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ORDINANCE NO. 40

(AS AMENDED BY ORDINANCE NO'S: 53, 55, 57, 58, 61, 65, 67, 68, 72, 73, 77, 80, 82, 87, 90, 93, 98, 102, 104, 106, 108, 110, 115, 121, 123, 125, 128, 134, 137, 150, 152, 156, 160, 170 & 172)

AN ORDINANCE ESTABLISHING RATES, RULES,  
AND REGULATIONS FOR WATER SERVICE BY THE  
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**ORDINANCE NO. 40**

AN ORDINANCE ESTABLISHING RATES, RULES  
AND REGULATIONS FOR WATER SERVICE BY THE  
BODEGA BAY PUBLIC UTILITY DISTRICT

BE IT ORDAINED by the Board of Directors of the Bodega Bay Public Utility District, Sonoma County, California, as follows:

ARTICLE 1 - DEFINITIONS

For the purpose of this Ordinance, the terms used herein are defined as follows:

Sec. 1-1. Applicant is the person making application for a permit for a water installation and shall be the owner of premises to be served by the water facilities for which a permit is requested, or his authorized agent.

Sec. 1-2. Authorized Agent means that the person is authorized by the owner to apply for and receive service as lessee, licensee or other of the owner.

Sec. 1-3. Board is the Board of Directors of said District.

Sec. 1-4. Building is any structure used for human habitation or a place of business, recreation or other purpose containing water facilities.

Sec. 1-5. Contractor is an individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under the permit and shall be the owner or his agent.

Sec. 1-6. Cost means the cost of labor, material, transportation, supervision, engineering, and all other necessary overhead expenses.

Sec. 1-7. Cross-Connection means an unprotected actual or potential connection between the District's potable water system used to supply water for drinking purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome, and potable. By-pass arrangements, jumper connections, removable sections, swivel or changeover devices, or other devices through which backflow could enter, shall be considered to be cross-connections.

Sec. 1-8. Customer means any person supplied or entitled to be supplied with water service by the District.

Sec. 1-9. Distribution Mains means water lines in streets, highways, alleys, and easements used for public and private fire protection or for general distribution of water for irrigation, industrial, and municipal purposes.

Sec. 1-10. District means Bodega Bay Public Utility District.

Sec. 1-11. District Inspector is the Inspector acting for the Board and may be a member of the Board, the Water Superintendent, the District Engineer, or Inspector appointed by the Board.

Sec. 1-11(a). District Water Facilities means the domestic water source, transmission, and distribution systems owned by the District.

Sec. 1-12. Engineer is the Engineer appointed by and acting for the Board, and shall be a Registered Civil Engineer.

Sec. 1-13. Family Unit (Residential Unit). Family unit (residential unit) shall mean and refer to a place of residence for a single family. Multiple family dwellings shall have the same number of family units (residential units) that the facilities therein provide for single family residents, including trailer courts, hotels, and motels. The number of family units (residential units) for commercial, industrial, church, school, public, and other nonresidential units shall be determined by the District Engineer on the basis of dividing the estimated water consumption for such units by the average water consumption for a family unit (residential unit) in the District.

Sec. 1-13(b). Lot means a lot or parcel of land shown on a recorded subdivision map in the Official Records of Sonoma County, situated within the District and abutting on any street in which there is now located a water distribution main of the District, provided that said water main is within two hundred (200) feet of such lot or parcel.

Sec. 1-14. Owner means the person owning the fee, or the person in whose name the legal title to the property appears by deed duly recorder 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.

Sec. 1-15. Permit is any written authorization required pursuant to this or any other rule, regulation, or ordinance of District for the installation of any water works.

Sec. 1-16. Person is any human being, firm, company, partnership, association, and private, public, or municipal corporation, the United States of America, the State of California, districts, and all political subdivisions, governmental agencies and mandatories thereof.

Sec. 1-17. Premises means a lot or parcel of real property under one ownership, except that any separate structure under one roof shall be deemed a separate premises. Apartment houses, motels, office buildings and structures of like nature may be classified as single premises.

Sec. 1-18. Private Fire Protection Service means water service and facilities for building sprinkler systems, hydrants, hose reels, and other facilities installed on private property for fire protection and the water available therefor.

Sec. 1-19. Public Fire Protection Service means the service and facilities of the entire water supply, storage, and distribution system of the District, including fire hydrants affixed thereto, and the water available for fire protection, excepting house service connections and appurtenances thereto.



Sec. 1-20. 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.

Sec. 1-21. Service Or Service Connection means the pipe line and appurtenant facilities such as the curb stop, meter and meter box, if any, 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 a separate service.

Sec. 1-22. Street is any public highway, road, street, avenue, alley, way, public place, public easement, or right-of-way.

Sec. 1-23. Temporary Water Service means water service and facilities rendered for construction work and other uses of limited duration, and the water available therefor.

Sec. 1-24. Water Department means the Water Department hereby created for the administration of water service by the District or, in the event that any of the functions of the Water Department are contracted for performance by a separate person, that person, to the extent provided by such contract.

Sec. 1-26(a). Improvement District No. U-1 means the improvement district established within the District by Resolution No. A-148, A Resolution Ordering the Formation of Improvement District No. U-1 of the Bodega Bay Public Utility District, Describing the Exterior Boundaries Thereof, and Determining the Necessity of Incurring a Bonded Indebtedness Therefor, adopted November 23, 1970.

## ARTICLE 2 - GENERAL PROVISIONS

Sec. 2-1. Rules And Regulations. The following rules and regulations respecting water construction and provision of water and connection to the water supply, storage, and distribution facilities of District are hereby adopted, and all work in respect thereto shall be performed as herein required and not otherwise.

Sec.2-2. Purpose. This Ordinance is intended to provide certain minimum standards, provisions, and requirements for design, methods of construction, and use of materials in water facilities and water service connections hereafter installed, altered, or repaired. This Ordinance shall not apply retroactively and, in the event of an alteration or repair hereafter made, it shall apply only to the new materials and methods used therein.

Sec. 2-3. Short Title. This Ordinance shall be known and may be cited as "Bodega Bay Public Utility District Water Ordinance".

Sec. 2-4. Words And Phrases. For the purpose of this Ordinance, all words used herein in the present tense shall include the future: all words in the plural number shall include the singular number; and all words in the singular number shall include the plural number.

Sec. 2-5. Water System. The District will furnish a system, plant, works and undertaking used for and useful in obtaining, conserving, and distributing of water for public and private uses, including all parts of said 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.

Sec. 2-6. Pressure Conditions. All applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection, and to hold the District harmless for any damages arising out of low pressure or high pressure water service conditions or from any interruptions in service.

Sec. 2-7. Maintenance Of Water Pressure And Shutting Down For Emergency Repairs. The Board shall not accept any responsibility for the maintenance of pressure and it reserves the right to discontinue service while making repairs, replacements, and connections or performing other work in the operation of the water system. Consumers dependent upon a continuous supply should provide emergency storage.

