

MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA

CSA's: 42, 64,
70: C, F, G, J,
L, W-1, W-3 & W-4

Water

December 17, 1990

FROM: VERNON G. KNOUREK, Assistant Administrative Officer
for Special Districts

SUBJECT: RULES AND REGULATIONS FOR WATER SERVICE--COUNTY
SERVICE AREAS 42, 64 AND 70, IMPROVEMENT ZONES C,
F, G, J, L, W-1, W-3, AND W-4

RECOMMENDATION: Adopt resolutions, establishing rules and
regulations for water service, on behalf of the following
County Service Areas and Improvement Zones:

Resolution No. 90-484, County Service Area 42, (Oro
Grande)

Resolution No. 90-485, County Service Area 64, (Spring
Valley Lake)

Resolution No. 90-486, County Service Area 70, Improvement
Zone C, (Helendale/Silver Lakes)

Resolution No. 90-487, County Service Area 70, Improvement
Zone F, (Morongo Valley)

Resolution No. 90-488, County Service Area 70, Improvement
Zone G, Oak Springs

Resolution No. 90-489, County Service Area 70, Improvement
Zone J, (Oak Hills)

Resolution No. 90-490, County Service Area 70, Improvement
Zone L, (Pinon Hills)

Resolution No. 90-491, County Service Area 70, Improvement
Zone W-1, (Goat Mountain)

Resolution No. 90-492, County Service Area 70, Improvement
Zone W-3, (Hacienda)

Resolution No. 90-493, County Service Area 70, Improvement
Zone W-4, (Pioneertown)
(continued)

Res's. to:
cc: Special Districts-Bangert
County Counsel-Krahelski
Districts c/o Spec. Dists.
File

dm

NOTE: Res's. 90-484--90-493
amended by Res. 91-76 on
3/11/91, Item #63

Action of the Board of Supervisors
RESOLUTIONS NOS. 90-484 THROUGH 90-493

APPROVED BOARD OF SUPERVISORS
COUNTY OF SAN BERNARDINO

MOTION	Second	Aye	Aye	Absent	Motion
	1	2	3	4	5

EARLENE SPROAT, CLERK OF THE BOARD

BY _____

DATED: DEC 17 1990

ITEM 102

BOARD OF SUPERVISORS
Rules and Regulations for Water Service
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BACKGROUND: This action adopts individual resolutions updating rules and regulations for county service areas providing water service in the locations of Oro Grande, Spring Valley Lake, Helendale/Silver Lakes, Morongo Valley, Oak Springs, Oak Hills, Pinon Hills, Goat Mountain, Hacienda, and Pioneertown. Basically, the rules and regulations address such operations as main line extensions, water meter installation, water hook-up and turn offs, etc. Growth and changes in water system requirements mandate the necessity of having updated rules and regulations in each District.

REVIEW: This action has been reviewed by County Counsel (L. Thomas Krahelski) and coordinated with the First Supervisorial District (Rosann Handy/Donna Munoz) and the Second Supervisorial District (Vivian Null).

DECEMBER 17, 1990

RESOLUTION NO. 90-485

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF COUNTY SERVICE AREA 64, ESTABLISHING RULES AND REGULATIONS FOR WATER SERVICE.

The Board of Supervisors of the County of San Bernardino, acting in its capacity as the governing body of County Service Area 64, hereby resolves as follows:

ARTICLE I - GENERAL PROVISIONS

1.1 SHORT TITLE; This Resolution shall be known, and may be cited, as the Rules and Regulations.

1.2 DEFINITIONS; Unless otherwise required by the context, the various terms used in these Rules and Regulations shall have the meanings set forth in ARTICLE II.

1.3 DISCONTINUANCE OF SERVICE FOR VIOLATION: Upon failure by any customer to comply with any part of the Rules or Regulations or orders fixing rates and fees of this District, the customer's service may be discontinued after written notice from the District and an opportunity to be heard. Water shall not be supplied to such customer until he shall have complied with the Rules or Regulations, or until he has satisfied the District that in the future he will comply with all the Rules and Regulations and with all rates and fees of the District. Unless remedied, the customer's service shall be discontinued 10 days after the District notifies him of a violation. If such violation endangers the general public's health and safety, the District may discontinue water service immediately, without notice.

1.4 CUSTOMER COMPLAINTS. Customers may contact the District Office, at any time during regular business hours, with any questions or complaints which they may have. The appropriate District staff shall address such questions and complaints and make every reasonable attempt to arrive at an agreeable understanding with the customer. If desired, the customer will be granted a conference with the District Manager upon the scheduling of a mutually convenient appointment.

Should a customer be unable to have his question or complaint resolved to his satisfaction by the staff, he may submit his question or complaint in writing, with a full and detailed explanation, to the District Manager and the Assistant Administrative Officer for Special Districts, who will render the appropriate decision.

1.5 APPEAL OF ADMINISTRATIVE RULINGS: All rulings, decisions, and determinations are made by the District's authorized representatives, in accordance with the Rules and Regulations. Such rulings may be appealed in writing, addressed to the Assistant Administrative Officer for Special Districts and delivered to the District Manager, within 5 days of the ruling being appealed. Such appeals may be considered by the Board of Supervisors. If the Board does not accept the matter for review, the decision of the Assistant Administrative Officer shall be final.

1.6 VARIANCES: The customer may request a variance from specific provisions of these Rules and Regulations.

All requests for variances shall be considered only upon submission of a written application, and payment of the appropriate fee, if any, as may be set forth in the Districts Rates and Fees Resolution. Variance applications submitted will be considered by the Assistant Administrative Officer for Special Districts. The customer will be given a written notice of the disposition of the application, including any conditions of approval which may have been adopted.

1.7 SERVICE OUTSIDE DISTRICT: Water service to lands located outside of the boundaries of the District shall not be permitted.

ARTICLE II - DEFINITIONS

2.1 AGRICULTURAL WATER SERVICE: Service of water to a customer for commercial agricultural purposes.

2.2 APPLICANT: The person making application hereunder.

2.3 ASSISTANT ADMINISTRATIVE OFFICER FOR SPECIAL DISTRICTS: The person appointed by the Board to act as the Administrative Officer for the Office of Special Districts.

2.4 BACKFLOW PREVENTION FACILITY: Any device or combination of devices which together with complementary and/or supplementary fittings and appurtenances meets the requirements of Title 17 of the Administrative Code of the State of California and the requirements of this Resolution to prevent cross-connections.

2.5 CAPITAL IMPROVEMENT FEE: A charge established by District ordinance and levied, as a condition precedent to receiving water service, on each new regular water service requested within a new subdivision or for a new single or multiple family residential structure or for a new Commercial/Industrial/Public/Agricultural ("C/I/P/A") customer to contribute a share of the cost to improve the District's off-site

facilities such as wells, booster pumps, storage reservoirs, and other sources of supply and major transmission/distribution lines making up the basic water system. Such basic facilities specifically do not include customer's service and the distribution pipeline(s) and appurtenances thereto, immediately adjacent to customer's premises.

2.6 BOARD: The Board of Supervisors of the County of San Bernardino, State of California, acting in its capacity as the governing body of the District.

2.7 CLERK: The person appointed by the Board to be the Clerk of the Board of Supervisors.

2.8 COMMERCIAL WATER SERVICE: Service of water to a private, non-governmental customer engaged in a commercial, mercantile, educational, research, health related, religious service, or similar activity for purposes of profit or for non-charitable or non-secular charitable or other service to select individuals or groups. Churches, private educational institutions, private hospitals and private research institutions shall come under this definition.

2.9 COMMISSION/COUNCIL: An advisory body of the District appointed by the Board in accordance with its policies.

2.10 CONTRACTOR: An individual, firm, corporation, partnership, or association duly licensed by the State of California to perform the type of work to be done under a permit, contract, or agreement for the District, County, State of California, United States of America, or any person, in connection with the District's water system.

2.11 COST: All expense, of any kind, quantifiable or estimable, in connection with anything covered by this Resolution.

2.12 COUNTY: The County of San Bernardino, California.

2.13 CROSS-CONNECTION: Any actual or potential connection between District's potable water system and any actual or potential source of pollution or contamination which could render the District's water non-potable or in excess of any constituent limit set forth by any applicable law, rule, ordinance or regulation which the District is required to enforce.

2.14 CURB VALVE: A valve generally known in the water industry as a curb cock, angle stop, meter stop, or similar name and is for the purpose of controlling the flow of water through the customer's service by the District and shall not be operated by the customer. The curb valve is normally located within the meter box on the street side of the meter, and is to be

distinguished from the customer's meter valve defined hereafter.

2.15 CUSTOMER: Any person supplied or entitled to be supplied with water service by the District.

2.16 CUSTOMER'S METER VALVE: A valve required by the District, for the customer's use, to control customer's entire water supply from the meter. Such valve shall be located in the customer's piping as close to the meter as practicable pursuant to the District's Standards.

2.17 DETECTOR CHECK: A combination check valve and bypass meter for use in private fire protection service facilities for the purpose of detecting and measuring small, non-fire related flows (to detect and measure unauthorized use); with the check valve designed to open automatically and allow fireflow to pass without being measured.

