty(ies) amount.

21.13 Penalties for Violation

As authorized by law, with regard to construction and use of water and wastewater facilities, any person violating any of the provisions of these rules and regulations and failing to correct such violation within the time allowed therefore, shall be guilty of a misdemeanor.

As authorized by law, any person convicted of a violation of any provision of these rules and regulations, unless otherwise stated specifically provided in these rules and regulations, shall be punishable by a fine or by imprisonment in the County jail or by both such fine and imprisonment.

21.14 Continuing Violations

Each person who violates any provision of these rules and regulations may be guilty of a separate offense for each and every day during any portion of which such violation is committed, continued or permitted by such person and may be punished accordingly.

SECTION 22.0
STANDARDS FOR DOMESTIC WATER AND SEWER FACILITIES

The District's design criteria, technical specifications and standards for domestic water and sewer facilities shall be adopted by resolution of the Board of Directors and may be amended from time to time. A copy of the subject resolution as adopted shall be on file in the office of the District and shall be available for inspection upon request.

**RUNNING SPRINGS WATER DISTRICT
RATES AND FEES EFFECTIVE JULY 1, 2017**

WATER FEES:

WATER RATES:

METER SIZE	MONTHLY SERVICE FEES	GALLONS PER MINUTE
3/4" METER	\$ 29.92	20 GPM
1" METER	\$ 67.40	50 GPM
1.5" METER	\$ 129.80	100 GPM
2" METER	\$ 204.71	160 GPM
3" METER	\$ 441.88	350 GPM

GALLONS PER MINUTE - BASED ON METER SIZE AND MANUFACTURER'S MAX FLOW RATE

USAGE: \$0.0447 PER CU. FT.

7.48 GAL PER CU. FT. - 43,560 CU. FT. PER ACRE FOOT = APPROX \$1,856

OUT OF DISTRICT (RESOLUTION 14-05): \$0.0497 PER CU. FT

WATER INFRASTRUCTURE REPAIR/REPLACEMENT

MONTHLY CHARGE: \$1.88 /MONTH

METER INSTALLATION:

3/4" METER	\$1,060.00
1" METER	\$1,272.00
1.5" METER	COST OF METER AND INSTALLATION PLUS 10%, PLUS \$703.00

WATER FACILITIES CAPACITY CHARGE: \$4,322.00/EDU

DELINQUENT FEE: \$6.00 OR 3% OF UNPAID BALANCE

TURN OFF/ON AND LOCK/UNLOCK: \$35.00 (\$17.50 EA. CALL) REG. HRS. MON-FRI \$70.00 OR PORTION THEREOF (\$35.00 EA. CALL) FOR AFTER HRS. (5PM), INCLUDING WEEKENDS AND HOLIDAYS. METERS ARE NOT UNLOCKED BETWEEN THE HOURS OF 7PM-7AM

CUSTOMER SERVICE FEE: \$17.50

(EACH TIME AN OPERATOR IS SENT TO THE RESIDENCE TO LOCK THE METER AND PAYMENT IS COLLECTED OR AN EXTENSION IS GRANTED PER THE REQUEST OF THE CUSTOMER)

DISCONNECT/RECONNECT FEES: \$150.00 PLUS UNPAID DWR,

WPCP LOAN FEES AND WATER/SEWER INFRASTRUCTURE REPAIR AND REPLACEMENT MONTHLY FEES

SEWER FEES:

DOMESTIC SERVICE AND RESIDENTIAL USAGE:

\$41.58/MO PLUS 15% OF WATER USAGE

COMMERCIAL SERVICE: \$41.58/MO PLUS 33 1/3% OF WATER USAGE

WASTEWATER INFRASTRUCTURE REPAIR AND REPLACEMENT

MONTHLY CHARGES: \$5.25

(INCLUDES \$3.00/MO TO REPAY SEWER TREATMENT PLANT LOAN AND \$2.25/MO TO HELP FUND OTHER NECESSARY WASTEWATER IMPROVEMENTS)