Sec. 2-8. Tampering With District Property. No one, except an employee or representative of the Board, shall at any time in any manner operate the curb cocks or valves, main cocks, gates or valves of the District's water system, or interfere with meters or their connections, street mains, or other parts of the water system.

Sec. 2-9. Penalty For Violation. For the failure of any person to comply with all or any part of the Ordinance, and any ordinance, resolution, or order fixing rates and charges of the District, a penalty for which has not hereafter been specifically fixed, the person's service shall be discontinued and the water shall not be supplied to him until he shall have complied with the rule or regulation, rate or charge which he has violated, or, in the event that 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 ordinance of the District and with all rates and charges of this District. In addition thereto, he shall pay the District the sum of One Hundred Dollars (\$100.00) for renewal of his service which is not refundable.

Sec. 2-10. Ruling Final. All rulings of the Board shall be final. All rulings of the Water Superintendent shall be final unless appealed in writing to the Board within five (5) days. When appealed, the Board's ruling shall be final.

Sec. 2-11. Relief On Application. When any person, by reason of special circumstances, is of the opinion that any provision of this Ordinance is unjust or inequitable as applied to his premises, he may make written application to the Board, stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises.

If such application be approved, the Board may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

Sec. 2-12. Relief On Own Motion. The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and Ordinance should be suspended or modified as applied to a particular premises and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof.

Sec. 2-13. Separability. If any section, subsection, sentence, clause, or phrase of this Ordinance, or the application thereof to any

person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this Ordinance or any section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional.

### ARTICLE 3 - WATER DEPARTMENT

Sec. 3-1. Creation. A Water Department is hereby created comprising the Directors and the following positions, to wit: A Water Superintendent, a District Inspector, and Clerk. The same person may be appointed to any or all of said positions. They shall be appointed to serve at the pleasure of the Board.

Sec. 3-2. District Inspector - Duties. The Board of said District shall employ the District Engineer or such other person as may be designated by the Board to perform the duties of inspecting the installation, connection, maintenance, and use of all water facilities in said District, to be known as the District Inspector. He shall receive, as compensation for his services for making inspections required to be made by the ordinances, orders, and regulations from time to time enacted and ordered by said Board, a sum to be fixed by the Board. He shall serve during the pleasure of the Board.

Sec. 3-3. Water Superintendent - Duties. The Water Superintendent shall regularly inspect all physical facilities related to the District's water system, to see that they are in good repair and proper working order, and note violations of any water regulations.

Sec.3-4. Engineer, Inspector Or Water Superintendent - Violation, Repairs. The person making inspections shall promptly report any violation or disrepair to the Board. If the work required is in the nature of an emergency, he shall take whatever steps are necessary to maintain service to consumers pending action by the Board.

Sec. 3-5. Engineer, Inspector Or Water Superintendent - Supervision. The Engineer, Inspector or Water Superintendent shall supervise all repair or construction work authorized by the Board, and perform any other duties prescribed elsewhere in this Ordinance or which shall be hereafter prescribed by the Board.

Sec. 3-6. Clerk - Duties. The position Clerk is hereby created. He shall have charge of the office of the District and of the billing for and collecting the charges herein provided. He shall perform such other duties as shall be determined by the Board.

Sec. 3-7. Id. - Duties. The Clerk shall compute, prepare, and mail bills as hereinafter prescribed, make and deposit collections, maintain proper books of account, collect, account for, and refund deposits, do whatever else is necessary or directed by the District Auditor to set up and maintain an efficient and economical bookkeeping system, and perform any other duties now or hereafter prescribed by the Board.

Sec. 3-8. Performance Of Duties. The foregoing duties of Engineer, Inspector, Water Superintendent and Clerk may be performed by existing

District personnel or by an additional employee or employees.

Sec. 3-9. Compensation. The Engineer, Inspector, Water Superintendent, and Clerk shall receive such compensation as is prescribed by the Board.

#### ARTICLE 4 - NOTICES

Sec. 4-1. Notices To Customers. Notices to a water customer from the District 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 notifications either by telephone or messenger.

Sec. 4-2. Notices From Customers. Notice from the customer to the District may be given by him or his authorized representative in writing, (1) at the District's operating office, (2) to the District's Water Superintendent, or (3) to an officer or agent duly authorized by the Board to receive notices or complaints.

#### ARTICLE 5 - STANDARD DISTRICT SPECIFICATIONS

Sec. 5-1. Design And Construction Standards. Minimum standards for the design and construction of water facilities within the District shall be in accordance with the applicable provisions of the ordinances, rules, and regulations, and with the STANDARD DISTRICT SPECIFICATIONS heretofore or hereafter adopted by the District, copies of which are on file in the District office. The District or the District Engineer may permit modifications or may require higher standards where unusual conditions are encountered.

Two complete sets of "as built" drawings showing the actual location of all mains, valves, fire hydrants, house services, meters, if any, and appurtenances, shall be filed with the District before final acceptance of the work.

#### ARTICLE 6- APPLICATION FOR WATER SERVICE - WHERE NO MAIN EXTENSION REQUIRED

Sec. 6-1. Application And Permit Required. No person shall uncover, make any connections with or opening into, use, alter or disturb any District water facilities; or make any alterations to the use to be made of the water service connection which will cause an additional use of or demand on District water facilities; without first making application for and obtaining a written permit from the District.

Sec. 6-2. Permit Application, Issuance, Non-Transferability.

a) Application. Any person entitled to make application for and receive a permit shall make such application on forms provided by the District for that purpose. He shall give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. In the case of an application for a permit and no main extension is required, the Manager may require plans, specifications or drawings and such other information as he may deem necessary. In the case of an application for a permit and a

main extension is required, such plans or specifications shall be required and the provisions of Articles 7, 8, and 8A hereof shall be applicable.

The application, as well as a set of the plans, specifications, and other information shall be filed in the District office.

As a condition to the issuance of any permit, the applicant shall pay all engineering, legal administrative and other expenses incurred by the District in its processing of the permit application, said payment to be made prior to the issuance of the permit.

(b) Issuance. If the Manager determines that no main extension is required; that the District water supply is sufficient to meet the demands and requirements needed to provide the service requested in the application without depleting the water supply of the District to the extent that there would be insufficient water for human consumption, sanitation, and fire protection; that the plans, specifications, drawings and other information furnished by the applicant are satisfactory and are in compliance with the ordinances and regulations of the District; and, that the applicant is entitled to a permit under said ordinances and regulations, he may, in his discretion, issue the permit applied for upon payment of the fees and charges herein established, or refer the application to the Board for consideration and action. In this later event, after such consideration by the Board, the Board may (1) in its discretion deny the permit application if it determines that it is in the best interests of the District to deny such permit application, or (2) grant such permit application conditioned upon payment of said fees and charges. The granting of such permit application by the Board may be made upon such additional conditions as the Board deems necessary in the public interest.

If the Manager determines that a main extension is required, the application shall be processed in accordance with Articles 7, 8, and 8A, hereof, as appropriate.

