



## SAN GABRIEL COUNTY WATER DISTRICT

8366 Grand Ave  
Rosemead, CA 91778  
(626) 287-0341

### RULES AND REGULATIONS WATER ORDINANCE NO. 83-31

## TABLE OF CONTENTS

Article 1. General Provisions .....	1
1.00 Short Title. ....	1
1.01 Water System. ....	1
1.02 Separability. ....	1
1.03 Penalty for Violation. ....	1
Article 2. Definitions .....	1
2.00 District. ....	1
2.01 Board. ....	2
2.02 Distribution Mains. ....	2
2.03 Service or Service Connection. ....	2
2.04 Public Fire Protection Service. ....	2
2.05 Regular Water Service. ....	2
2.06 Temporary Water Service. ....	2
2.07 Private Fire Protection Service. ....	2
2.08 Premises. ....	2
2.09 Cross Connections. ....	3
2.10 Owner. ....	3
2.11 Person. ....	3
2.12 Applicant. ....	3
Article 3. Notices .....	3
3.00 Notices to Customers .....	3
3.01 Notices from Customers .....	3
Article 4. Application for Regular Water Service Where No Main Extension Required .....	3
4.00 Application for Regular Water Service. ....	3
4.01 Undertaking of Applicant. ....	4
4.02 Payment for Previous Service. ....	4
4.03 Establishment of Credit. ....	4
4.04 Unpaid Accounts. ....	4
4.05 San Gabriel County Water District Application for Water Service and Consumer's Deposit Receipt. ....	4
4.06 Unclaimed Deposits. ....	4
4.07 Installation of Services. ....	5
4.08 Changes in Customer's Equipment. ....	5
4.09 Water Used Without Application. ....	5
Article 5. Application for Regular Water Service When Main Extension Required. ....	5
5.00 General. ....	5
5.01 Main Line Extensions .....	5
5.02 Facilities Exceeding Needs. ....	6
5.03 Subdivisions, Tracts, or Housing Projects - Deposits. ....	6

Article 6. General Use Regulations .....	7
6.00 Number of Services per Premises. ....	7
6.01 Supply to Separate Premises. ....	7
6.02 Waste of Water. ....	7
6.03 Responsibility for Equipment on Customer Premises. ....	7
6.04 Damage to Water System Facilities. ....	7
6.05 Control Valve on the Customer Property.....	7
6.06 Water Quality Control.....	8
6.07 Backflow Protection.....	8
6.08 Cross Connections. ....	8
6.08A Backflow Prevention Devices: Testing and Records. ....	9
6.09 Supply for Boilers, Elevators and Pumps. ....	9
6.10 Interruptions in Service.....	9
6.11 Ingress and Egress.....	9
Article 7. Services and Meters .....	10
7.00 Service Connections.....	10
7.01 Meter Installations. ....	10
7.02 Meter Service to Apartments or Condominiums. ....	10
7.03 Installation Not Otherwise Covered by this Ordinance. ....	10
7.04 Change in Location of Meters.....	10
7.05 Change in Meter Size.....	10
7.06 Meter Error, Adjustment of Bills - Fast Meters. ....	11
7.07 Meter Error, Adjustment of Bills - Slow Meters. ....	10
7.08 Non registering Meters. ....	10
7.09 Meter Tests: Prior to Installation. ....	11
7.10 Meter Tests: On Customer Request. ....	11
7.11 Alteration of District Facilities .....	11
Article 8. Billing .....	12
8.00 Payment of Bills.....	12
8.01 Reconnection Charges. ....	13
8.02 Administrative - Special Charges. ....	14
8.03 Billing Period - Opening and Closing Bills. ....	14
8.04 Complaints. ....	14
Article 9. Discontinuance of Service .....	14
9.00 Disconnection for Non-Payment.....	15
9.01 Unsafe Apparatus.....	15
9.02 Fraud or Abuse.....	15
9.03 Non-Compliance with Regulations.....	15
9.04 Upon Vacating Premises.....	15
Article 10. Collection By Suit.....	15
10.00 Suit. ....	15
10.01 Costs.....	15

Article 11. Public Fire Protection .....	15
11.00 Use of Fire Hydrants.....	15
11.01 Hydrant Rental.....	15
11.02 Moving of Fire Hydrants. ....	16
Article 12. Private Fire Protection Service .....	16
12.00 Payment of Cost.....	16
12.01 No Connection to Other System. ....	16
12.02 Use.....	16
12.03 Meter Rates.....	16
12.04 Monthly Rates.....	16
12.05 Water for Fire Storage Tanks.....	16
12.06 Violation of Agreement.....	16
12.07 Water Pressure and Supply.....	17
Article 13. Temporary Service.....	17
13.00 Duration of Service.....	17
13.01 Installation and Operation.....	17
13.02 Responsibility for Meters and Installations. ....	17
13.03 Unauthorized Use of Hydrants.....	17
13.04 Credit.....	17
Article 14. General Provisions .....	18
14.00 Pools and Tanks .....	18
14.01 Responsibility for Equipment .....	18
Article 15. Rates.....	18
15.00 Inside District Rates - Regular Service.....	18
15.01 Rates for Fire Protection Connections.....	18
15.02 Water Rates for Use of Construction Water.....	18
15.03 Other Special Rates.....	19
Article 16. Emergency Water Regulations .....	19
16.00 Emergency Water Regulations.....	19