SEWER FACILITIES CAPACITY CHARGE: \$ 5,646.00 /EDU

DISCHARGE OF PUMPED SEWAGE: \$50.00

FOR EACH LOAD OF 1,500 GALLONS OR LESS

CUSTOMER SERVICE:

SEWER HOT TAPS- THE FEE FOR HOT TAPPING SHALL BE TIME AND MATERIAL WHICH CONSISTS OF THE REGULAR WAGE SCHEDULE FOR STRAIGHT TIME PLUS MATERIAL (NOT TIME CHARGEABLE TO OTHERS)

PLUGGED LATERALS/DYE TESTING: THE USER/CUSTOMER MAY BE RESPONSIBLE FOR REIMBURSING THE DISTRICT FOR TIME AND MATERIAL IF IT IS DETERMINED TO BE THE CUSTOMER'S RESPONSIBILITY FOR BLOCKAGE OF THE BUILDING SEWER/LATERAL/SEWER LINE (ORDINANCE #23)

RESIDENTIAL LANDSCAPE IRRIGATION METER:

METER SIZE	INSTALLATION DEPOSIT	MONTHLY SERVICE FEES
3/4" METER	\$ 300.00	\$ 12.50
1" METER	\$ 400.00	\$ 31.22
1.5" METER	\$ 600.00	\$ 62.42
2" METER	\$ 800.00	\$ 99.88

USAGE: \$0.0447 PER CU. FT.

FIRE SERVICE WATER FEES:

METER SIZE	INSTALLATION DEPOSIT	MONTHLY SERVICE FEES
1" OR SMALLER	\$ 2,500.00	\$ 15.00
1.5" METER	\$ 3,000.00	\$ 24.96
2" METER	\$ 3,500.00	\$ 41.50
3" METER	\$ 4,000.00	\$ 58.04
4" METER	\$ 4,500.00	\$ 74.59
6" METER	TIME & MATERIAL	\$ 91.09
8" METER	TIME & MATERIAL	\$ 107.64

USAGE: \$0.0894 PER CU. FT.

HYDRANT METER RENTAL CHARGE (RESOLUTION 22-17)

METER SIZE	INSTALLATION DEPOSIT
3/4" METER	\$ 100.00
1" METER	\$ 150.00
1.5" METER	\$ 400.00
2.5" METER	\$ 900.00

SET-UP FEE: \$50.00 **DAILY RENTAL FEE:** \$2.50

METER RELOCATION: \$25.00

CONSTRUCTION WATER: \$0.0894 PER CU. FT.

MISCELLANEOUS FEES:

PLAN CHECK: \$50.00 FOR WATER/SEWER & \$75.00 FOR FIRE

ANNUAL AVAILABILITY FEES:

\$30.00 WATER \$10.00 SEWER \$65.00 FIRE SUPPRESSION

(FEES VARY BASED ON PARCEL SIZE & NUMBER OF STRUCTURES ON THE PROPERTY)

DISTRICT BOUNDARY MAP

AS DETERMINED BY ENGINEERING CONSULTANTS

SPHERE OF INFLUENCE MAPS: \$2.00

STANDARDS & SPECS: \$34.50

URBAN WATER MANAGEMENT PLAN: \$40.00

PHOTOCOPYING SERVICE: \$0.15 PER COPY

DISTRICT DOCUMENTS: \$0.15 PER COPY

RECORDING LIEN FEE: \$30.00

RETURN CHECK FEE: \$20.00

DELINQUENT WATER/SEWER COLLECTION FEE: \$30.00

SPRINKLER, ALARM, STANDPIPE, EXTINGUISHING,

OR SPECIAL SYSTEM REVIEW: \$75.00 PLUS CONSULTANT FEE IF REQUIRED

ADDITIONAL COMMERCIAL INSPECTIONS AFTER THE INITIAL

INSPECTION AND ONE FOLLOW UP \$65.00

TECHNICAL CONSULTATION \$40.00 PER HOUR FOR DEPARTMENT

TIME OR ACTUAL CONSULTANT FEE FOR OUTSIDE ASSISTANCE