(c) Non-Transferability. A permit is non-transferable to another person or another parcel.

Sec. 6-3. Compliance With Permit. After approval of the application, evidenced by the issuance of a permit, no change shall be made in the location or extent of the use of the water service connection from those described in the permit or as shown on the plans and specifications for which the permit was issued except with written permission from the District, the District Inspector or other authorized representatives.

Sec. 6-4. Undertaking Of Applicant. Such application shall signify the owner's agreement, if issued a permit, to comply with this and other ordinances or regulations relating to water service; to make payment for water service required; that unpaid rates, charges and penalties may be collected from him by suit; and, to pay all costs of suit in any judgment in favor of the District for any unpaid rates, charges, or penalties.

Sec. 6-5. Classes Of Permits. There shall be four (4) classes of permits, as follows:

(a) Temporary Hydrant Service. Application for metered hydrant service must be accompanied by a deposit for installation, removal and relocation of meter, plus meter replacement cost. Unmetered service must be paid in advance.

(b) Regular Water Service - No Main Extension Required.

Connection of regular water service to a building must be made within six (6) months from the date of approval of the application. Application for regular water service must be accompanied by payment of applicable service installation and connection charges, and guarantee deposit.

(c) Regular Water Service - Main Extension Required. Articles

7, 8, and 9 apply to all permits in this class. Where the connection of any building would require the construction of a main extension, the applicant shall apply for a permit under Class (a) or (b) above, as appropriate, as well as a public permit under this Class (c). Such a permit shall be obtained prior to the obtaining of a building permit from the County of Sonoma.

(d) Permit For Alteration Of The Use To Be Made Of An Existing Service Connection Which Will Cause An Additional Use Of Or Demand On The District Water Facilities. Application for such alteration of use must be accompanied by payment of applicable additional connection charges.

Sec. 6-6. Payment For Previous Service. An application shall not be honored unless payment in full has been made for water service previously rendered to the applicant by the District, any previously authorized agent of the applicant, and to all premises owned by the same owner or with respect to which the owner was authorized agent. Upon request of the applicant, the Water Superintendent shall hear any persons interested and desiring to be heard concerning any refusal of service hereunder. The Water Superintendent may grant relief from the rule in cases of fraud or unfairness. At the time of any ruling, the Water Superintendent shall inform the interested person heard of the requirements of perfecting an appeal to the Board and for applying directly to the Board for relief.

Sec. 6-7 Installation Of Service. Upon issuance of the permit, water service will be installed at the location and of the size determined by the District. Service installations will be made only to property abutting on public streets or abutting on such distribution mains as may be constructed in alleys or easements, at the convenience of the Water Department. All pipes and fixtures extending or lying beyond the service connection including the connection thereto, shall be installed and maintained by the customer. 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.

Sec. 6-8. Service Connections. Service connections shall be installed in accordance with applicable provisions of Article 10.

Sec. 6-9. Time Limit On Permits For Regular Water Service. If regular water service to a building is not made within six (6) months from date of District approval of the application, the permit shall thereupon become void and no further work shall be done until a new permit shall have been secured. If the installation or connection charge applicable at the time of the new permit is greater than that paid at the time of the permit last issued, the difference shall also be paid. If, pursuant to this Section, a permit becomes void, the installation and connection charges, and guarantee deposit, shall be refunded upon application therefor.

ARTICLE 7 - APPLICATION FOR REGULAR WATER SERVICE - WHEN MAIN EXTENSION  
REQUIRED

Sec. 7-1. Main Extensions. The following rules are established:

a) Determination. Upon receipt of any application for water service or request for an application form, the Engineer shall determine whether, in his judgment, a main extension is necessary to provide service. A main extension shall be installed in the manner provided in this Article whenever, in the judgment of the engineer and the Board, such main extension is necessary to provide regular water service to property described in such application or request.

b) Application. Any owner of one or more lots or parcels or subdivider of a tract of land where, in the opinion of the Water Department, one or more main extensions is required, desiring regular water service to serve such property, shall make a written application therefor to the District, said application to contain the legal description of the property to be served and tract number thereof, and any additional information which may be required by the District, and be accompanied by a map showing the location of the proposed connections.

c) Investigation. Upon receipt of the application, the Engineer shall make an investigation of the proposed extension and submit his opinion and the estimated cost thereof to the Board.

d) Ruling. The Board shall there upon consider such application and report and, after such consideration, reject, amend, or approve the application with or without conditions.

e) District Lines. All extensions thus provided for in accordance with these regulations shall be and remain the property of the District.

f) Dead-End Lines. No dead-end lines shall be permitted except as recommended by the Engineer and approved by the Board. In cases where, subsequent to the approval of a dead-end line by the Board, another dead-end line is planned in sufficient proximity to make connection feasible, and such connection is recommended by the Engineer and approved by the Board, the dead-end lines shall be connected. In cases where circulation lines are necessary, they shall be designed and installed by the Water Department as a part of the cost of the extension.

g) Extent And Design. All main extensions shall extend to the far property line of developed property. If additional property is developed on the same lot after installation of a main extension, the main extension shall be extended to the far property line of the additionally developed property. All main extensions shall be subject to design approval by the Engineer and the Board.

Sec. 7-2. General. The District will provide all main extensions upon application for service. Main extensions may include, in addition to extensions of the distribution mains and associated improvements, all water facilities necessary to provide a standard of water service generally applicable.

Sec. 7-3. Determination. If, in the opinion of the Board, the cost thereof is in excess of what it is prepared to advance, or it questions the

economic advantage to the District of making such advance, the Board shall determine the cost of such line.

Sec. 7-4. Advance Cost. When the Board so determines, the applicant shall advance the amount of such estimate, and the line shall be installed by the District. If the amount of the advance deposit exceeds the actual cost of engineering, legal, inspection, and other charges attributable to the extension, the balance shall be refunded to the property owner. If the amount of the deposit is insufficient to pay all the costs of engineering, legal, inspection, and other charges attributable to the extension, the property owner shall pay all such costs to the District prior to the acceptance of the extension by the District.

Sec. 7-5. Extension By Property Owner. In lieu of the construction of the extension by the District, the Board of Directors may authorize the construction of the extension by the property owner or by his duly authorized agents, provided that the property owner had made the required application and has provided acceptable plans and specifications which have been approved by the Engineer and by the District. Should the Board of Directors of the District determine that any part of the cost of the main extension is required to meet the needs of the District, the Board of Directors may authorize payment of an appropriate portion of the cost of such main extension. The determination of the Board of Directors, as to the portion of such costs to be paid by the District, shall be conclusive.

Sec. 7-6. Service Connections. Service connections will be installed in accordance with applicable provisions of Article 10.

#### ARTICLE 8 - SUBDIVISIONS

Sec. 8-1. Applications. A person desiring to provide a water system within a tract of land which he proposes to subdivide, shall make written application therefor.