2.18 DEVELOPER: Any person who develops or begins development procedures requiring application of portions of these Rules and Regulations, for any property or groups of properties which may require water service from the District.

2.19 DISTRICT: County Service Area 64.

2.20 DISTRICT ENGINEER: The California Licensed Civil Engineer appointed by the Board and acting for the District in matters related to Engineering.

2.21 EQUIVALENT DWELLING UNIT: Any structure or portion of a structure, mobile or otherwise, with twenty (20) or less fixture units pursuant to the Uniform Plumbing Code, which is for the purpose of permanent or temporary habitation by a person or group of persons, excepting hotels, motels, and similar commercial hostelry units.

2.22 FACILITY: Any physical structure, appliance, or item, and the land or easement or right-of-way on or in which they are located, which is associated in any way with the production, transmission, storage, distribution, delivery measurement, or control of water and the management and operational function thereof. Vehicles and other movable equipment may be considered a facility in the context of these Rules and Regulations.

2.23 FACILITIES MANAGER: The person appointed by the General Manager to be responsible for the actual operation of the District's facilities.

2.24 GENERAL MANAGER: The person appointed by the Assistant Administrative Officer for the Office of Special Districts to have administrative charge and responsibility for executing the

duties of the District and it's ordinances, policies, and rules and regulations.

2.25 INDUSTRIAL WATER SERVICE: Service of water to a customer engaged in an industrial enterprise characterized by a productive activity which is not classifiable hereunder as commercial, residential, public, or agricultural.

2.26 INSPECTOR: The person or persons who perform the work of inspecting construction of water systems which are owned, or will be owned, and operated by the District. Such inspector shall be charged with determining the conformance of such water systems, or the facility components thereof, with the requirements of these Rules and Regulations and the District's Standards.

2.27 MAINLINE: Pipelines (except customer service lines) located in streets, highways, alleys, easements or rights-of way which are owned and/or operated by the District for the purpose of transmission and distribution of water.

2.28 MAINLINE EXTENSION: An extension of a District mainline for the purpose of extending the District's water system facilities to premises not currently adjacent to same.

2.29 MAINLINE EXTENSION CONNECTION FEE: The charge applicable to eligible properties under a Mainline Reimbursement Agreement. This fee is based on per-foot cost, and is to be paid by any customer connecting to a mainline that was installed at the expense of a subdivider or previous owner who requested a Mainline Reimbursement Agreement. Such fee represents the cost of construction of a distribution network complete with necessary valves, fire hydrants, and other appurtenances.

2.30 METER/CURB VALVE: A device or combination of devices which, together with complementary and/or supplementary fittings, vault or other housing, and appurtenances, measures and/or detects the flow of water to a separate customer for any purpose.

2.31 METER FACILITY: The pipeline, connecting valves and fittings, and metering/control facility used to extend water service from a mainline to a meter for the use of separate premises. The meter facility up to and including customer's meter shall be owned, operated and maintained by the District.

2.32 METER FACILITY INSTALLATION FEE: The charge levied to recover the cost of installing the customer meter facility.

2.33 OFFICE OF SPECIAL DISTRICTS: The Office authorized by the Board to provide administrative and management support to Board governed special districts within the County.

2.34 OWNER: Except in the District's Standards where the word Owner refers to the District, Owner means the person in whom is vested the ownership, dominion, or title of property.

2.35 PERMIT: A written authorization required pursuant to these Rules and Regulations or any other regulation of the District.

2.36 PERSON: An individual or company, association, partnership, or public or private corporation.

2.37 POTABLE WATER: Water which is fit and healthful for human consumption and meets the minimum requirements of all applicable laws and regulations.

2.38 PREMISES: Except as set forth in this definition, a physically separate structure housing one or more dwelling units, or an integrated commercial, industrial, public, or agricultural undertaking, under common ownership or control. Condominiums will be considered separate premises, even if contained within a common structure, unless an effective, legally constituted association is continuously available to provide common control or responsibility for debt.

2.39 PRIVATE FIRE PROTECTION SERVICE: Water service to, and facilities for, building sprinkler systems, fire hydrants, hose reels and other facilities installed on private property and privately owned for the purpose of private fire protection.

2.40 PUBLIC WATER SERVICE: Water service to a customer directly supported by public funds and engaged in a governmental, public, educational, public health or research function; or a charitable, or legally non-profit secular activity of benefit to or providing service to the general, secular public.

2.41 REGULAR WATER SERVICE: Water service and facilities for normal residential, commercial, industrial, public, or agricultural purposes on a permanent basis, as opposed to temporary service for construction or other purposes and temporary or permanent private or public fire protection service.

2.42 RELIEF VALVE: A pressure relief device in the customer's plumbing system.

2.43 RESIDENTIAL WATER SERVICE: Water service to a customer for use in connection with his residential habitation of his dwelling unit including uses incidental to the premises such as maintenance of landscaping. Such service, by definition, excludes all uses which come under the definition of commercial, industrial, agricultural, or public water service.

2.44 SERVICE LINE: The pipeline, connecting valves and

fittings, used to extend water service from a meter to customer's facility. A service line shall not serve more than one separate property. The service line up to a customer's facility shall be owned, operated and maintained by the customer.

2.45 SINGLE-FAMILY: A person or group of persons existing as a single family unit by ordinary societal standards.

2.46 STATE: The State of California.

2.47 STANDARDS: Those Standards adopted by the District to aid in the construction of any and all District facilities.

2.48 SUBDIVIDER: Any person undertaking proceedings under applicable State laws and County ordinances to effect a land division.

2.49 SUBDIVISION: Any real property divided into lots or parcels in accordance with the State of California Subdivision Map Act and applicable County ordinance.

2.50 TEMPORARY WATER SERVICE: Water service rendered for construction purposes and other uses of limited duration.

2.51 UNPLANNED INTERRUPTIONS IN SERVICE: An unplanned interruption in water service from a cause beyond the control of the District.

2.52 WATER STANDBY/AVAILABILITY FEES: A charge collected annually by the District, based upon the degree of water availability to each lot or parcel of land, in accordance with Section 25210.77b of the Government Code. See the Districts Rates and Fees Resolution for a statement of charges.

2.53 WATER SYSTEM: The District's plant, equipment, structures, tools, works, property and property rights, and the management, operation, and maintenance thereof, used for and useful in the production, storage, transmission and distribution of water, and the management, operation, and maintenance thereof, for the benefit of its customers.

ARTICLE III - NOTICES

3.1 NOTICES TO CUSTOMER: Notice from the District to a customer will normally be given in writing and either delivered or mailed to the customer's last known address. Notice shall be deemed given when deposited in the United States mail, postage prepaid and addressed to the last known address of the customer. Where conditions warrant and in emergencies, the District may resort to notification by telephone, messenger, newspaper, or radio, or any other media available which has significant public

exposure.

3.2 NOTICE FROM CUSTOMER: Notice from the customer to the District shall be given in writing and sent to the District's current mailing address.

ARTICLE IV - BASIC WATER SERVICE REGULATIONS

4.1 APPLICABILITY OF THIS ARTICLE: This Article of water service regulations shall apply to all District customers. All of the other parts and articles of these Rules and Regulations shall be supplemental hereto.

4.2 PERMIT FOR WATER SERVICE:

4.2.1 WATER SERVICE PERMIT APPLICATION: Customers shall make written application for a Water Service Permit on a form provided by the District which shall contain such information as required by the District to ascertain the complete nature of the customer's water use and to determine if the existing meter facility is adequate. The additional provisions of Article V shall apply for new or changed Customer Meter Facilities.

The water service permit application form may be changed by the District, from time to time, as necessary to fulfill the requirements of the Rules and Regulations.

4.3 PAYMENT FOR PREVIOUS SERVICE: No meter facility shall be installed, reconnected, or turned on until all delinquent bills for service or other fees owed by the customer or for the subject property, to the District are paid.

4.4 NEW CUSTOMER METER FACILITIES: See Article V for additional requirements when a new customer meter facility must be installed.

4.5 MEASUREMENT AND CONTROL OF WATER DELIVERED:

4.5.1 CURB VALVE FOR DISTRICT'S USE, CUSTOMER'S METER VALVE FOR CUSTOMER'S USE: The curb valve is for the exclusive use of the District in controlling the water supply through the customer's meter and it shall not be used by the customer. The customer's meter valve shall be used by the customer to control the water flow to his premises. If the curb valve is damaged by the customer's unauthorized use to an extent requiring repair or replacement, such repair or replacement shall be done by the District and the customer shall pay the actual cost thereof plus a fifteen percent (15%) administration fee. If the Customer's meter valve is found to be inoperable, it shall be replaced at the customer's cost.

4.5.2 CUSTOMER'S RIGHT TO METER ACCURACY TEST: All meters shall be tested prior to installation and no meter shall be installed which registers more than 2% more water than actually passes through it. Any customer has the right, upon submission of a request in writing, and payment of the meter test fee, if any, to have his meter examined and tested by the District for the purpose of determining meter registration accuracy.