ORDINANCE NO. 83-31

AN ORDINANCE OF THE SAN GABRIEL COUNTY  
WATER DISTRICT ESTABLISHING RATES, RULES  
AND REGULATIONS FOR WATER SERVICE BY THE  
DISTRICT, EFFECTIVE DECEMBER 1, 1983

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE SAN GABRIEL COUNTY  
WATER DISTRICT AS FOLLOWS:

SECTION 1. San Gabriel County Water District Ordinance is hereby adopted to read as follows:

**ARTICLE 1. GENERAL PROVISIONS**

**1.00 Short Title.**

This Ordinance shall be known and may be cited as "San Gabriel County Water District Water Ordinance."

**1.01 Water System.**

The District will furnish a system, plant and equipment used for and useful in obtaining, conserving and supplying of water for public and private uses including all parts of the system, all appurtenances to it, and lands, easements, rights in land, water rights, contract rights, franchises, and other water supply, storage and distribution facilities and equipment.

**1.02 Separability.**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

**1.03 Penalty for Violation.**

For the failure of the customer to comply with all or any part of this Ordinance, and any Ordinance, Resolution or order fixing rates and charges of this District, a penalty for which has not hereafter been specifically fixed, the customer's services shall be discontinued and the water shall not be supplied such customer until he shall have complied with the rule or regulation, rate or charge which he has violated or, in the event he cannot comply with said rule or regulation, until he shall have satisfied the District that in the future he will comply with all rules and regulations established by the District and with all rates and charges of the District.

## **ARTICLE 2. DEFINITIONS**

### **2.00 District.**

Means San Gabriel County Water District.

### **2.01 Board.**

Means the Board of Directors of the San Gabriel County Water District.

### **2.02 Distribution Mains.**

Means water lines in streets, highways, alleys and easements used for public and private fire protection and for general distribution of water.

### **2.03 Service or Service Connection.**

Means the pipeline and appurtenant facilities such as the curb stop, meter and meter box all used to extend water service from a distribution main to premises. Where services are divided at the curb or property line to serve several customers, each such branch service shall be deemed as separate service.

### **2.04 Public Fire Protection Service.**

Means the service and facilities of the entire water supply, storage and distribution system of the District, including the water available for fire protection, excepting house service connections and appurtenances thereto.

### **2.05 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.

### **2.06 Temporary Water Service.**

Means water service and facilities rendered for construction work and other uses of limited duration, and the water available therefor.

### **2.07 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 water available therefor.

### **2.08 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 property by the several tenants, in which case each portion shall be deemed separate premises. Apartment houses and office buildings may be classified as single premises.

### **2.09 Cross Connections.**

Means any physical connection between the piping system from the District service and that of any other water supply that 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 distribution mains. "Cross-connection" includes all potential connections between the drinking water system and a non-potable water system. (Ord. 88-33).

**2.10 Owner.**

Means the person owning the 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, or exercising acts of ownership over same for himself, or as executor, administrator, guardian or trustee of the owner.

**2.11 Person.**

Means an individual or a company, association, co-partnership or public or private corporation.

**2.12 Applicant.**

Means an individual applying for water service.

**ARTICLE 3. NOTICES**

**3.00 Notices to Customers**

Notices from the District to a customer will normally be given in writing, and either delivered or mailed to him at his last known address. Where conditions warrant and in emergencies, the District may resort to notification either by telephone or messenger.

**3.01 Notices from Customers**

Notices from the Customer to the District may be given by him or his authorized representative orally or in writing at the District's operating office at 8366 Grand Avenue, Rosemead, California.

**ARTICLE 4. APPLICATION FOR REGULAR WATER SERVICE WHERE NO MAIN EXTENSION REQUIRED**

**4.00 Application for Regular Water Service.**

Where no extension is required, application may be made for regular water service from the District. Each applicant for such service shall be required to sign a form provided by the District setting forth:

- a. The date and place of application.
- b. The location of premises to be served.
- c. The date on which the applicant will be ready for service.
- d. The address to which bills are to be mailed or delivered.
- e. Whether the applicant is an owner or tenant of, or agent for, the premises.
- f. The name and address of the owner, landlord, or agent for the premises.
- g. An agreement to abide by all regulations and rules of the District by each applicant.

- h. Such other pertinent information, including forwarding address on closed accounts, as the District may request.

If the applicant is a tenant, the agreement must be executed by both the tenant and the landlord or property owner, as co-applicant and customers, or the landlord or property owner must execute or must have previously executed a warranty for payment of water service form as supplied by the District.

The District will verify all information on the application for water service before commencing service. Service will not be started on a Saturday, Sunday, Holiday or when the District offices are otherwise closed. (Ord. 96-40).

#### **4.01 Undertaking of Applicant.**

Each application will signify the customer's willingness and intention to comply with this and other Ordinances or Regulations relating to the regular water service and to make payment for water service required.