Sec.8-2. Id. - Contents. The application shall state the number of the tract, the name of the subdivision, and its location. It shall be accompanied by a copy of the tentative map and of the plans, profiles, and specifications for the street work, water facilities, and sanitary and storm sewer work therein.

Sec. 8-3. Investigation. Upon receiving the application, the Engineer shall make an investigation and survey of the proposed subdivision and shall report his findings to the Board, including a recommendation as to the facilities required and the estimated cost of the proposed water system therefor. The size, type, and quality of materials shall be in accordance with the District's Water Distribution System Standards and Specifications in effect at the time of application.

Sec. 8-3 (a). Ruling. The Board shall thereupon consider such application and report and, after such consideration, reject, amend, or approve the application with or without conditions.

Sec. 8-4. Specifications And Construction. A person desiring to provide a water system within a tract of land, which he proposes to subdivide, shall advance to the District the estimated cost of the plans and specifications therefor. Plans and specifications shall be prepared by and under the supervision of the District Engineer.



Adjustments of any substantial difference between the estimated and actual cost of the preparation of plans and specifications shall be made at or before the final preparation of plans and specifications, and any excess shall be refunded to the subdivider and any shortage will be paid by him to the District.

The size, type, and quality of materials, and the location of the lines shall be specified by the Water Department, and the actual construction will be done by the Water Department or a contractor acceptable to it, supervised and inspected by the Water Superintendent.

Sec. 8-5. Subdivisions, Tracts, Or Housing Projects - Deposits. Subdividers will be required to advance to the District 112% of the estimated cost of the labor and materials necessary to install the main lines, valves, service connections, and fire hydrants within the subdivision. Fire hydrants shall be so located that each lot is within 600 feet of a hydrant.

Sec. 8-6 Adjustment. Adjustments of any substantial difference between the estimated and actual number of feet of line installed shall be made at or before the completion of the installation, and any excess shall be refunded to the subdivider and any shortage will be paid by him to the District.

Sec.8-7. Property Of District. All facilities shall be the property of the District and shall be conveyed to the District by a proper instrument in writing at or before the time the facilities are completed and before they are accepted by the District.

Sec.8-8. Connections. The subdivider shall, at his cost, provide and install the connection to each house constructed by him, as herein provided.

Sec. 8-9. Id. - Meters. If it is a metered service, the applicant shall at the time of application for water service pay the District cost plus 10% to cover the cost of installation of a 5/8 X 3/4 inch meter, or an amount to be estimated and fixed by the Water Superintendent for larger meters.

Sec. 8-10. Costs And Expenses. All costs and expenses incurred by the District under this Article, including the cost of investigation, inspection, legal, and consulting engineer's services, shall be paid to the District by the subdivider prior to approval of the application.

Sec. 8-11 Further Requirements. In granting an application, the Board may make whatever further requirements or establish such conditions as may appear to it to be necessary or desirable.

#### ARTICLE 8A - ALTERNATIVE RULES FOR INSTALLATION OF DISTRIBUTION MAINS

Sec. 8A-1. Alternative Rules. The following rules provide an alternative means to the provisions of ARTICLES 7 and 8 for the installation by applicant of main extension and subdivision water systems.

Sec. 8A-2. Permit Required. No person shall construct, extend or connect to any public main without first obtaining a written permit from the District and paying all fees and connection charges and furnishing bonds as required therein. The provisions of this Section requiring

permits shall not be construed to apply to contractors constructing mains and appurtenances under contracts awarded and entered into by the District.

Sec. 8A-3. Plans, Profiles, And Specifications Required. The application for a permit for public main construction shall be accompanied by complete plans, profiles and specifications, complying with all applicable ordinances, rules and regulations of District, prepared by a Registered Civil Engineer showing all details of the proposed work based on an accurate survey of the ground. The application, together with the plans, profiles and specifications shall be examined by the District Engineer who shall approve them as filed or require them to be modified as he deems necessary for proper installation. After examination by the District Engineer, the application, plans, profiles and specifications shall be submitted to the Board for its consideration. The Board shall thereupon consider such application and any District Engineer's report and, after such consideration, reject, amend, or approve the application with or without conditions. When the Board is satisfied that the proposed work is proper and the plans, profiles and specifications are sufficient and correct, it shall order the issuance of a permit predicated upon payment of all connection charges, fees and furnishing bonds as required by the District. The permit shall prescribe such terms and conditions as the Board finds necessary in the public interest.

Sec. 8A-4. Subdivisions. The requirements of Section 8A-2 and 8A-3 of this Ordinance shall be fully complied with before any final subdivision map shall be approved by the Board. The final subdivision map shall provide for the dedication for public use of all streets, easements or rights of way in which public mains are to be constructed. If a final subdivision map of a tract is recorded and the work of constructing the mains to serve the tract is not completed within the time limit allowed in the permit, the Board may extend the time limit or may complete the work and take appropriate steps to enforce the provisions of the bond furnished by the subdivider.

Sec. 8A-5. Easements Or Rights of Way. In the event that an easement is required for the extension of the public main or the making of connections, the applicant shall procure and have accepted by the Board a proper easement or grant of right of way sufficient in law to allow the laying and maintenance of such extension or connection.

Sec. 8A-6. Persons Authorized To Perform Work. Only properly licensed contractors shall be authorized to perform the work of public main construction within the District. All terms and conditions of the permit issued by the District to the applicant shall be binding on the contractor. The requirements of this Section shall apply to service connections installed concurrently with public main construction.

Sec. 8A-7. Grade Stakes. Grade and line stakes shall be set by a Registered Civil Engineer prior to the start of work on any public main construction. The contractor shall be responsible for accurately transferring grades.

Sec. 8A-8. Compliance With Local Regulations. Any person constructing a main within a street shall comply with all State and County laws, ordinances, rules and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof, and shall obtain all permits and pay all

fees required by the department having jurisdiction prior to the issuance of a permit by the District.

Sec. 8A-9. Protection Of Excavation. The applicant shall maintain such barriers, lights and signs as are necessary to give warning to the public at all times that a main is under construction and of each dangerous condition to be encountered as a result thereof. He shall also likewise protect the public in the use of the sidewalk against any such conditions in connection with the construction of the main. Streets, sidewalks, parkways and other property disturbed in the course of the work shall be reinstalled in a manner satisfactory to the District and the County or any other person having jurisdiction thereover.

Sec. 8A-10. Design And Construction Standards. Minimum standards for the design and construction of mains within the District shall be in accordance with the applicable provisions of the ordinances, rules, regulations and within the SPECIFICATIONS FOR MAIN CONSTRUCTION heretofore or hereafter adopted by District, copies of which are on file in the District office. The District or the District Engineer may permit modifications or may require higher standards where unusual conditions are encountered.

"As-built" drawings showing the actual location of all mains, structures, and service connections shall be filed with the District before final acceptance of the work.

Sec. 8A-11. Reimbursements. The provisions of Section 7-5 shall apply.