4.5.3 DISTRICT'S RIGHT TO METER ACCURACY TESTS: The District may from time to time, or as a matter of set policy, institute a periodic meter testing program. The District reserves the right to test any customer's meter at any reasonable time without notification.

4.5.4 BILLING ADJUSTMENTS FOR METER ERROR: If a meter tested at the request of a customer is found to be over-reading by more than two percent, the percentage error shall be applied to the most recent billing period of record and the excess charges represented thereby shall be credited to the customer on his next regular billing. Conversely, if a meter is found to be under-reading by more than two percent, the undercharge shall be added to the customer's next regular billing. If a meter is found not to be registering, the District reserves the right to apply the minimum billing rate or to estimate the consumption for the most recent billing period, and apply the adjustment indicated to the customer's next billing. Such estimates shall be made from previous consumption for the same customer for a comparable period or by determination of the District-wide average for equal meter service.

4.5.5 LOCKED METERS: All meters which are locked by the District shall not be altered or unlocked except by an authorized employee or agent of the District.

4.5.6 TURN OFF AND TURN ON SERVICE: The District reserves the right to set a reasonable fee for turning off and turning on service at the customer's request. In the case of an emergency on the customer's side of the meter, the customer shall shut off his water service by use of the customer's meter valve. If there is no customer's meter valve, or it is inoperative, the District will provide emergency turnoff service upon request, and without charge.

The District further reserves the right to levy a surcharge, over and above the normal turn-on and turn-off fee, whenever a customer requests and the District provides such service during the same day the request was made. This surcharge shall be based on the actual cost of labor and materials.

Current fees for turn-on and turn-off service, if any, shall be set forth in the District's Rates and Fees Resolution.

4.5.7 TURN OFF FOR NON PAYMENT: Service may be turned off for nonpayment of water bills or any other District charges, after written notice from the District and an opportunity for the customer to be heard by the District Manager.

A customer meter turned off for nonpayment of bills or fees shall not be turned on until all bills and fees have been paid, including a turn-on and turn-off fee.

4.5.8 VOLUNTARY TEMPORARY TURN OFF: If a customer is going to be absent from his premises for an extended period and wishes to have his meter turned off, he may do so by submitting a written request and upon payment of the regular turn-off/turn-on fee, as set forth in the District's Rates and Fees Resolution. Customer's meter voluntarily turned off will be turned on in accordance with the terms of Section 4.5.6. Customer's requesting a voluntary temporary turn off are reminded to check with their insurance company to insure the effectiveness of their fire insurance if the water is turned off.

4.5.9 OTHER CONDITIONS UNDER WHICH THE DISTRICT MAY TURN OFF OR REFUSE TO TURN ON CUSTOMER'S METER: Customer meter may be turned off or the District may refuse to turn it on for the following reasons:

a) Where apparatus or appliances are in use which might endanger the public health or disrupt service to other customers.

b) Where there exists a cross-connection in violation of the Rules and Regulations or any applicable law.

c) As a means of obtaining compliance with the Rules and Regulations.

4.5.10 WATER USED WITHOUT PERMIT: A person using water from a meter facility without having made application for and receiving a water service permit under the terms of this Article shall be held liable for payment for the water delivered from the date of the last recorded billing. If the meter is found to be inoperative or no meter exists, the quantity consumed shall be estimated as described in Section 4.5.4.

4.5.11 DAMAGE TO CUSTOMER'S PREMISES CAUSED BY CUSTOMER'S LEAKING PIPES AND FIXTURES: When turning on the water supply as requested by the customer with the premises vacant, the District will try to determine if water is running on the inside of the building(s). If such is found to be the case, the water will be left turned off at the customer's service valve on the customer's side of the meter and a "Suspicion of Leaking Pipes and Fixtures" notification will be left in a prominent location on the customer's premises.

The District's responsibility ends at the meter and the District shall not be liable for damages caused by water running from open or faulty fixtures, or from broken or damaged pipes on the customer's side of the meter.

4.5.12 DAMAGE TO METER FACILITY: The customer shall be required to pay the actual cost of repair or replacement for any damage to the customer's meter facility.

4.5.13 METER FLOW LIMITS: Customer shall not, by use of pumps or any other means, increase the flow through its service facility beyond that flow rate limit corresponding to the meter size as set forth in Article V.

No special permission or contact with the District will be required to fill swimming pools and tanks, provided that the customer does not exceed the flow limit of his meter, as same is set forth in Article V.

4.6. BILLING AND COLLECTION PROCEDURE:

4.6.1 BILLING PERIOD AND METER READING CYCLE: The billing period shall be at the option of the District and may be changed from time to time. The cycle of meter reading will be set up so that the same meters are read as nearly as possible on the same day each billing period.

4.6.2 SPECIAL CONDITIONS: All services, both metered and unmetered, shall be furnished only on a continuous basis, unless a notice of termination of service is provided to the District.

4.6.3 WATER RATES: The structure and amount of District water consumption use rates will be under continuous study by the District and will be revised and updated from time to time as necessary to maintain the income from water sales at the proper level to cover District costs.

The District reserves the right to establish separate minimum fees and quantity rate schedules for each different major classification of water use; i.e., residential, commercial, public, industrial, and agricultural. The District may establish such differential minimum fees and quantity rate schedules for the purpose of equitably spreading the cost of service to each in accordance with the degree of system load and reliability requirements of each and also as may be deemed necessary for the purpose of encouraging conservation of water. A complete current schedule, with full definition of applicability, of the minimum fees and quantity use rate charges shall be included in the District's Rates and Fees Resolution.

4.6.4 PAYMENT OF BILLS: Bills for water service shall be presented at the end of each billing period. Bills shall be

payable upon presentation. A delinquent charge pursuant to the District's Rates and Fees Resolution may be charged when the bill becomes delinquent. A turn-off and turn-on charge shall be made and collected prior to renewing service following a shut-off.

Water charges shall be due and payable on the date of mailing the bill to the property owner or his agent, and shall be delinquent 20 days after the date of mailing, or as stated on the bill. Service may be discontinued if payment is not made within 35 days of the date of mailing of the original billing.

4.6.5 OPENING AND CLOSING BILLS: Opening and closing bills for less than the normal billing period shall be prorated both as to minimum charges and quantity use rates.

4.6.6 BILLING OF METERS: Separate bills will be presented for each separate meter installation.

4.6.7 SPECIAL BILLINGS: Special bills, and bills for persons discontinuing service shall be paid upon presentation. Turn-off and turn-on fees, as required herein, shall be paid before service is resumed.

4.6.8 FAILURE TO RECEIVE BILLING: Failure to receive a billing, for any reason, does not relieve the customer of liability for payment of the applicable charges billed. Service may be discontinued if payment is not made within 35 days of the date of mailing of the original billing.

4.6.9 CUSTOMER VACATING PREMISES: Customers desiring service turned off should notify the District two days prior to vacating the premises. If the customer is still the recorded owner of the property, and wants service discontinued, customer must submit a written request and pay the turn-off/turn-on fee as stated in Section 4.5.8. Unless turn-off of service is ordered, and the applicable fees paid, the customer shall continue to be liable for the applicable minimum charges even if no water is used.

If customer has sold, transferred or otherwise conveyed the property to another party, District will bill customer to the date of transfer of title. District will then start service for the new owner without any interruption in service.

4.6.10 BILLS AGAINST PROPERTY: All bills for the use of water or water service shall be deemed to be an indebtedness against the property and, at the option of the District, legal action may be taken, making unpaid water bills a lien against the property.

4.6.11 OWNER-TENANT AGREEMENT: Where the owner rents his premises to a tenant and wishes to have the tenant billed for water sold or the minimum meter charge, or both, a standard form shall be provided by the District which shall be signed by both

the tenant and the Owner. Said agreement does not relieve the Owner of responsibility for unpaid bills on the property.

4.6.12 OWNER'S GUARANTEE: The water charge begins when a meter connection is installed and the meter is set. Before water is turned on by the District for any purpose whatsoever, the property owner must sign a form in which he guarantees payment of future water bills for the service required. The person signing the application form or meter set form shall be held liable for water used until the District is notified in writing to discontinue service or to transfer the account to another property owner.

4.7 COLLECTION OF DELINQUENT ACCOUNTS BY SUIT: The District may bring suit to collect all unpaid water use charges, or any other applicable charges including penalties and costs.

4.8. CHANGES IN CUSTOMER'S METER FACILITY:

4.8.1 PERMIT APPLICATION FOR CHANGE IN METER FACILITY: Customers desiring a change in the size, character of use, or extent and location of customer's meter installation, or any part thereof, shall fill out the applicable portions of an Application for New Customer's Meter Facility as provided for in Article V.

4.8.2 CHANGE IN METER SIZE AT CUSTOMER'S OR DISTRICT'S INITIATIVE: If the customer requests a change in meter size, either an increase or decrease, the District shall examine the customer's meter facility size criteria as set forth in Article V.

The District also reserves the right to examine, in detail, the water use activities of any customer at any time. Such customer shall provide any water use information requested by the District within a reasonable period of time.