#### **4.02 Payment for Previous Service.**

An application will not be honored unless payment in full has been made for water service previously rendered to the applicant by the District.

#### **4.03 Establishment of Credit.**

a. The District shall require a deposit prior to furnishing water service for any applicant who is not credit worthy. The amount of the deposit shall be established from time to time by resolution of the Board. A deposit shall also be required to continue service to any customer who has been delinquent for more than one billing period and whose service has been discontinued for non-payment.

b. The deposit shall be returned to the customer, without interest, upon discontinuance of water service or when the customer has paid all bills in a timely manner for 12 consecutive months. (Ord. No. 90-34).

#### **4.04 Unpaid Accounts.**

Refundable advances prescribed herein may be applied to unpaid bills for water service when customer discontinues service.

#### **4.05 San Gabriel County Water District Application for Water Service and Consumer's Deposit Receipt.**

(Copy Attached)

By signing this application, the applicant agrees to observe the District's Rules, Regulations, Resolutions and Ordinances now existing, or hereafter adopted relating to water service and to pay water bills promptly.

#### **4.06 Unclaimed Deposits.**

The request for termination of service and the return of any deposit shall be made in person or in writing signed by the Consumer and, if in writing, the address to which the deposit or the remaining balance of the deposit is to be sent, shall be given. Any deposit or balance of deposit remaining unclaimed for three years after water service has been terminated shall become the property

of and be paid into the general fund of the District, pursuant to the terms of the California Government Code, and all rights of the consumer in such sum shall cease.

#### **4.07 Installation of Services.**

Regular water services will be installed at the location desired by the applicant of the size determined by the District. Service installations will be made only to property abutting on such distribution mains as may be constructed in alleys or easements, at the convenience of the District. Services installed in new subdivisions prior to the construction of streets or in advance of street improvements must be accepted by the applicant in the installed location.

#### **4.08 Changes in Customer's Equipment.**

Customers making any material changes in the size, character, or extent of the equipment or operations utilizing water service, or whose change in operations result in a large increase in the use of water, shall immediately give the District written notice of the nature of the change, and if necessary, amend their application.

#### **4.09 Water Used Without Application.**

A consumer taking possession of premises and using water from an active service connection without having made application to the District for water service, shall be held liable for the water delivered from the date of the last recorded meter reading, and if the meter is found inoperative then the quantity consumed will be estimated. If proper application for water service is not made upon notification to do so by the District, and if accumulated bills for service are not paid immediately, the service may be discontinued without further notice.

### **ARTICLE 5. APPLICATION FOR REGULAR WATER SERVICE WHEN MAIN EXTENSION REQUIRED.**

#### **5.00 General.**

When an extension of the distribution mains is necessary or a substantial investment is required to furnish service, the applicant will be informed by the District as to whether or not the service can be extended under these regulations.

#### **5.01 Main Line Extensions**

- a. In order to qualify for water service an applicant shall pay the entire cost of the main extension necessary to extend across the entire frontage of the applicant's premises.
- b. All main extensions shall be constructed in accordance with District standards by a pre-approved licensed contractor and shall be inspected by the District prior to acceptance.
- c. Main extensions may be constructed by the District or the applicant, provided, if the main extensions are constructed by the District then the applicant shall deposit the anticipated cost thereof with the District prior to construction. If the General Manager's estimate of such costs is less than the actual cost thereof, said applicant shall pay to the District, the difference between the General Manager's estimate and the actual costs of such main extension before the water will be turned on to applicant's property. If the actual cost of such main extension is less than the General Manager's estimate of the cost thereof, said difference shall be refunded to the applicant, within thirty days from the date of the

acceptance of said main extension. Provided further, if the main extension is constructed by the applicant then the applicant shall post with the General Manager a liability and performance bond in the amount of estimated total cost of the extension as determined by the General Manager.

d. Where there is an existing distribution main in the public street, from which a corner lot may receive water service from the District, and a service connection is requested (except a subdivider, who shall be required to pay the entire expense of the necessary main extension including a circulating line) beyond the said corner lot on the other frontage of the public street which passes the said corner lot, and said requested service connection requires an additional main extension, the District will install at its expense the said necessary water main for the width of the said corner lot or 125 feet, whichever is the shorter distance. Distances shall be measured from the front lot line of the corner lot. All mains connected to the District's distribution system shall become the property of the District, and shall be installed and maintained by the District.

e. The main extensions and all necessary and appropriate rights of way shall be dedicated to the District upon inspection and acceptance thereof by the District.

f. All future applicants for service for a main dedicated to the District as aforesaid shall be required to pay to the District such applicant's pro rata share of the cost of the main before service is rendered to such applicant. Thereafter the District shall refund such collections to the person, his successors or assigns who paid for the extension provided, the terms and conditions of such refund shall be set forth in a main extension refund agreement executed by the General Manager and the person who paid for the installation of the main. Said agreement shall provide, among other things that such refunds shall be collected for a period of 10 years from the date of acceptance of the main and the person entitled to receive the refund is responsible to keep the District informed as to his whereabouts.