Sec. 8A-12. Compliance With Permit. After approval of the application, evidenced by the issuance of a permit, no change shall be made in the location of the mains, the grade, materials or other details from those described in the permit or as shown on the plans and specifications for which the permit was issued except with written permission from the District, the District Inspector or other authorized representative.

Sec.8A-13. Agreement. The applicant's signature on an application for any permit shall constitute an agreement to comply with all of the provisions, terms and requirements of the ordinances, rules and regulations of the District, and with the plans and specifications he has filed with his application together with such corrections or modifications as may be binding upon the applicant and may be altered only by the District upon the written request for the alteration from the applicant.

Sec.8A-14. Fees - Connection Charges. All connection charges, fees and other charges in the District and in the areas thereto, as set forth in the ordinances, rules and regulations of the District as heretofore or hereafter fixed, shall be paid and complied with in the manner provided in said ordinances, rules and regulations.

Sec.8A-15. Special Connection Charges. In addition to any other charges established herein, the District may establish special connection charges for any service connection when, in the opinion of the Board of Directors of District, the circumstances of such connection necessitate the establishment of unusual conditions or necessitate the payment of charges over and above those established herein.

Sec. 8A-16. Public Main Construction Permit. A fee of not less than Five Hundred Dollars (\$500.00) plus a fee of One Hundred Dollars (\$100.00) per hundred (100) lineal feet of main shall be paid to the District for the

issuance of a permit and inspecting the installation of public mains consisting of extensions of the existing facilities of the District.

Sec. 8A-17. Fees And Bond - Public Main Construction.

a) A fee in an amount deemed necessary by the District to pay all engineering, inspection, legal, administrative and other costs required to insure compliance with the terms of the permit and with the rules, regulations and ordinances of the District, shall be paid to the District prior to the time the permit is issued, for reviewing plans and specifications, issuing a permit and inspecting the installation of public mains, service connections, and all appurtenances thereto. If the fee fixed by the District is in excess of the actual cost to the District, any surplus over the cost shall be refunded to the person obtaining the permit. If the fee fixed by the District is less than the actual cost to the District, then the person obtaining the permit shall be liable for the excess cost to the District.

b) Prior to the issuance of a permit for main construction the applicant shall furnish to the District a faithful performance bond or cash in the amount of the total estimated cost of the work. Said bond is to be secured by a surety or sureties satisfactory to the District. The cash deposit or faithful performance bond shall be conditioned upon the performance of the terms and conditions of the permit and shall guarantee the correction of faulty workmanship and the replacement of defective materials for a period of one (1) year after the date of acceptance of the work.

Sec. 8A-18. All Work To Be Inspected. All water main construction work shall be inspected by an inspector acting for the District to insure compliance with all requirements of the District. No main shall be covered at any point until it has been inspected and passed for acceptance. No water main or service connection shall be connected to the District's facilities until the work covered by the permit has been completed, inspected and approved by the District Inspector. If the test proves satisfactory, the Inspector shall issue a certificate of satisfactory completion.

Sec. 8A-19. Notification. It shall be the duty of the person doing the work authorized by permit to notify the office of the District in writing that said work is ready for inspection. Such notification shall be given not less than twenty-four (24) hours before the work is to be inspected. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the District before giving the above notification.

Sec. 8A-20. Condemned Work. When any work has been inspected and the work condemned and no certification of satisfactory completion given, a written notice to that effect shall be given instructing the owner of the premises, or the agent of such owner, to repair the main or other work authorized by the permit in accordance with the ordinances, rules and regulations of the District.

Sec. 8A-21. All Costs Paid By Owner. All costs and expenses incident to the installation and connection of any main or other work for which a permit has been issued shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the work.

Sec. 8A-22. Liability. The District and its officers, agents and employees shall not be answerable for any liability or injury or death to any person or damage to any property arising during or growing out of the performance of any work by any such applicant. The applicant shall be answerable for, and shall save the District and its officers, agents and employees harmless from any liability imposed by law upon the District or its officers, agents or employees, including all costs, expenses, fees and interest incurred in defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of his work or any failure which may develop therein.

Sec 8A-23. Time Limit On Permits. If work under a permit be not commenced within six (6) months from the date of issuance or if after partial completion, the work be discontinued for a period of one year, the permit shall thereupon become void and no further work shall be done until a new permit shall have been secured. A new fee shall be paid upon the issuance of said new permit.

#### ARTICLE 9 - GENERAL USE REGULATIONS

Sec. 9-1. Number Of Services per Premises. The applicant may apply for as many services as may reasonably be required for his premises provided that the pipe line system from each service be independent of the others and that they not be interconnected. The cost of all services shall be borne by the applicant.

Sec. 9-2. Supply To Separate Structures. Except as provided in Sec. 18-3, each house or structure, for which the application for water service is hereafter made, which fronts on a public street or private road shall have a separate service connection, including a separate meter.

Sec. 9-3. Water Waste. 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 (5) days after giving the customer written notice.

Sec. 9-4. 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 Water Department without consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in protection of the facilities on private property. No payment shall be made for placing or maintaining said facilities on private property. No persons shall place or permit the placement of any object in a manner which will interfere with the free access to a meter box or will interfere with the reading of a meter. Easements and rights of way are to be kept free of encroachment of any kind, and District shall have full access thereto, and the right to remove any obstructions.

Sec. 9-5. 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 results 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.

Sec. 9-6. Damage To Water System Facilities. The customer shall be liable for any damage to the District-owned customer water service facilities, including the breaking or destruction of locks on or near a meter, and any damage to a meter that may result from hot water or steam from a broiler or heater on his premises, when such damage is from causes originating on the premises by an act of the customer, his tenants, agents, employees, contractors, licensees, or permittees. The District shall be reimbursed by the customer for any such damage promptly on presentation of a bill.

Sec. 9-7. Ground Wire Attachments. All persons are forbidden to attach any ground wire or wires to any plumbing which is or may be connected to a service connection or main belonging to the District. The District will hold the customer liable for any damage to its property occasioned by such ground wire attachments. Neither the District nor its officers, agents or employees shall incur any liability of any nature whatsoever by reason of the use of any facility for grounding purposes which is or may be connected to the District's system.

Sec. 9-8. Interruption In Service. The District shall not be liable for damage which may result from an interruption in service from a cause beyond the control of the Water Department. Temporary shutdown may be made by the Water Department to make improvements and repairs. Whenever possible, and as time permits, all customers affected will be notified prior to making such shutdowns. 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.

The Board, based upon recommendation of the Engineer, may determine that a shortage in its water supply exists or is threatened. During times of threatened or existing water shortage, as determined by the Board, the District will apportion the water supply in the manner that appears most equitable under circumstances then prevailing, with due regard to public health and safety. The water supply shall be restricted to household use or such other restricted uses as may be determined to be necessary by the District. The District may prohibit use of water during such periods for specific uses which the District may from time to time determine to be nonessential.

Sec. 9-9. Ingress And Egress. Representatives from the Water Department 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 9A. CROSS-CONNECTION CONTROL PROGRAM

Sec. 9A-1. Definitions.