If the District determines that a customer's water use exceeds the flow limits of the meter, the District shall remove the existing meter and replace it with one of the proper size. The customer shall pay the incremental difference of cost for all fees which apply to meter size. The incremental differences shall be calculated as the difference between the current schedule of fees applicable to the new meter size and the current schedule applicable to the old meter size.

If the District discovers that a smaller meter is appropriate for the customer, the District shall inform the customer of his option to maintain use of the larger meter or to have the meter changed by the District.

In no case shall a meter size greater than the size of the customer's pipeline be allowed. If a meter size requested by the

customer or required by the District is greater than the customer's service pipeline size, a new customer's meter facility shall be installed, of the proper size, and the customer shall pay all fees applicable for the customer meter facility, (based on time and materials). The customer shall bear all costs of replacing the service line to meet the size requirement of the meter. Such service line shall be in place prior to the District installing the larger meter.

4.8.3 CHANGES IN CUSTOMER'S METER FACILITY LOCATION:

Customer's meter facility, or any components thereof, which are moved at the request of the customer shall be moved by the District. The customer shall pay the costs of such relocation based on the District's estimate of the percentage applicable to the schedule of the same size new customer facility, as set forth in the District's Rates and Fees Resolution. Such costs together with applicable turn-off and turn-on fees, if any, shall be paid by the customer as a condition of turning the water meter back on.

Customer meter facilities relocated or altered for the convenience of the District shall be at the expense of the District.

4.9 DISTRICT'S RIGHT OF INGRESS AND EGRESS TO CUSTOMER'S PREMISES: Representatives from the District shall have the right of ingress and egress to the customer's premises at reasonable hours for any purpose connected with the furnishing of water service.

4.10 MAINTENANCE OF WATER PRESSURE, UNPLANNED INTERRUPTIONS IN SERVICE, AND SHUTTING DOWN FOR EMERGENCY REPAIRS: The District does not accept or assume any responsibility for the maintenance of pressure, or for unplanned interruptions in service, and it reserves the right to discontinue service while making emergency repairs or while performing normal water system maintenance without notifying its customers. Customers dependent upon a continuous, uninterruptible supply shall be solely responsible for providing their own alternate supply or storage.

4.11 "NORMAL" PRESSURE CONDITIONS: The District, as a goal and not as a requirement, will attempt to maintain service pressures to all of its customers (depending upon their location within a service pressure zone) within the range of 30 psi to 125 psi. Customers on the high fringe areas of a pressure zone will occasionally experience pressures of less than 30 psi from time to time; conversely, some customers on the lower fringes of a pressure zone will experience pressures of greater than 125 psi from time to time. All customers shall be required to accept such conditions of pressure and service as are provided by the water system at the location of the customer's meter facility, and to hold the District harmless for any damages arising out of

low pressure or high pressure conditions.

4.12 TAMPERING WITH WATER SYSTEM: No one shall at any time and in any manner operate or interfere with the water system, except with the express permission of and supervision by an authorized employee or representative of the District.

4.13 WATER CONSERVATION: All customers shall make efficient use of water. No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises seriously affecting the general service of the District, the District may discontinue the service if such conditions are not immediately corrected after giving the customer notice. The District shall, when necessary, use its right of emergency restriction on use as authorized by Article XIII. The District reserves the right to close curb valves to prevent loss of water due to visible leaks and shall be held harmless for damage to owner's or customer's appliances and premises due to such action.

The District may establish, and from time to time modify, a water conservation plan.

4.14 DISTRICT OWNERSHIP OF WATER SYSTEM FACILITIES: All customer meter facilities through and including the meter shall remain the property of the District to be owned, operated and maintained by it. Customer's pipeline and plumbing, on his own premises, from and including the customer's meter valve shall be the customer's property and the customer's responsibility to operate and maintain.

4.15 DISTRICT'S RIGHT OF ACCESS TO WATER SYSTEM FACILITIES WITHIN EASEMENTS ON PRIVATE PROPERTY: All water system facilities installed within easements on private property shall remain the property of the District and may be operated, maintained, repaired, or replaced by the District without consent of, or interference by, the customer or occupant of the property. The property owner shall use reasonable care in the protection of the facilities.

Easements shall at all times be kept free and clear of fences, structures, concrete or asphalt, or obstruction or blockage of any kind which will impair the District's capability to enter for the purpose of operating, maintaining, repairing, or replacing facilities or reading meters. The District shall have the right, without notice, to clear such obstructions and blockages and the person causing such obstruction or blockage shall not be compensated by the District for the loss thereof or damage or alteration thereto.

4.16 CROSS-CONNECTION: All customers shall be governed by the cross-connection requirements of the Rules and Regulations in

accordance with the definitions set forth in Article II and the regulations set forth in Article VIII.

4.17 CUSTOMER'S PRESSURE REDUCING AND PRESSURE RELIEF VALVES: Many of the District's customers have customer's meter facilities attached to the District's water system in locations where the water system pressure will continuously, or from time to time, exceed 80 psi. The District will voluntarily, but without obligation to do so, attempt to notify all new customers of such possibility and advise them to install a pressure reducing valve and pressure relief valve.

Such pressure reducing and relief valves should then be installed by the customer within customer's own plumbing for the purpose of reducing and/or relieving the pressure of the water reaching the house plumbing and appliances to 80 psi or less.

4.18 SAND FILTERS; Sand filters may be installed by the District at the District's expense and discretion. The sand filter will be owned, operated and maintained by the property owner.

4.19 SEPARATE CUSTOMER METER FACILITIES FOR SEPARATE PREMISES: Each separate premises, as defined in Article II, shall have a separate customer meter facility, subject to all of the water use charges, and all other applicable fees which apply to separate customer meter facilities.

Installation of new meter facilities shall be governed by the provisions of Article V.

4.19.1 RECLASSIFICATION OF NON CONFORMING PREMISES: Existing customer meter facilities found not to be in conformance with the separate facility to separate premises requirement shall be made to conform within six (6) months of notification of non-conformance.

Until such time the customer in whose name the meter is registered shall be required to pay a minimum fee for each separate premises based on the size of meter the premises would individually, require. In addition, each such customer shall pay the quantity rate charges which exceed the combined minimum entitlement secured by the minimum fees.

If the combined water use of the separate non-conforming premises exceeds the limits for the meter size, as provided for in Article V, the District reserves the right to change such meter to the proper size and require each premises to pay an equal share of the incremental amount between the schedule of fees applicable to the existing meter size and the schedule of fees applicable to the increased meter size plus the meter exchange price differential.

Each of the separate customers shall have the right to have a separate customer meter facility installed for its exclusive use, in which case all of the provisions of Article V shall apply.

4.20 PROPERTY DIVIDED AFTER INITIAL INSTALLATION OF CUSTOMER METER FACILITY: When property is divided, any existing customer meter facility shall be considered as belonging to the parcel of land which it directly enters and the new premises created by the division shall require a new separate customer meter facility and all of the provisions of Article V shall apply.

ARTICLE V - REQUIREMENTS FOR INSTALLATION OF NEW OR CHANGED CUSTOMER'S METER FACILITY FOR REGULAR WATER SERVICE

5.1 APPLICABILITY OF THIS ARTICLE: The requirements of this Article V shall be supplemental to, and in addition to, all of the other Articles of the Rules and Regulations.

5.2 APPLICATION FOR CUSTOMER'S METER FACILITY AND PERMIT TO RECEIVE SERVICE: Such application shall be on a form provided by the District and shall contain such information as required for the District to ascertain the complete nature of the customer's water use and make all necessary determinations of size, classification, and applicable charges. The application form may be changed by the District from time to time, as it finds necessary.

5.3 ADDITIONAL REQUIREMENTS WHEN WATER SYSTEM FACILITY EXTENSIONS ARE NECESSARY: When water system facility extensions are necessary either by mainline extension, by subdivision, or any other means, the provisions of Article VI shall also apply.

5.4 REGULAR WATER SERVICE REGULATIONS ALSO APPLY: All regular water service regulations (and fees in connection therewith) as set forth in Article IV shall also apply.

5.5 ADDITIONAL REQUIREMENTS WHEN PRIVATE FIRE PROTECTION SERVICE IS NECESSARY: Additional requirements, applicable when private fire protection service is required, are set forth in Article IX.

5.6 METER FACILITY INSTALLATION FEE: The applicant shall pay installation fees, as set forth in the District's Rates and Fees Resolution, such fees being based on the typical average total cost of such customer meter facility installations. When such regular fee applies, it shall be considered the actual cost.

When there is no regular fee which applies, the District will estimate the cost of such meter facility and the applicant shall deposit such estimated cost before installation is started. If

the actual cost exceeds the estimated cost, the customer shall deposit the difference as a condition for turning on the water service. If the estimated cost exceeds the actual cost, the difference shall be refunded to the customer.