## **5.02 Facilities Exceeding Needs.**

Should the District desire to install facilities greater than are needed to meet said service demands, the cost of the excess of facilities shall be borne by the District.

## **5.03 Subdivisions, Tracts, or Housing Projects - Deposits.**

a. A person desiring to provide a water system within a tract of land which he proposes to subdivide shall make written application therefor to the District. Said application shall state the number of the tract, the name of the subdivision, and its location. Before any construction is commenced, the District shall be provided with a copy of the recorded map, and of the plans, profiles and specifications for the street work therein. Upon receiving the application, the General Manager shall make an investigation and survey of the proposed subdivision and make his recommendation as to the facilities required and the estimated cost of the proposed water system therefor.

b. The size, type and quality of materials and location of the lines shall be specified by the General Manager and the construction will be performed by the District or the subdivider in accordance with Section 5.01(c) and 5.01(e). The subdivider shall, at his cost, provide all connections to houses constructed by him, as herein provided.

c. The District may make extensions to the facilities constructed under this Section without obligation to applicant, and refunds will not be made for services connected to said additional extensions.

## **ARTICLE 6. GENERAL USE REGULATIONS**

### **6.00 Number of Services per Premises.**

The applicant may apply for as many services as may be reasonably required for his premises provided that the pipeline system from each service is independent of the others and that they are not interconnected.

### **6.01 Supply to Separate Premises.**

Not more than one premise shall be serviced from each service connection.

### **6.02 Waste of Water.**

Consumers who use water in a careless or negligent manner, or who waste water, or who allow water to escape into the streets within the boundaries of the District or adjoining property either willfully, carelessly, or on account of defective or inadequate privately owned water lines, mains, or other facilities, or on account of inadequate preparation of the land or improvements thereon for the use of water may be refused further service until the conditions are remedied.

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, the District may discontinue the service if such conditions are not corrected within five days after giving the customer written notice.

### **6.03 Responsibility for Equipment on Customer Premises.**

All facilities installed by the District on private property for the purpose of rendering water service shall remain the property of the District and may be maintained, repaired or replaced by the District without consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in the protection of the facilities. No payment shall be made for placing or maintaining said facilities on private property.

### **6.04 Damage to Water System Facilities.**

The customer shall be liable for any damage to the District-owned customer water service facilities when such damage is from causes originating on the premises by an act of the customer or his tenants, agents, employees, contractors, licensees or permittees, including the breaking or destruction of locks by the customer or others on or near a meter, and any damage to a meter that may result from hot water or steam from a boiler or heater on the customer's premises. The District shall be reimbursed by the customer for any such damage promptly on presentation of a bill thereof.

### **6.05 Control Valve on the Customer Property.**

The customer shall provide a valve on his side of the service installation, as close to the meter location as practical to control the flow of water to the piping on his premises. The customer shall not use the service curb stop to turn water on and off for his convenience.

#### **6.06 Water Quality Control.**

The State of California regulations relating to cross connections, the Manual of Cross-Connection Control, current edition published by the Foundation for Cross-Connection Control and Hydraulic Research, and the Uniform Plumbing code, insofar as those regulations are applicable to the protection of the water supply of the District, are hereby incorporated and made a part of this Ordinance. The General Manager shall make determination as to where and what kind of backflow prevention devices will be required for services. The backflow prevention devices required by the General Manager shall be installed by and at the expense of the consumer. Service of water to any premises may be discontinued by the General Manager if a backflow prevention device required by the General Manager is not installed, tested and maintained or if any defects are found in the installed backflow prevention device or if it is found that a backflow prevention device has been removed or by-passed and service will not be restored until such conditions or defects are corrected.

Service shall be discontinued immediately if the District water supply is being contaminated or is in immediate danger of contamination. Otherwise, service will not be discontinued until written notice thereof has been given to the consumer. The notice shall state:

1. The conditions or defects which must be corrected.
2. The manner in which stated conditions or defects are to be corrected.
3. The date on or after which service shall be discontinued, and which shall not be less than 15 days following the date of delivery or mailing of the notice.

The General Manager may grant the consumer an extension of an additional period if the consumer has exercised due diligence, but has been unable to comply with the notice within the time originally allowed.”

#### **6.07 Backflow Protection.**

In all cases where water is used for industrial, manufacturing or processing purposes, where sprinkler systems are installed underground, or where back pressures in the consumer's facilities could cause a reverse flow, the consumer shall be required to install a backflow protection device of a type approved by the Los Angeles County Health Department, or other governmental agency having jurisdiction over this matter, or in the absence of a governmental agency designation, then as approved by the General Manager of the District, to prevent any backflow of water into the District's distribution lines.

#### **6.08 Cross Connections.**

The customer must comply with State and Federal laws governing the separation of dual water systems or installations of backflow protective devices to protect the public water supply from the danger of cross-connections. Backflow protective devices must be installed as near the service as possible and shall be open to test and inspection by the District. Plans for installation of backflow protective devices must be approved by the District prior to installation.