The following terms are defined for the purposes of this Article.

1. "Air-Gap Separation" means a physical break between a supply pipe and a receiving vessel. The air-gap shall be at least double the diameter of the supply pipe measured vertically above the top rim of the vessel, in no case less than one inch.

2. "Cross-Connection" means an unprotected actual or potential connection between the District's potable water system used to supply water for drinking purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome, and potable. By-pass arrangements, jumper connections, removable sections, swivel or changeover devices, or other devices through which backflow could enter, shall be considered to be cross-connections.

3. "Double Check Valve Assembly" means an assembly of at least two independently acting approval check valves including tightly closing shut-off valves on each side of the check valve assembly and suitable leak-detector for drains plus connections available for testing the water tightness of each valve check.

4. "Program" means the Cross-Connection Control Program.

5. "Reduced Pressure Principle Backflow Prevention Device" means a device incorporating two or more check valves and an automatically operating differential relief valve equipped with the necessary appurtenances for testing. The device shall operate to maintain the pressure in the zone between the two check valves less than the pressure on the public water supply side of the device.

Sec. 9A-2 Purpose. The purpose of this Article is to protect the public water supply from contamination by implementation of the Cross-Connection Control Program.

Sec. 9A-3. Cross-Connections Unlawful. It is unlawful for any person at any time to make or maintain or cause to be made or maintained, temporarily or permanently, for any period of time whatever, any cross-connection between plumbing pipes or water fixtures being served with water by the District and any other source of water supply or to maintain any sanitary fixture or other appurtenances or fixtures which by reason of their construction may cause or allow backflow of water or other substances into the water supply system of the District and/or the service of water or to maintain any sanitary fixture or other appurtenances or fixtures which, by reason of their construction, may cause or allow backflow of water or other substances into the water supply system of the District and/or the service of water pipes or fixtures of any consumer of the District.

The customer must comply with the State or Federal laws governing the installations of backflow protective devices to protect the public water supply from actual or potential contamination which may be caused by conditions existing on a customer's premises. The District, however, shall not be responsible for abatement of cross-connection which may exist within a customer's premises.

Sec.9A-4. Program Administrator. The Board shall appoint within 30 days of the adoption of this Article a Program Administrator who shall be trained in cross-connection control and who shall carry out the Program as set forth herein. The Program Administrator may be the Superintendent, the District Engineer or other qualified employee of the District.

Sec.9A-5. Operating Procedures.

a. Conducting Of Surveys. The Program administrator, acting for the District, shall prior to July 1, 1988, and thereafter as deemed necessary by the Board, conduct a survey to identify customer premises where cross-connection are likely to occur.

b. Evaluation Of Hazards. The Program Administrator shall evaluate hazards in accordance with California Administrative Code, Article 1, Section 7585, as it reads at the time of such evaluation.

c. Record Keeping. The Program Administrator shall cause to have prepared and maintained written records of premises surveyed which shall include: location; an evaluation of the degree of potential hazard; type of protection, testing, and maintenance and repairs required. Reports of testing and maintenance and repairs shall be maintained for a minimum of three years.

d. Notices To Customer(s).

1) Notice Of Violation. The District shall provide written notice to the customer owning any premises found to be in violation of this Article. The notice shall state the corrective measures to be taken and shall provide a date by which the work must be completed. Such date shall be determined by the Program Administrator on a case by case basis, but in any event shall not exceed one year from the date of notice unless extended by the Board with the approval of the State Department of Health.

2) Notice Of Testing/Maintenance. The District shall provide written notice to each customer protected by backflow device(s), stating requirements for the device's testing and maintenance. The notice shall also specify a date for customer's reporting of completed inspections to the District.

In the event that the customer fails to comply with the requirements of a notice within a specified time allowed the District shall have the option to discontinue service under the provisions of this Ordinance or to complete the required work and invoice the customer for the cost thereof.

e. Testing, Repairs And Replacement. On or before December 1 of each calendar year, the customer shall submit to the District a written inspection report from a District certified backflow prevention device tester, for each backflow preventor serving the premises.

Backflow protection devices may also be inspected and tested periodically for water tightness by the District.

The devices shall be serviced, overhauled, or replaces by the customer whenever they are found defective and all costs of repair and maintenance shall be bourn by the customer.

Sec.9A-6. Certification Of Backflow Prevention Device Testers. All backflow prevention device testers shall obtain certification from the District prior to testing such device by demonstrating competency in all phases of backflow prevention device testing and repair by means of education and/or experience.

a. Application And Fee. Applicants for certification shall file a written application with the District, together with a fee of \$20.00 for processing same. No refund of the processing fee shall be made whether certification is approved or denied. A certificate issued to any tester shall be for a period of one year and may be revoked, suspended or not renewed by the District for improper testing, repairs and/or reporting.

b. Minimum Requirements. Possession of a valid certification from the American Water Works Association (A.W.W.A.) California-Nevada



Section, or satisfactory completion of the Course for the Training and Certification of Testers for Backflow Prevention Devices offered by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, or equivalent training in the opinion of the Program Administrator; evidence of access to the necessary tools and equipment to properly test backflow prevention devices.

Sec. 9A-7. Types Of Protection, When And Where Required. Customers shall provide backflow preventors in accordance with California Administrative Code, Title 17, Article 1, Section 7604, including any amendments thereto subsequent to the date hereof.

Locations:

9A-7 (1) Where an air-gap separation is used, it shall be located as close as practical to the customer's connection and all piping between the customer's connection and the receiving tank shall be entirely visible unless otherwise approved in writing by the water supplier and the health agency.

9A-7 (2) Where a double check valve assembly is used, it shall be located as close as practical to the customer's connection and shall be installed above grade, if possible, and in a manner where it is readily accessible for testing and maintenance.

9A-7 (3) Where a reduced pressure principle backflow prevention device is used, it shall be located as close as practical to the customer's connection and shall be installed a minimum of twelve inches (12") above grade and not more than thirty-six inches (36") above grade measured from the bottom of the device and with a minimum of twelve inches (12") side clearance.

Backflow protection devices must 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.

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

Sec.9A-8. Change In Customer's Equipment Or Use. A customer having or required to have a backflow prevention device and making any material change in the size, character, or extent of the equipment or operations for which the District service is utilized shall immediately give the District written notice of the extent and nature of the change.

Sec. 9A-9. Discontinuance Of Service. Water service may be refused or discontinued to any premises where there exists an actual or potential cross-connection in violation of state or federal laws or this Ordinance, or where any defect is found in the check valve installation or other protective devices, or if it is found that a dangerous unprotected cross-connection exists, or if the annual inspection report is not submitted by the first of the month following the month in which the report is due.

Service will not be restored or granted until such conditions or defects are corrected.

Sec. 9A-10. Right Of Entry. The District representative assigned to inspect premises relative to possible hazards shall carry proper credentials of his or her office, upon exhibition of which he or she shall have the right of entry, during usual business hours, to inspect any and all buildings and premises in the performance of his or her duties. 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 public water system.