5.7 OTHER APPLICABLE FEES:

5.7.1 CAPITAL IMPROVEMENT FEE: The capital improvement fee, as defined in Article II, and as established by District ordinance and set forth in the District's Rates and Fees Resolution, shall apply to all new customer meter facilities within a new subdivision, for a new Commercial/Industrial/Public/Agricultural enterprise, or for a new single or multiple family residential structure, unless the fee for such customer's premises has already been paid as a part of an assessment district or a water system facility extension project by a subdivider or other private party .

5.7.2 MAINLINE EXTENSION FEE: The mainline extension connection fee shall apply for all customers obtaining a new residential water meter under a Mainline Reimbursement Agreement from a District mainline constructed by a water system facility extension method, or other private method, specifically for the property in question.

5.8 CUSTOMER'S METER FACILITY REQUIREMENTS:

5.8.1 DISTRICT STANDARDS: Customer's meter facilities shall meet all of the requirements of the District's Standards.

5.8.2 SEPARATE CUSTOMER METER FACILITIES REQUIRED FOR SEPARATE CUSTOMER PREMISES: Separate premises, as defined in Article II, require separate customer meter facilities.

5.8.3 OPTIONS, NUMBER AND SIZE OF SERVICES: Customers may choose to have several separate customer meters, even if they may qualify for a single meter under the definitions in Article II, as long as they don't exceed the designed use requirements of the district. All applicable charges will apply to each of such separate meters as if they were to separate premises.

Customers may choose a larger customer meter facility than the District minimum size determination requires, in which case they shall pay all applicable fees attributable to the customer facility size chosen. Meters of greater than 1 inch in size may be prohibited for rural and low density single family dwelling residential customers if such larger meter is also to be used for purposes coming under the definition of commercial, public, industrial or agricultural water service.

5.8.4 METER FACILITY SIZE REQUIREMENTS: The District shall, in all cases, retain the right to determine the size of the customer

meter pipeline and size and type of meter required for all types of water service. The size of such customer facility shall be based on the District's evaluation of the customer's needs appropriate to the customer's use, as determined from the data presented by the customer in his customer meter application.

The customer meter pipeline must be equal to or greater than the size of the meter in all cases.

The meter size shall be based on the following tables showing the range of maximum, minimum, and continuous duty flow for the applicable type of meter for regular service. The customer's flow requirements must be within the range of minimum and maximum flow for the meter size chosen and the average flow rate during the 16 hours of highest daily use shall not exceed the continuous duty flow rate of the meter. Unless the District's evaluation of the customer's needs indicates a special need, the meter will be sized in accordance with the Uniform Plumbing Code. Size requirements for private fire protection customer services are set forth in the District's Rates and Fees Resolution.

Regular Water Customer Meter Size Requirements

Meter Size	Minimum Meter Pipeline Size	Minimum Flow (gpm)	Continuous Duty Flow Rating (gpm)	Maximum Flow Rating (gpm)
3/4"	1"	0.25	15	30
1"	1"	0.30	25	50
1 1/2"	1 1/2"	1.10	45	100
2" Compound	2"	1.00	80	160
3" Compound	3"	2.00	160	320

*Note: The District may require that meters 2" and larger be of the compound type.

5.8.5 SERVICE METER LOCATION REQUIREMENTS: In subdivisions and mainline extensions involving installation of several or many customer meter facilities for residential purposes, the customer meter installations shall be located, to the maximum extent possible, such that each adjacent lot or parcel has its meter facility located immediately adjacent to a common boundary line. This location condition is represented in the District's Standards. The meter boxes shall be located within 12 inches of the back of existing or future sidewalks, where the sidewalks join with the back of curb, or approximately 12 inches behind the back of the curb where the existing or future sidewalk is separated from the curb by a parkway. This location pattern is for the purpose of standardizing metering facility locations, allowing construction of service lines in a common trench where

possible, and for efficiency of meter reading.

Where a single new customer meter facility is to be installed, the above location pattern shall be followed, unless a specific location is requested by the customer to fit in with the piping on his premises. Such special location of the customer meter facility will be granted by the District unless it presents a problem in installing and/or reading the meter. Unless unavoidable, the customer meter facility shall not be placed on the customer's private property or behind a wall or fence or other structures or obstructions which limit the District's access to such meter.

Large compound meter services shall be located immediately behind the curb or immediately behind the sidewalk within the public street right-of-way, unless location on private property is absolutely unavoidable. The location of large compound meter facilities, with respect to the side lot property lines, shall be as chosen by the customer unless the District determines that such desired location is not the most desirable with respect to construction, operation and maintenance, and meter reading convenience.

5.8.6 COMPONENTS OF CUSTOMER METER FACILITY: The customer meter facility shall consist of all of the necessary components as shown by the District's Standards, and as defined in Article II. The customer's meter valve marks the end of the components of the customer meter facility required by the District. The design, construction, operation and maintenance of the customer's on-premises system shall be the customer's total responsibility, except that the design, construction and use of same shall meet the requirements of the cross-connection control regulations in Article VIII. The District's curb valve is for the District's sole use and the customer's meter valve is for the customer's use in controlling the flow of water to the customer's premises.

In those areas where high pressure may be expected to occur (refer to Article IV) the District will normally recommend, and at its option may require, the customer to install a pressure reducing device and/or pressure relief device(s) for the purpose of protecting the customer's plumbing and appliances.

5.8.7 CROSS CONNECTIONS: The District will determine in the process of studying the customer's application for permit whether the customer's use of water service exposes the District's system to a cross connection. If the District finds that protection against cross connection is required, it shall be provided in accordance with the requirements of Article VIII.

5.8.8 CUSTOMER'S METER LINE AND PROHIBITION OF SERVICE TO OTHER PREMISES: Customer meter installations shall not be allowed if applicant's property boundary is not adjacent to the District's

mainline. The customer shall not construct his own meter line adjacent to or on the property of others without first obtaining a written/recorded easement. Meter facilities shall not provide opportunity of service to neighboring property or premises.

The prohibition against service to others from a customer's meter line shall apply in any event. Service from a customer's meter line to other properties or premises, shall be prohibited and shall be grounds for termination of service.

ARTICLE VI - WATER SYSTEM FACILITY EXTENSIONS

6.1 APPLICABILITY OF THIS ARTICLE: This Article shall apply to all water system facility extensions initiated by the customer for the purpose of extending service to his property. There are three basic types of water system facility extensions, depending upon whether they are done by a developer/subdivider, mainline extension by multiple residential or commercial/industrial/public/agricultural customers or main extensions for individual residential properties made under the District's Mainline Extension Policy (MEP).

6.2 GENERAL PROVISIONS FOR SUBDIVISIONS AND MULTIPLE RESIDENTIAL OR COMMERCIAL/INDUSTRIAL/PUBLIC/AGRICULTURAL FACILITY EXTENSIONS: Water system facility extensions for these purposes shall be the responsibility of the developer to design and construct at his own expense, all in accordance with the Rules and Regulations, the facilities necessary to serve said subdivision or development.

6.3 MAINLINE EXTENSION POLICY (MEP)

6.3.1 STATEMENT OF PRINCIPAL AND GOAL: Throughout the District, there has been provided the basic water production, storage, and transmission system (basic facilities).

The distribution mainlines with valves, fire hydrants, and other necessary appurtenances lying adjacent to a customer's property are for the specific, limited benefit of that property and, therefore, are not considered basic facilities for the purpose of the Rules and Regulations.

The District, in the interest of providing maximum equity to all of the individual residential property owners, has established the MEP to assist in distribution system extensions.

6.3.2 ORGANIZATION AND COORDINATION OF PARTICIPANTS - APPLICANT RESPONSIBILITY: The initiation, customer organization and coordination for a MEP project is the customer's responsibility. It shall be the responsibility of interested applicants to organize the MEP effort and obtain commitments from potential participants. A customer acting for the group may make

application for a project.

6.3.3 APPLICATION FEE: The application for a MEP project may include a standard fee if the District elects to establish same. Such fee, if any, will be used to offset the cost of the necessary District study to determine the eligibility and feasibility of a project.

6.3.4 DISTRICT'S DETERMINATION OF FEASIBILITY

6.3.4.1 PROJECTS ARE NOT AUTOMATIC - FEASIBILITY IS DETERMINED BY THE DISTRICT: A MEP project is not an automatic or unconditional right of the District's eligible customers. Such projects shall be subject to funding availability and physical feasibility determination at the sole discretion of the District. Each case will be determined on its own merit after the application is received and the applicable application fee, if any, is paid.

6.3.5 CONDITIONS REQUIRED FOR START OF DESIGN AND CONSTRUCTION BY DISTRICT: The design and construction of MEP projects may be done by the District. Design shall not be started until the District has found the project to be feasible, and all project costs of design have been deposited with the District in advance.

Actual construction shall not begin until all project costs have been deposited with the District.

6.3.5.1 CONDITIONS REQUIRED FOR START OF DESIGN AND CONSTRUCTION BY APPLICANT: The design and construction of MEP projects may be done by the applicant with the District's approval. Design shall not be started until the District has found the project to be feasible.

Actual construction shall not begin until all conditions of District, pursuant to the Procedures for Construction of Water Mains are complied with.