In special circumstances, when the customer is engaged in the handling of especially dangerous or corrosive liquids or industrial or process waters, the District may require the customer to eliminate certain plumbing or piping connections as an additional precaution and as a protection to the backflow preventive devices.

As a protection to the customer's plumbing system, a suitable pressure relief valve must be installed and maintained by him at his expense, when check valves or other protective devices are used. The relief valve shall be installed between the check valve and the water heater.

Whenever backflow protection has been found necessary on a water supply line entering a customer's premises, then any and all water supply lines from the District's mains entering such premises, buildings or structures shall be protected by an approved backflow device, regardless of the use of the additional water supply lines.

The double check valve or other approved backflow protection devices may be inspected and tested periodically for water tightness by the District. The devices shall be serviced, overhauled, or replaced whenever they are found defective and all costs of repair and maintenance shall be borne by the customer.

The service of water to any premises may be immediately discontinued by the District if any defect is found in the check valve installations or other protective devices, or if it is found that dangerous unprotected cross-connections exist. Service will not be restored until such defects are corrected.

#### **6.08A Backflow Prevention Devices: Testing and Records.**

Backflow prevention devices required under this ordinance shall be tested at least annually by a certified tester. A "certified tester" is any person who has been certified by the California Department of Health Services or County of Los Angeles Department of Health Services as qualified to test backflow prevention devices. Records of test results shall be submitted to the District and maintained on file for at least three (3) years.

#### **6.09 Supply for Boilers, Elevators and Pumps.**

No person shall draw water from the District mains or pipes directly to any stationary steam boiler, hydraulic elevator, power pump or similar apparatus. Where District water is used to supply a steam boiler, hydraulic elevator or power pump, the consumer shall provide a tank of sufficient capacity to afford a supply for at least twelve hours into which the service pipes shall be discharged above the tank maximum water level.

#### **6.10 Interruptions in Service.**

The District shall not be liable for damage which may result from an interruption in service. Temporary shut-downs may be made by the District to make improvements and repairs. Whenever possible and as time permits, all customers affected will be notified prior to making such shut-down. The District will not be liable for interruption, shortage or insufficiency of supply or for any loss or damage occasioned thereby, if caused by accident, act of God, fire, strikes, riots, war or any other cause not within its control.

#### **6.11 Ingress and Egress.**

Representatives from the District shall have the right of ingress and egress to the customer's premises at reasonable hours for any purpose reasonably connected with the furnishing of water service.

## **ARTICLE 7. SERVICES AND METERS**

### **7.00 Service Connections.**

The District will furnish and install a service and meter of such size and at such location as the applicant requests, provided such requests are reasonable. The service will be installed from its water distribution main to the curb line or property line of the premises which may abut on the street, on other thorough-fares, or on the District right-of-way or easement. Charges for new services are payable in advance and shall be as established from time to time by resolution.

Only duly authorized employees or agents of the District will be permitted to install a service connection from the District's main to the customer's premises.

### **7.01 Meter Installations.**

Meters will be installed in back of the curb and shall be *owned by the District and installed and removed at its expense*. No rent or other charge will be paid by the District for a meter or other facilities, including housing and connections, located on a customer's premises. All meters will be sealed by the District at the time of installation, and no seal shall be altered or broken except by one of its authorized employees or agents. Should such illegal turn-on occur, the meter may be removed and charged to the consumer. Service shall not be resumed until all such charges have been paid.

### **7.02 Meter Service to Apartments or Condominiums.**

Water service to apartments or condominiums under one ownership may be supplied by a single meter, a bank of meters or a separate meter for each unit, as approved by the General Manager. Upon conversion from apartments to condominiums, the District shall require a single meter for each unit, and a separate meter for pools, landscaping, utility buildings, recreation facilities or other specific requirements.

### **7.03 Installation Not Otherwise Covered by this Ordinance.**

In all cases where an installation is requested of the District for any purpose not covered by other provisions of the Ordinance and such request is granted, the installation shall be made by the District and total cost shall be paid by the applicant. In any case where in this Ordinance it is stated that the District shall make an installation on total cost basis, the District, where expedient, may make said installation on a fixed charge basis to be determined by the General Manager.

### **7.04 Change in Location of Meters.**

Meters moved for the convenience of the customer will be relocated at the customer's expense. Meters moved to protect the District's property will be moved at its expense. If the lateral distance which the customer desires to have the meter moved exceeds eight feet (8'), he will be required to pay for new service at the desired location.

### **7.05 Change in Meter Size.**

Any change in meter size after installation desired by the customer, shall be charged on a cost plus basis with credit given on a fair basis for any salvageable material from the previous service.

Receiving an application to increase or decrease existing meter sizes, the credits shall apply to the requested installation as from time to time established by resolution.

**7.06 Meter Error, Adjustment of Bills - Fast Meters.**

When upon testing, a meter is found to be registering more than three percent fast under conditions of normal operation, the District shall refund to the customer the full amount of the overcharge based on corrected meter readings for the period, not exceeding six months, that the fast meter was in use.