Sec. 9A-11. Promulgation And Enforcement. The Program Administrator shall from time to time prescribe, promulgate and enforce, and all customers and all other persons coming within the purview of the Article shall comply with such policies, standards and requirements, explanatory of, and containing detailed information and technical specifications and data with respect to, this Article as may be necessary and proper in connection with the installation and for the regulation of any water facilities and services installed or operated or maintained pursuant to, and in conformity with this Article and the Rules, regulations and ordinances of the District.

Sec. 9A-12. Special Service Charge. The monthly special service charge for the administration of the Cross-Connection Control Program shall be \$6.00 per backflow device servicing a premises. Service fees and charges shall be fixed and revised from time to time with the objective that the program be economically self-sustaining, unsubsidized by revenues generated by monthly charges and rates for water service.

#### ARTICLE 10 - METERS AND METERED SERVICE CONNECTIONS

Sec. 10-1. Installation. All service connections shall be metered. A sum of money, as established and set forth in Exhibit A, Charges For New Service, attached hereto, shall be deposited with the District prior to installation of the facilities, to pay all or a portion of the cost of said installation. The service connection, whether located on public or private property, is the property of the District, and the District reserves the right to repair, replace, and maintain it as well as to remove it upon discontinuance of service.

Sec. 10-2. Service Connections; Service Installations Charges. The Meter Charge and Standard Installation Charge for new service as set forth in Exhibit A, attached hereto, are to cover the cost of the water meter plus labor and material to set the meter at the curb or property line of the premises to be served. Unless otherwise agreed by District, the installation of a water service lateral will be at the property owner's expense. However, only the District or its designated representative may tap into a water distribution main for connecting a service lateral, and a charge will be imposed therefor as set forth in Exhibit A.

Sec. 10-3. Meter Installations. Meters will be installed at the curb or within the easement, and shall be owned by the District and installed and removed at its expense after payment of the charges established therefor. 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.

Sec. 10-4. 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 (8) feet, he will be required to pay for and install a new service at the desired location.

Sec. 10-5. Size And Location. The District reserves the right to determine the size of service connections and their location with respect to the boundaries of the premises to be served. The laying of consumer's pipe line to the curb line or property line should not be done until the location of the service connection has been approved by the Superintendent. The installation, including the meter, shall be the property of the District. The service between the meter and the building served by the installation shall be the property of the customer and shall be maintained by the customer at his expense.

Sec. 10-6. Control Valve On The Customer Property. Every service connection installed by the District shall be equipped with a curb cock or wheel valve. On metered services, the valve is to be on the customer's side of the service installation, as close as is practicable to the meter location. Such valve or curb cock is intended for the exclusive use of the District in controlling the water supply through the service connection pipe. If the curb cock or wheel valve is damaged by the customer's use to an extent requiring replacement, such replacement shall be at the customer's expense.

Sec. 10-7. Meter Tests - Deposits. All meters will be tested prior to installation and no meter will be installed the register of which deviates from actual more than 5%. If a customer desires to have the meter serving his premises tested, he shall first deposit with the District the costs to be incurred in testing the meter, as determined by the District, and request that the meter be tested to determine accuracy. The District will then replace the meter with a meter certified to read within the accuracy limitation of 5% and proceed with the testing of the disputed meter. Should the meter register more than five percent (5%) fast, the deposit will be refunded, but should the meter register less than five percent (5%) fast, the deposit will be retained by the Water Department.

Sec. 10-8. Adjustment For Meter Errors - Fast Meters. If a meter, tested at the request of a customer pursuant to Section 10-7, is found to be more than five percent (5%) fast, the excess charges for the time service was rendered the customer requesting the test, or for a period of six months, whichever shall be the lesser, shall be refunded to the customer.

Sec. 10-9. Adjustment For Meter Errors - Slow Meters. If a meter, tested at the request of a customer pursuant to Section 10-7, is found to be more than five percent (5%) slow, in the case of domestic services, 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 meter was in use.

Sec. 10-10. Non-Registering Meters. If a meter is found to be not registering, the charges for service shall be at the minimum monthly rate or based on the estimated consumption for a comparable period or by such other method as is determined by the Water Department and its decision shall be final.

Sec. 10-11. Back-Flow Devices. Whenever back-flow protection has been found necessary on a water supply line entering premises, then any and

all water supply lines from the District's mains entering such premises, building, or structures shall be protected by an approved back-flow device, regardless of the use of the additional water supply lines.

Sec. 10-12. Id. - Inspection. The double check valve or other approved back-flow protective devices may be inspected and tested periodically, overhauled, or replaced whenever they are found defective.

#### ARTICLE 11 - BILLING

Sec. 11-1. Billing Period. The regular billing period will be either monthly, on the same day of the month, or bi-monthly, on the same day of every other month. Billing periods containing less than (27) days or more than (33) days, for bills rendered monthly, or, less than (54) days or more than (66) days, for bills rendered bi-monthly, will be prorated.

Sec. 11-2. Meter Reading. Meters will be read, as nearly as possible, on the same day of each month. Billing periods containing less than twenty-seven (27) days or more than thirty three (33) days, for bills rendered monthly, or, less than fifty-four (54) days or more than sixty-six (66) days, for bills rendered bi-monthly, will be prorated.

Sec. 11-3. 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 blocks. If the total period for which service is rendered is less than one month, the bill shall not be less than the monthly minimum charge applicable. Closing bills may be estimated by the Water Department for the final period as an expediency to permit the customer to pay the closing bill at the time service is discontinued.

Sec. 11-4. Water Charges. Water charges are due and payable at the office of the District on the date of mailing the bill and delinquent on the twentieth day of the month following the month in which the bill was sent. The bill shall be mailed to the person listed as the owner of the premises on the last County tax roll at the address shown on such roll, or to a different address if requested by owner, or to the successor in interest of the owner if the name and address of the successor in interest is known to the Water Department. Failure of the Water Department to mail a bill, or failure of an owner to receive a bill, shall not excuse the owner from the obligation of paying the charge or charges for any premises owned by him. Service may be discontinued without further notice if payment is not made by the delinquent date.

The owner of the premises is and shall be responsible for payment of any and all charges applicable to the premises owned by him. It shall be and is hereby made the duty of each owner to ascertain from the Water Department the amount and due date of any charge applicable to a premises owned by him and to pay the charge when due and payable. It also shall be and is hereby made the duty of the owner of a premises to inform the Water Department immediately of all circumstances, or of any change in circumstances, which will in any way affect the applicability of any charge to the premises owned by him or the amount of any such charge. In particular, but not by way of limitation, an owner shall immediately inform the Water Department of any sale or transfer of the premises by or to such owner.

Sec. 11-5. Payment Of Bills, Penalties, Interest And Bad Check Charges. Bills for metered water service shall be rendered at the end of each billing period. Flat rate service shall be billed in advance. Bills shall be payable on presentation. Any bill not paid within 20 days after the date the bill was rendered shall be delinquent and a penalty of 10% of the bill, or amount due, shall be collected along with the principal amount thereof. In addition, penalty interest not exceeding one and one-half percent (1.5%) per month may be added for nonpayment of the charges and basic penalty.