6.3.6 LIMITS OF APPLICABILITY: MEP is for the purpose of providing distribution facilities and making the cost thereof uniform throughout the District. MEP shall not apply to formal assessment districts under the applicable laws of the State of California.

6.3.7 APPLICANT'S RIGHT TO MAKE INDEPENDENT MAINLINE EXTENSION: Any applicant property owner may pay the entire cost of a pipeline extension even if adjacent landowners elect not to participate in such cost. Under such circumstances, the District may enter into a reimbursement agreement in accordance with the terms of Article VII.

6.3.8 FUTURE DIVISIONS OF PARTICIPATING PROPERTIES: New parcels resulting from a division of parcels participating in an earlier MEP extension shall pay capital improvement and meter installation fees only, unless there is a Main Line Reimbursement Agreement in effect at the time of the division, and unless the land division requires a further mainline extension to be made.

6.4 CHARGES, FEES, AND COSTS APPLICABLE:

6.4.1 WATER SYSTEM MAINLINE EXTENSIONS: When a mainline extension for single or multiple residential, or minor subdivision, or C/I/P/A development, the applicant will be liable for the District's plan check and processing fees, capital improvement fees, actual costs of having the District or his own California licensed civil engineer prepare the drawings, the District's inspection fees, the actual costs of construction and obtaining of all necessary permits, inspection fees of other agencies in connection with the facility extension, and all other costs and fees attributable to the extension.

6.4.2 REIMBURSEMENT AGREEMENTS: When an applicant constructs a water system mainline extension, he may be eligible for partial reimbursement of his costs in accordance with Article VII.

6.4.3 SUBDIVISIONS: Water mainline extensions made by a subdivider for a subdivision, as defined in Article II, shall be subject to plan check and processing fees, actual cost of engineering by the subdivider's California licensed civil engineer, District inspection fees, actual cost of construction for the complete water mainline extension including the customer meter facilities (excluding the meter itself), all the costs of permits, fees, and charges of other agencies and jurisdictions in connection with such mainline extensions, and capital improvement fees for each separate parcel created by the subdivision. Water distribution system connection fees, and customer meter facility installation fees may be deferred in the case of subdivisions because the applicant subdivider pays the actual cost of all facilities. The customer meter installation fees will be charged when the ultimate user of such property applies for a water meter permit and customer meter facility installation.

6.4.4 DEFERRED FEES: When the water use characteristics and demand requirements, and consequently the customer meter facility and meter size, are undeterminable until the ultimate use of the property is known the customer meter facility installation fee may be deferred until a water service permit is applied for by the ultimate owner and user of the property.

6.5 DESIGN, CONSTRUCTION, AND DEDICATION OF FACILITIES FOR SUBDIVISIONS AND MULTIPLE RESIDENTIAL AND C/I/P/A MAINLINE EXTENSIONS

6.5.1 FACILITIES REQUIRED: Applicants requiring water mainline extensions, or complete facilities for a subdivision, shall provide all facilities necessary to produce the water supply, reservoirs for storage, pumps for pumping of wells and/or booster stations, water transmission and distribution mainlines, valves, fire hydrants, air valves, blowoffs, pressure control stations, residential customer meter installations, as any of the above may be required to provide the proper level of water service, in accordance with the Rules and Regulations and all policies, master plans, and the like which are in effect at the time, for the type of facility extension contemplated. Mainline extensions, as defined in Article II, will not normally include wells and sources of supply, reservoirs, booster stations, and anything other than a direct mainline extension with valves, fire hydrants, and appurtenances; however, mainline extension projects may, if the District requires, include any or all of the aforementioned water system facility components.

6.5.2 EXTENT OF FACILITIES - MAINLINE EXTENSIONS: Mainline extensions shall extend to the furthestmost property line of the most distant applicant.

6.5.3 EXTENT OF FACILITIES - SUBDIVISIONS: Mainlines shall be adjacent to and extend to the furthestmost property line of all premises created by a subdivision and customer's meter facilities shall be installed for all single family residentially zoned premises.

6.5.4 DISTRICT STANDARDS AND IMPROVEMENT PLAN REQUIREMENTS AND PROCEDURES: Article XII includes, by reference, the District's Standards. Instructions for the preparation of improvement plans are set forth in the District's Standards.

6.5.5 INSPECTION DURING CONSTRUCTION: All water mainline extensions and required facilities shall be constructed under the direct supervision and inspection of the District, at the customer's cost, in accordance with its current schedule of fees.

6.5.6 EASEMENTS, STREET DEDICATION, AND OBTAINING OF RIGHTS-OF-WAY RESPONSIBILITY OF APPLICANT: All easements, street dedications and rights-of-way involved with all mainline extensions, shall be the responsibility of the applicant to obtain at his own cost. Any easements required by the District to operate and maintain its extended water distribution system facilities shall be delivered to the District, in an approved form, prior to construction. Easement documents shall include a complete legal description and an easement plat.

6.5.7 CONSTRUCTION OF WATER SYSTEM FACILITY EXTENSIONS - INSURANCE REQUIRED: Construction shall be by an appropriately licensed California contractor, qualified by experience to install the facilities required, who is acceptable to the

District.

The inspection of the work shall be done by the District, at a cost to the applicant, in accordance with the current inspection fees as set forth in the District's Rates and Fees Resolution. The contractor during performance of the work under the terms of these Rules and Regulations, shall have the minimum coverage set forth on the certificate of insurance form, in the amount and terms specified by the District.

6.5.8 APPLICANT TO CONVEY WATER SYSTEM FACILITY EXTENSIONS TO THE DISTRICT BY GRANT DEED: After completion of construction and final inspection by the District, the applicant shall execute a grant deed, and shall submit same to the District for final approval by the District. Upon final approval by the District, the grant deed will be accepted by the District and such water system facilities shall become the property of the District.

6.6 SPECIAL FACILITY EXTENSIONS (NOT INITIATED BY THE CUSTOMER)

6.6.1 SPECIAL ASSESSMENT DISTRICT PROCEEDINGS: When water system facility extensions, of any nature, are undertaken by formal assessment district proceedings, under the applicable laws of the State of California, the requirements of such proceedings shall be in addition to all of the requirements of the Rules and Regulations. The design and construction of such water system facility extensions shall meet all the requirements of the Rules and Regulations, except that any conflicting provisions of the special assessment district proceedings, as prescribed by law, shall supersede the provisions hereof.

The District costs and fees which are applicable in the case of a special assessment district will depend upon the nature and extent of such district and whether or not the District is the agency carrying it out. Assessment districts under the authority of other public agencies shall meet all of the requirements of Article VI as to application for permit, plan checking and processing, and inspection. Each such assessment district carried out by another public agency will be specially reviewed by the District and the procedures, charges and fees which apply will be determined by the District and given to such public agency at the time of completion of the preliminary application review.

6.6.2 EXTENSIONS FROM MAINLINE EXTENSION BY THE DISTRICT: The District may make extensions from the facilities constructed under Article VI, without obligation to any customer, and no refunds shall be made as a result of customer meter facility connections to such additional extensions.

ARTICLE VII - REIMBURSEMENT AGREEMENTS

7.1 **APPLICABILITY:** A Reimbursement Agreement may apply in cases where water system facility extensions have been constructed by an applicant customer, under the terms of Article VI, when such facility extension benefits a property other than the applicant's. Subdividers may be eligible for reimbursement agreements, in certain limited circumstances, under the terms of this Article.

7.2 **REIMBURSEMENT COSTS:**

7.2.1 **PRIVATE MAINLINE EXTENSIONS:** Applicant property owners having paid all or part of the cost of a mainline extension, may be entitled to a reimbursement agreement, in accordance with the terms of this Article. Such reimbursement shall not exceed the applicant's actual cost as approved by the District. The applicant's actual cost may include, with adequate substantiation, an appropriate pro-rata portion of the cost of engineering, legal and related expenses directly attributable to the water system facility extension.

The District's plan check and processing fees, inspection fees, capital improvement fees, customer meter facility installation fees and all other normal District charges and fees in connection with the mainline extensions and rendering of normal service, shall not be included in the determination of the reimbursement amount.

When construction is complete and the mainline extension is deeded to the District, if the applicant property owner wants a reimbursement agreement, such applicant property owner must submit a written request to the District, pursuant to Section 7.3.

7.2.2 **WHEN OVERSIZING IS REQUIRED BY THE DISTRICT:** Where indicated by the District's current Master Plan, District Standards or any other standard or policy determined appropriate the District shall require over-sizing of the water system facility extensions. The cost of such over-sizing will be at the total cost of the applicant and the reimbursement portion under Section 7.2.1, plus incremental cost of the oversized facility may be eligible for a reimbursement agreement.

7.2.3 **COMPUTATION OF INCREMENTAL OVERSIZING COST:** Any water facility extension mainline shall be considered oversized to the extent that such facility exceeds the "base size" capacity actually required (as determined by the District's

staff/engineer) to service the applicant's development. The District's Standards establish minimum base size pipelines for system development.