**7.07 Meter Error, Adjustment of Bills - Slow Meters.**

When, upon testing, a meter used for domestic or residential service is found to be registering more than twenty-five percent slow, the District may bill the customer for the amount of the undercharge based upon corrected meter readings for the period, not exceeding six months that the slow meter was in use. When upon testing, a meter used for other than domestic or residential service is found to be registering more than five percent slow, the District may bill the customer for the amount of the undercharge based upon correct meter readings for the period, not exceeding six months, that the slow meter was in use.

**7.08 Non registering Meters.**

The District may bill the customer for water consumed while the meter was not registering. The bill may be computed upon an estimate of consumption based either upon the customer's prior use during the same season of the year or upon a reasonable comparison with the use of other customers during the same period and under similar circumstances and conditions.

**7.09 Meter Tests: Prior to Installation.**

Prior to installation, each meter, except new meters, shall be tested. No meter found to register more than three percent fast or slow under normal conditions or operation shall be placed in service.

**7.10 Meter Tests: On Customer Request.**

a. A customer may, upon one week's notice, request the District to test the meter serving his premises. The District shall require the customer to deposit an amount to cover the reasonable cost of the test as from time to time established by resolution.

b. The deposit shall be returned if the meter is found to register more than three percent fast, and shall be retained in any other case. The customer shall be notified not less than five days in advance of the time and place of test. A customer or his authorized representative shall have the right to witness the test. A written report giving the results of the test shall be shown to the customer within ten days after completion of the test.

**7.11 Alteration of District Facilities**

a. No person shall alter District facilities except with the permission of the General Manager in compliance with this section.

b. A person who desires to alter a District pipeline, pump, reservoir or other appurtenance shall file with the General Manager for an encroachment permit. The application shall state:

- 1) The location of the proposed work;
- 2) The nature of the proposed work;
- 3) The date of the proposed work;
- 4) The reason of the proposed work;
- 5) Other information the applicant deems appropriate.

c. The General Manager shall grant an encroachment permit pursuant to this section if the General Manager finds the proposed work will not interfere with District operations or endanger District facilities and the applicant satisfies the following terms and conditions:

- 1) The work will be performed by a District pre-approved licensed contractor.
- 2) Materials and construction methods affecting District facilities shall be approved in advance;
- 3) The applicant shall agree to save and hold the District, its officers, agents and employees free and harmless from any and all costs, liability or damage, including attorney's fees arising out of any act or omission to act, including any negligent act or omission to act by the applicant, its agent or employees while performing work under the encroachment permit;
- 4) The applicant shall cause the District, its officers, agents and employees to be named as additional insured on an insurance policy protecting the District's facilities against property damage and providing comprehensive general liability coverage in amounts to be determined by the General Manager when the permit is issued.

d) The General Manager may refuse to issue an encroachment permit to an applicant who fails to meet the requirements of this section or who has failed to meet the requirements of an encroachment permit issued within two years prior. The General Manager may immediately revoke the encroachment permit if the General Manager discovers that the applicant has falsified any of the information of the encroachment permit or applicant fails to comply with any of the requirements of said permit. (Ord. 96-41).

## **ARTICLE 8. BILLING**

### **8.00 Payment of Bills**

- a. General: All bills are due and payable upon presentation and become overdue and subject to disconnection if not paid within sixty (60) days from the date of the bill. If payment for a bill is not made on or before the forty-five (45) day following the billing date, a notice of overdue payment will be mailed to the water service customer and a late fee of \$30.00 will be applied to the account.
- b. Notice of Termination: All bills for water service are due and payable upon presentation and become overdue and subject to disconnection if not paid within sixty (60) days from the date of the bill. A shut off fee of \$50.00 will be applied to the account and a notice of termination will be delivered in person. Unless a delinquent bill is paid by the date shown on the service disconnection notice, service may be discontinued by the District and shall not be reconnected until all delinquent amounts, late payment fees, shut off payment fees and

reconnection fees (after hours). If service is terminated by the District due to non-payment of water charges, the customer will be charged a \$50.00 shut off fee to re-establish water service. If reconnection is requested on District's regular business days, the shut off fee of \$100.00 requested after hours, weekends, holidays and alternate Friday's.

- c. Review: Payment arrangements for residential customers shall apply to all District accounts for residential water. Payment arrangements do not apply to any account for non-residential service. Payment arrangements shall be made in accordance with the District's Policy on Payment arrangements for residential customers.

#### **8.01 Reconnection Charges.**

Any consumer whose water service has been turned off or disconnected for failure to pay a water bill may request said service to be turned on again, in which event, said consumer shall pay in addition to all other rates, deposits and charges, a reconnection charge in amount from time to time established by Board Resolution. If such action is taken during regular working hours, 7:00 A.M. to 4:00 P.M., Monday through Thursday or 7:00 A.M. to 3:30 P.M. on alternate Fridays, said reconnection charge may be less than when the request for turn-on is made after office hours or on Saturdays, Sundays or Holidays.

Should the occupant of the premises turn on the water or allow the same to be turned on after it has been turned off by the District, the meter at such connection shall be immediately removed and shall not be reinstalled until all delinquent and reconnection charges have been paid.

#### **8.02 Administrative - Special Charges.**

Consumer payments received by the District for current or delinquent bills will be credited to the consumer's account. If payment is made by check and said check is returned to the District for reasons of "account closed" or "uncollectable funds," an administrative charge from time to time established by resolution will be collected in addition to all other rates, deposits and delinquent charges. Repeated returned checks may require future payments to be made in cash.

#### **8.03 Billing Period - Opening and Closing Bills.**

Water meters shall be read by District employees as nearly bi-monthly as is practical, and the District will, as soon after each meter reading as is practical, mail to each consumer, at his last address of record, a statement of his bill for the preceding two (2) months. Opening and closing bills for less than the normal billing period shall be pro-rated both as to minimum charges and quantity blocks. If the total period for which service is rendered is less than one (1) month and service turned on and off for a consumer within a period of thirty (30) days, a charge equal to one-half (1/2) of the bi-monthly meter charge for such service will be made in addition to the regular charge for water used. Service for the period exceeding thirty (30) days shall be billed at the regular bi-monthly charges.

#### **8.04 Complaints.**

All complaints to the Board of Directors must be made in writing and filed with the Secretary, to be read at the first meeting of the Board of Directors thereafter. The General Manager shall have the power and discretion to adjust complaints from the charges specified. If the matter is not satisfactorily adjusted with the consumer by the General Manager, the consumer may present the matter to the Board of Directors and the determination of the Board of Directors shall be final and conclusive.

## **ARTICLE 9. DISCONTINUANCE OF SERVICE**

### **9.00 Disconnection for Non-Payment.**

A customer's water service may be discontinued or disconnected following the procedure outlined in Article 8 if his bill is not paid by the date designated on the second delinquent notice. The bill shall not be charged against the refundable advance unless it is the closing billing for termination of service.

A customer's water service may be discontinued if water service furnished that customer at a previous location is not paid for by the date designated on the second delinquent notice at the previous service location.

If a consumer receives water service at more than one location and the bill for service at any one location is not paid by the date designated on the second delinquent notice, water service at all locations may be discontinued and/or turned off. (Ord. 96-40).

### **9.01 Unsafe Apparatus.**

Water service may be refused or discontinued to any premises where apparatus or appliances are in use which might endanger or disturb the service to other customers.

### **9.02 Fraud or Abuse.**

Service may be discontinued if necessary to protect the District against fraud or abuse.

### **9.03 Non-Compliance with Regulations.**

Service may be discontinued for non-compliance with this or any other ordinance or regulation related to the water service.

### **9.04 Upon Vacating Premises.**

Customer desiring to discontinue service should so notify the District two (2) days prior to vacating the premises. Unless discontinuance of service is ordered, the customer shall be liable for charges whether or not any water is used. When a property becomes vacant, the District's regular charges shall be collected from the person who has applied for water service to said property, whether water is used or not, unless the District is notified in writing of the fact that the property is unoccupied and is requested to turn-off the water.

## **ARTICLE 10. COLLECTION BY SUIT**

### **10.00 Suit.**

All unpaid rates and charges and penalties herein provided may be collected by suit.

#### **10.01 Costs.**

Defendant shall pay reasonable attorney's fees and all costs of suit in the event suit is instituted by the District to collect any rates or charges.

### **ARTICLE 11. PUBLIC FIRE PROTECTION**

#### **11.00 Use of Fire Hydrants.**

Fire hydrants are for use by the District or by organized fire protection agencies pursuant to contract with the District. Other parties desiring to use fire hydrants for any purpose must first obtain written permission from the District prior to use and shall operate the hydrant in accordance with instructions issued by the District. Unauthorized use of hydrants will be prosecuted according to law.

#### **11.01 Hydrant Rental.**

A charge, to be determined by contract between the District and organized fire protection agencies, will be imposed for hydrant maintenance and water used for public fire protection.

#### **11.02 Moving of Fire Hydrants.**

When a fire hydrant has been installed in the location specified by the proper authority, the District has fulfilled its obligation. If a property owner or other party desires a change in the size, type or location, he shall bear all costs of such change, without refund. Any change in location of a fire hydrant must be approved by the proper authority.

### **ARTICLE 12. PRIVATE FIRE PROTECTION SERVICE**

#### **12.00 Payment of Cost.**

The applicant for private fire protection service shall pay the total actual cost of installation of service from the distribution main to the customer's premises including the cost of a detector check meter or other suitable and equivalent device, valve and meter box, said installation to become the property of the District. The District may agree to install the connection and meter at cost plus.

#### **12.01 No Connection to Other System.**

There shall be no connection between this fire protection system and any other water distribution system on the premises.

#### **12.02 Use.**

There shall be no water used through the fire protection service except to extinguish *accidental* fires and for testing the fire fighting equipment.

### **12.03 Meter Rates.**

Any consumption recorded on the meter will be charged for at double the regular service rates except that no charge will be made for water used to extinguish accidental fires where such fires have been reported to the fire department.

### **12.04 Monthly Rates.**

The monthly rates for private protection shall be established by the District Board upon receipt of application.