The incremental cost of the over-sizing shall be determined by the District as that cost entirely due to the over-sizing of the facility beyond the "base size" required, as determined from application of the foregoing criteria. The reimbursement over-sizing incremental cost will be determined by the District by the most accurate means available under the circumstances. When the District's staff deems such method feasible and proper, simultaneous bids will be taken on the oversized facility, and the "base size" facility. If the actual bid method is not feasible, the District's staff shall estimate the comparable cost of the "base size" facility. The over-sizing incremental cost shall be the difference between the lowest qualified bid on the actual facility required less the lowest qualified bid of the "base size" facility, or less the estimate of the "base size" facility as determined by the District's staff.

7.3 REIMBURSEMENT AGREEMENT: Prior to final acceptance of any water mainline extension project which qualifies or partially qualifies, for a reimbursement agreement, the District shall upon written request, prepare a final and complete accounting of the reimbursement costs in accordance with the terms of this Article, and as approved by the District. A reimbursement agreement on a standard form provided by the District will be provided to the customer applicant showing the reimbursable cost attributable to each abutting benefited property.

The District shall, as each benefited property has customer meter facilities installed, reimburse any attributable amount collected, as shown by the reimbursement agreement, to the customer within 90 days of the installation of the new customer meter facilities.

The reimbursement agreement shall have attached, as Exhibit "A", a list of the benefited properties, adequately described, and a benefited properties plan showing the relationship of the benefited properties to the facility extension provided by the applicant. Reimbursements shall continue until the term of this reimbursement agreement shall be ended or until the total reimbursable cost has been reimbursed to the customer, less the reimbursement agreement processing fee (if any) as set forth in the District's Rates and Fees Resolution.

7.4 TERM OF AGREEMENT: Each reimbursement agreement shall expire ten (10) years from the date of said agreement or when the customer has been fully repaid the costs reimbursable to him, whichever occurs first. All unreimbursed charges collected by the District thereafter shall become the property of the District.

7.5 REIMBURSEMENT AGREEMENTS TRANSFERABLE: Reimbursement agreements may be sold, conveyed, or assigned by the original signatory applicant. The District will honor the agreement which has been transferred, provided that such transfer has been legally conducted and is evidenced by a document recorded with the County Recorder.

ARTICLE VIII - CROSS-CONNECTION CONTROL

8.1 AUTHORITY AND PURPOSE: Regulations relating to cross-connections are set forth in the California Administrative Code, Title 17, Chapter 5, Sections 7583-7622 inclusive. Said regulations and this Article have the following purposes: (1) To protect the public water supply against actual or potential cross-connections by isolating within the premises any contamination or pollution that may occur because of some undiscovered or unauthorized cross-connection on the premises; (2) To eliminate existing connections between the District's potable water system and other sources of water that are not, or may be potentially not potable; (3) To eliminate cross-connections between the District's potable water system and other sources of water or process water used for any purpose whatsoever which may jeopardize the safety of the District's potable water; (4) To search out and eliminate, in accordance with the terms of the Rules and Regulations, existing cross-connections and to prevent cross-connections in the future; (5) To encourage the exclusive use of the District's potable water supply for purposes of human consumption; (6) To protect the drinking water supply within the premises where plumbing defects or cross-connections may endanger same.

8.2 IMPLEMENTATION AND CONTROL: The District shall be responsible for implementation of the provisions of these Rules and Regulations and the State Regulations in cooperation with the State of California Department of Health. The District will designate a properly trained and certified member of its staff to be responsible for implementation and control. Such person shall be supported and supplemented by such other District staff as the Facility Manager considers necessary. Appeals of implementation and control decisions shall be first submitted to the State Health Department for a health ruling and then to the District pursuant to Section 1.5 of Article I.

8.3 GUIDANCE MANUAL: The "Guidance Manual For Cross Connection Control Programs" published by the State of California, Department of Health Services, latest edition, shall be used as a technical supplement to these Rules and Regulations, as the District's staff finds necessary.

8.4 APPROVED CROSS CONNECTION CONTROL DEVICES: Incorporated in this Article by this reference is the "List of Approved Backflow

Prevention Assemblies", as published by the State of California, Department of Health Services, latest edition. The assemblies listed will be the only assemblies approved for use by the District.

8.5 DESCRIPTION OF CROSS-CONNECTION CONTROL DEVICES AND METHODS APPLICABLE: The technical aspects of the types of backflow prevention devices and methods which meet the terms of these Rules and Regulations are set forth in the District's Standards.

8.6 DISTRICT'S RIGHT OF ENTRY TO CUSTOMER'S PREMISES: The District's authorized representative assigned to inspect the premises for possible hazards, shall carry proper credentials, and upon presentation of such credentials, shall have the right of entry during usual business hours to inspect any and all buildings and premises in the performance of his duty. This right of entry shall be a condition of water service in order to provide assurance that the continuation of service to the premises will not constitute a menace to the health, safety, and welfare of the people throughout the District's water system. Any customer refusing entry for inspection shall automatically be required to install an approved cross-connection control device.

8.7 INSTALLATION, MAINTENANCE, AND TESTING: Cross-connection control devices and installations required hereunder must be approved by the District. Such devices and installations shall be installed by the customer's California licensed contractor who is acceptable to the District, and at the expense of the customer.

The customer shall have devices tested annually or as required by the District, by a certified tester to assure that they are maintained in a satisfactory operating condition and such annual test shall be reported to the District. The customer shall overhaul or replace such devices if they are found defective. Records of such tests, repairs and overhauling shall be continuously kept by the customer.

Tests shall be performed by a cross-connection control device tester, properly certified and approved by the District.

8.8 DISCONTINUANCE OF SERVICE FOR DEFICIENCY OR VIOLATION: The service of water to any premises shall be discontinued by the District if a cross-connection control device required hereunder is not installed, tested and maintained; or if any defects are found in the installed cross-connection control device; or if it is found that a cross-connection control device has been removed or bypassed; or if unprotected cross-connections exist on the premises. Water service shall not be restored until such conditions or defects are corrected.

8.9 CLASSIFICATION OR CROSS-CONNECTION HAZARDS:

8.9.1 HEALTH HAZARD: A health hazard shall be deemed to exist when there is an actual or potential threat of contamination or pollution of a physical or toxic nature to the District's potable water system or the customer's potable water system to such a degree or concentration that there would be a danger to health.

8.9.2 PLUMBING HAZARD: A plumbing hazard shall be deemed to be considered as a health hazard. A plumbing hazard shall exist when there is an actual or potential cross-connection in the customer's potable water system that has not been properly protected by a vacuum breaker, air gap separation or other device. Unprotected plumbing type cross-connections are normally those which come under the requirements of local plumbing codes, and they include, but are not limited to, cross-connections to toilets, sinks, lavatories, wash trays, domestic washing machines and lawn sprinkling systems.

8.9.3 SYSTEM HAZARD: A system hazard shall be considered a health hazard. A system hazard shall be deemed to exist when there is an actual or potential threat of severe danger to the physical properties and integrity of the District's or the customer's potable water system which could result in pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

8.9.4 POLLUTION HAZARD: A pollution hazard shall be deemed to exist when there is an actual or potential threat to the physical properties of the District's or customer's potable water system, or an actual or potential threat to the potable water within the system, which would cause a nuisance or be aesthetically objectionable or could cause minor damage to the system or its appurtenances, but which would not constitute a health hazard as previously defined.

ARTICLE IX - PRIVATE FIRE PROTECTION SERVICE

9.1 APPLICATION FOR PRIVATE FIRE PROTECTION SERVICE PERMIT: Application for private fire protection service shall be made in writing. The application shall include the necessary information for the District to evaluate the maximum potential flow volume required so that the District staff/engineer may determine the size of fire protection service required.

9.2 DESIGN AND CONSTRUCTION OF PRIVATE FIRE PROTECTION SYSTEMS: The design and construction of the customer's fire protection service facility (on the District's side of the customer's valve) shall be pursuant to the District's applicable Standards. The customer's minimum flow requirements shall be determined by a qualified Fire Sprinkler Engineer and concurred with by the Fire Department. The customer shall obtain a letter

from each, showing compliance.

All private fire protection services shall contain a detector check meter, which will be checked on a periodic basis to determine if any flow has passed.

9.3 USE OF FIRE PROTECTION SYSTEM LIMITED: Use of the fire protection system shall be completely separate from the customer's regular meter service system and there shall not be any interconnections, of any kind, between the fire protection system and the regular meter service system or any auxiliary system of the customer, unless written application for a variance is made by the customer and approved by the District.

9.4 PRIVATE FIRE PROTECTION SERVICE SIZE AND LOCATION: The size of the customer's private fire protection service line and the size of the detector check meter installation required shall be based upon the following table of capacity ranges. The District shall determine, from the information submitted by the customer, the size of facilities required in accordance with the capacity ranges shown.