### **12.05 Water for Fire Storage Tanks.**

Occasionally water may be obtained from a private fire service for filling a tank connected with the fire service, but only if written permission is secured from the District in advance and an approved means of measurement is available. The regular water rates will be applied.

### **12.06 Violation of Agreement.**

If water is used from a private fire service in violation of the agreement or of these regulations, the District may, at its option, discontinue and remove the service.

### **12.07 Water Pressure and Supply.**

The District assumes no responsibility for loss or damage due to lack of water or pressure and merely agrees to furnish such quantities and pressures as are available in its general distribution system. The service is subject to shut downs and variations required by the operation of the system.

## **ARTICLE 13. TEMPORARY SERVICE**

### **13.00 Duration of Service.**

Temporary service connections shall be disconnected and terminated within six months after installation unless extension of time is granted by the District. All water delivered by the District for the purpose of flooding of trenches, etc. must be metered or as determined by the General Manager.

### **13.01 Installation and Operation.**

All facilities for temporary service to the customer connection shall be made by the District and shall be operated in accordance with its instructions.

### **13.02 Responsibility for Meters and Installations.**

The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of the District which are involved in furnishing the temporary service from the time they are installed until they are removed, or until 48 hours notice in writing has been given to the District that the contractor or other persons is through with the meter or meters and the installation. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the customer.

### **13.03 Unauthorized Use of Hydrants.**

Tampering with any fire hydrant for the unauthorized use of water therefrom, or for any other purpose, is a misdemeanor, punishable by law. It is unlawful for any person or persons to take any water from any fire hydrant without a written permit, furnished upon application by the District. Said application shall include a monthly permit fee and deposit equal to the replacement value of meter and backflow valve. Anyone taking water from a hydrant without a permit will be assumed to have taken water in the value of at least \$65.00 and will be charged for said amount.

It is unlawful for any person to place upon or about any fire hydrant, gate, valve, vault, service, mainline, meter or meter box connected with the water system of the utility, any material, debris or structure of any kind so as to prevent free access to the same at all times.

### **13.04 Credit**

The applicant shall pay the estimated cost of service in advance or shall be otherwise required to establish credit.

## **ARTICLE 14. GENERAL PROVISIONS**

### **14.00 Pools and Tanks.**

When an abnormally large quantity of water is desired for filling a swimming pool or for other purposes, arrangements must be made with the District prior to taking such water. Permission to take water in unusual quantities will be given only if it can be safely delivered through the District's facilities and if other consumers are not inconvenienced thereby.

### **14.01 Responsibility for Equipment.**

The customer shall at his own risk and expense, furnish, install and keep in good and safe condition all equipment that may be required for receiving, controlling, applying and utilizing water, and the District shall not be responsible for any loss or damage caused by the improper installation of such equipment, or the negligence or wrongful act of the customer or of any of his tenants, agents, employees, contractors, licensees or permittees in installing, maintaining, operating or interfering with such equipment. The District shall not be responsible for damage to property caused by faucets, valves and other equipment which may be open when water is turned on at the meter, either originally or when turned on after a temporary shutdown.

## **ARTICLE 15. RATES**

### **15.00 Inside District Rates - Regular Service.**

The water service rates and compensation for water furnished within the exterior boundaries of the District shall be established from time to time by resolution.

### **15.01 Rates for Fire Protection Connections.**

The monthly charge for detector check (D.C.) valves with detector meter installed on a by-pass for fire protection purposes for private off-site purposes shall be as from time to time established by resolution.

### **15.02 Water Rates for Use of Construction Water.**

If temporary service is supplied through a fire hydrant, a permit for the use of the hydrant shall be obtained from the proper authority (Fire Agency) and the District. No person other than the fire agency shall operate the valve of the fire hydrant. Applicant for flooding trenches or for using water out of a fire hydrant shall make a deposit in an amount from time to time established by resolution with the (Water) District, which shall be refunded when the meter is returned and the charges paid. Any costs involved in supplying such connections will be prepaid by the applicant. Applicant shall notify the District when he wishes to have service relocated or discontinued. Regular rates, including monthly service charge, shall continue until such notice has been received. Water furnished as construction water is surplus water, available only at the discretion of the District and may be discontinued without notice. All applicants for construction water must be contractors duly licensed to do business in the State of California.

### **03 Other Special Rates.**

The General Manager may establish and enforce rates and compensation to be charged and collected by the District for furnishing and supplying water and water service to any installation of a character not otherwise provided for in this Ordinance.

## **ARTICLE 16. EMERGENCY WATER REGULATIONS**

### **16.00 Emergency Water Regulations.**

The Board is authorized to determine and declare that a water shortage emergency exists in any or all parts of the District and upon such determination, to promulgate such regulations, rules and conditions relative to the item of using water, the purpose or purposes for which it may be used, and such other necessary limitation as will, in its opinion, relieve the water shortage in any such section or sections of the District. Upon such emergency declaration by the General Manager, it shall be his duty to have public notice given by publishing a notice giving the extent, terms and conditions respecting the use and consumption of water, at least once in a newspaper of general circulation in the District; that upon such declaration and publication of such notice, due and proper notice shall be deemed to have been given each and every consumer supplied with water by the District.