DETECTOR CHECK CAPACITY TABLE

DETECTOR CHECK AND BYPASS METER SIZE	MINIMUM DISTRICT SERVICE LINE SIZE	FIRE FLOW REQUIRED FROM	CAPACITY -GPM- TO
2" X 3/4"	3"	--	170
3" X 3/4"	4"	171	400
4" X 3/4"	6"	401	700
6" X 3/4"	8"	701	1600
8" X 1"	8"	1601	2800
10" X 1-1/2"	10"	2801	4400
10" X 12" X 1-1/2"	12"	4401	5400

The location of the customer's private fire protection service line from the District's mainline and the position of the meter/control facility with reference to the side lots of the customer's property shall be as required by the customer, unless the District determines that District requirements must prevail in the selection of such location. The location with respect to the street right-of-way shall be immediately behind the curb or immediately behind the sidewalk and within the public right-of-way, unless such location is not physically possible. If the meter/control facility must be located on private property, the

District access requirements of the Rules and Regulations shall be applicable.

9.5 RATES AND CHARGES APPLICABLE: There shall be a service charge, based on the size of the detector check, for the customer's private fire protection service as set forth in the District's Rates and Fees Resolution. In addition to the service charge, all customers shall pay a charge based on the normal quantity use rate fee, as set forth in the District's Rates and Fees Resolution, if any water passing through the meter has NOT been used for the purpose of fighting a fire. There is no charge for water used to extinguish fires, provided such fires are reported to the fire department. Fraudulent use shall be grounds for discontinuance of service.

ARTICLE X - PUBLIC FIRE PROTECTION

10.1 DISTRICT'S FIRE PROTECTION GOALS: The District will provide fire protection within the limitations of its water system and will attempt to provide adequate fire protection capacity in all future water system facilities in accordance with the District's Standards. Such Standards shall be mandatory, except where the modification of same may be provided for elsewhere in these Rules and Regulations or other District ordinances or resolutions.

10.2 USE AND CONTROL OF FIRE HYDRANTS: Fire hydrants shall be controlled by the District and may be used only by District personnel, the fire department, or persons with written authorization from the District.

10.3 LOCATION AND SIZE OF FIRE HYDRANTS: See Article XII and District Standards.

10.4 OBSTRUCTIONS PROHIBITED: All fire hydrants shall be located within the public right-of-way and property owners shall not obstruct the access to such fire hydrants with fences or any other structures or vegetation of any kind.

10.5 FIRE HYDRANT INSTALLATION COSTS: Costs of installation of fire hydrants shall normally be a part of any water system facility extension carried out in accordance with the terms of Article VI. Fire hydrants installed on an existing mainline, at the request of a customer, shall be by the District at the customer's expense. Cost shall also include an appropriate amount for processing and administration.

10.6 FIRE PROTECTION FEES: The District may establish bi-monthly, quarterly or annual fees for the availability of water for fire protection, water used for fire hydrant testing and water used for fire protection, which fees shall be due and

payable from the fire protection agency having jurisdiction within the boundaries of the District. Such fire protection fees shall be set forth in the District's Rates and Fees Resolution.

10.7 RELOCATION OF HYDRANTS: Hydrants relocated for the convenience of the District shall be at the cost of the District. Hydrants relocated for the convenience of the customer shall be at the cost of the customer. Such cost shall include a reasonable charge for processing and administration. All fire hydrant relocations shall be done by the District or by a contractor chosen by the District. The fire department shall be consulted prior to any fire hydrant relocation.

10.8 USE OF HYDRANT FOR TEMPORARY SERVICE: Hydrants may be used for temporary service under limited and controlled conditions under Article XI. Under no circumstances shall such temporary service take precedence over the vital function of fire protection and the District or the Fire Department shall have the right to remove or relocate any such temporary services wherever and whenever necessary without prior notification.

ARTICLE XI - TEMPORARY SERVICE

11.1 APPLICATION AND PERMIT: An application shall be made on a form provided by the District and a permit must be granted before temporary service can begin.

11.2 LOCATION AND USE OF TEMPORARY SERVICE: Temporary service will normally be for construction or similar temporary purposes and the service will usually be taken from a fire hydrant but may be an existing or new customer meter facility under Articles IV and V. Such temporary service shall be subject to all of the terms of the Rules and Regulations.

11.3 CHARGE FOR TEMPORARY SERVICE: A deposit and rental fee shall be required and minimum and quantity rate user fees shall be paid by the customer in accordance with the current schedule set forth in the District's Rates and Fees Resolution.

11.4 INSTALLATION AND OPERATION: All facilities for temporary service shall be installed by the District at the customer's cost. If such installation costs are preset, they shall be set forth in the District's Rates and Fees Resolution. If such installation costs are not set forth in the District's Rates and Fees Resolution, they shall be determined by the District. Cost shall include a reasonable allowance for processing and administration.

The cost of any cross-connection control devices and their installation, under Article VIII, shall be borne by the customer and, at the District's option, the customer shall arrange and pay

for the installation of same.

11.5 DURATION OF SERVICE: The duration of temporary service shall be stated on the permit for service. Temporary customer meter facilities shall be disconnected and terminated within the stated duration or six months after installation unless the customer applies for, and the District grants, an extension.

11.6 RESPONSIBILITY FOR METERS AND INSTALLATIONS: The customer shall use all possible care to prevent damage to the meter or to any other facilities of the District which are involved in furnishing temporary service from the time they are installed until they are removed. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the customer.

11.7 NOTICE OF SERVICE TERMINATION: The customer shall give a 48 hour notice, in writing, to the District when the customer is no longer in need of the temporary customer meter facility. All charges due shall be paid by the customer at the time of giving such notice.

ARTICLE XII - DISTRICT STANDARDS

12.1 APPLICABILITY: This Article shall apply to all water system facility improvements, replacements and extensions of whatever kind and shall be strictly adhered to by all persons planning and designing improvements to the District's water system. All design and construction shall take into account the applicable zoning and the established improvement level criteria for the subject property or development as defined in the County General Plan or Community Plan where applicable. Except those portions where options are allowed and professional engineering judgment is inherently required, no exceptions shall be made to these Standards except by action of the District. Any variance desired shall be submitted to the District, along with a report and recommendations for such variance. Final determination of any variance shall be by the District. The District's Standards, as approved by separate action, are incorporated herein by this reference.

ARTICLE XIII - WATER CONSERVATION ORDINANCE

13.1 WATER CONSERVATION ORDINANCE: The Board may adopt a Water Conservation Ordinance requiring installation of water-saving devices on new construction, together with various other water conservation requirements.

Such ordinance shall be incorporated herein by reference.

13.2 DROUGHT/EMERGENCY PLAN:

13.2.1 STAGE I - DROUGHT/EMERGENCY CONDITION - MINOR:

Consumption Reduction Goal % - 10

Public Information Action - Explain drought/emergency conditions. Disseminate technical information. Explain other stages and possible actions. Request voluntary reduction.

Public Sector Action - Increase enforcement of hydrant-opening regulations. Increase meter-reading efficiency and meter maintenance. Intensive leak-detection and repair program.

User Restrictions - Voluntary installation of retrofit kits. Restriction of outside water use for landscape irrigation, washing cars, and other uses.

Penalties - Warning.

13.2.2 STAGE II - DROUGHT/EMERGENCY CONDITION - MODERATE:

Consumption Reduction Goal % - 15-18

Public Information Action - Use media intensively to explain emergency. Explain restrictions and penalties. Explain actions in potential succeeding stages. Request voluntary reduction.

Public Sector Action - Reduce water usage for mainline flushing, public fountains, and park irrigations.

User Restrictions - Mandatory restriction on all outside uses by residential users, except landscape irrigation. Prohibit unnecessary outside uses by any commercial users.

Penalties -

1. Warning
2. House Call
3. Installation of flow restrictor, pursuant to District ordinance
4. Shutoff and reconnection fee, pursuant to District ordinance

13.2.3 STAGE III - DROUGHT/EMERGENCY CONDITION - SEVERE:

Consumption Reduction Goal % - 25-30

Public Information Action - Public Officials appeal for water-use reduction. Explain actions and consequences of emergency.

Public Sector Action - Prohibit all public water uses not required for health and safety.

User Restrictions - Severely restrict all outside water use. Prohibit serving water in restaurants. Prohibit use of water-cooled air conditioners without recirculation.

Penalties - Same as Stage II

13.2.4 STAGE IV - DROUGHT/EMERGENCY CONDITION - CRITICAL:

Consumption Reduction Goal % - 50 or more

Public Information Action - Same as Stage III

Public Sector Action - Reduces system pressure to minimum permissible levels. Close public water-using activities not required for health and safety.

User Restrictions - Prohibit all outside water use and selected commercial and industrial uses. Terminate service to selected portions of system.

Penalties - Same as Stage II

13.3 EMERGENCY WATER SERVICE RESTRICTIONS

13.3.1 AUTHORITY: The District shall have the power to restrict the use of water during an emergency caused by drought, or other threatened or existing water shortage, and to prohibit the waste or use of water during such periods, for any purpose other than household uses or such other restricted uses as may be determined to be necessary by the District, and may prohibit use of water during such periods for specific uses which the District may find to be nonessential.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: SUPERVISORS: Turoci, Mikels, Hammock, Riordan

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: Walker

* * * * *

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, EARLENE SPROAT, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by said Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of December 17, 1990.

EARLENE SPROAT
Clerk of the Board

By _____ Deputy