In the event payment of a bill is by check and, upon the District's deposit thereof, it is returned for non-payment, a "bad check" charge in the amount of \$20.00 shall be added to the amount due on the bill for which said check was submitted in payment.

Sec. 11-6. Billing Of Separate Meters Not Combined. Separate bills will be rendered for each meter installation except where the Water Department has, for its own convenience, installed two or more meters in place of one meter. Where such installations are made, the meter readings will be combined for billing purposes.

Sec. 11-7. When Charge Commences; Owner's Guarantee. The water charge begins when a service connection is installed. Before the service connection is installed, the property owner must sign a form in which he guarantees payment of future water bills for the service to be provided. The person signing the guarantee form or meter set form will be held liable for water charges incurred pursuant to Article 18, hereof, until the Board is notified in writing to discontinue service or to transfer the account to another property owner.

Sec. 11-8. Water Used Without Application Being Made. A person 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, 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 by the District without further notice.

Sec. 11-9. Damages Through Leaking Pipes And Fixtures. When turning on the water supply as requested and the house or property is vacant, the District will endeavor to ascertain if water is running on the inside of the building. If such is found to be the case, the water will be left shut off at the curb cock on the inlet side of the meter. The Board's jurisdiction and responsibility ends at the meter and the Board will, in no case, be liable for damages occasioned by water running from open or faulty fixtures, or from broken or damaged pipes beyond the meter.

Sec. 11-10. Damage To Meters. The Board reserves the right to set and maintain a meter on any service connection. The water customer shall be held liable, however, for any damage to the meter due to his negligence or carelessness and, in particular, for damages caused by hot water or steam from the premises.

## ARTICLE 12 - DISCONTINUANCE OF SERVICE

Sec. 12-1. Disconnection For Non-payment. Service may be discontinued for non-payment of bills on or after the twentieth day of the month following the month during which the bill was sent. At least five (5) days prior to such discontinuance, the owner will be sent a final notice informing him that discontinuance will be enforced if payment is not made within the time specified in said notice. The failure of the District to send, or any such person to receive, said notice shall not affect the District's power hereunder. The service will not be discontinued, however, until the amount of the deposit made to establish credit for that service has been fully absorbed. A person's water service may be discontinued if water service furnished at a previous location is not paid within the time herein fixed for the payment of bills. If a person receives water service at more than one location and the bill for service at any one location is not paid within the time provided for payment, water service at all locations may be turned off. Domestic service, however, will not be turned off for non-payment of bills for other classes of service.

In order to safeguard the meter, the District Board may, following discontinuance of service to a premises, order the removal of the meter serving that premises. Once a meter has been removed, a person desiring water service to that premises shall be required to make new application for same, and shall be subject to all charges in effect at the date of the new application. However, the applicant shall be given credit for any portion of such charges, excluding standard installation charges, previously paid with respect to that premises, to the extent that the amount of the credit has not been refunded to the original applicant.

Sec. 12-1A. Disconnection: Residential Service. Notwithstanding the procedures to be followed in accordance with Section 12-1, above, in the event of discontinuance of use to a residential dwelling, the provisions of 16481 through 16483 of the California Public Utilities Code shall be followed to the extent they are inconsistent with Section 12-1 hereof.

Sec. 12-2. Charges A Debt. Failure to receive a bill does not relieve a person of liability. Any amount due shall be deemed a debt to the District, and any person failing, neglecting, or refusing to pay said indebtedness shall be liable to an action in the name of the District in any court of competent jurisdiction for the amount thereof.

Sec. 12-3. Reconnection Charge. In the event that the meter is not removed, a reconnection charge of One Hundred Dollars (\$100.00) plus penalties will be made and collected prior to renewing service following a discontinuance.

Sec. 12-4. 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 others.

Sec. 12-5. Cross-Connections. Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of State or Federal laws or this Ordinance.

Sec. 12-6. Fraud Or Abuse. Service may be discontinued, if necessary, to protect the District against fraud or abuse.

Sec. 12-7. Non-Compliance With Regulations. Service may be discontinued for non-compliance with this or any other ordinance or regulation relating to the water service.

Sec. 12-8. Upon Vacating Premises. Customers desiring to discontinue or transfer service should so notify the Water Department two (2) days prior to vacating the premises. Unless discontinuance or transfer of service is ordered, the customer shall be liable for charges whether or not any water is used.

#### ARTICLE 13 - ENFORCEMENT OF ORDINANCE; COLLECTION OF CHARGES

Sec. 13-1. General. The District declares that the procedures of this Article are established as a means of enforcing the terms and conditions of the Ordinances, rules, and regulations of the District, and not as a penalty.

Sec. 13-2. Remedies Are Cumulative. The District may undertake any of the methods set forth in this Article 13 to collect service charges. No remedy for collecting and enforcing the service charges set forth herein shall be deemed exclusive but shall, wherever possible, be cumulative with all other remedies provided herein, and with all other remedies at law or in equity, and may be used alternatively, or in any combination.

Sec. 13-3. Penalties And Penalty Interest. Any bill for water service not paid on or before its due date (other than those for which provision is made, prior to delinquency, for collection thereof on the County tax roll) shall be subject to the payment of a penalty, and penalty interest shall accrue, as provided in Section 11-5.

Sec. 13-4. Collection By Suit. Delinquent service charges, fees and costs may be collected by any action in a court of competent jurisdiction against a person or persons responsible for payment of the service charges. The defendant shall pay all costs of suit and reasonable attorney's fees in any judgment rendered in favor of District.

Sec. 13.5. Collection With Other Charges. The District may provide for the collection of charges for water service with the District's charges for sewer service pursuant to Health and Safety Code Section 5472.5 and Government Code Section 54345.

Sec. 13-6. Disconnection. Service may be discontinued for non-payment of bills pursuant to Article 12.

If sewer service is furnished by the District to property that is also furnished water service, and all or part of any billing related to water service charges is delinquent, the District may disconnect sewer and water service to the property until all delinquent water and sewer service charges are paid.

Sec. 13-7. Abatement. During the period which water or sewer service, or both, are disconnected, habitation of the premises by human beings or continued operation of any commercial or industrial facility thereon shall constitute a nuisance. The District shall notify the Sonoma County Health Department of any such service disconnection. The Board may institute and prosecute to conclusion proceedings for the abatement of such occupancy. In any abatement action, reasonable attorneys' fees and costs, as fixed by the court, shall become due as an additional disconnection charge, and no reconnection shall be made until all such charges are paid.

Sec. 13-8. Collection On Tax Roll. The District may provide for the collection of its service charges, or service charges that have become delinquent, in the same manner and at the same time, together with the general taxes levied in the County, pursuant to Article 4, Chapter 6, Part 3, Division 5 of the Health and Safety Code 9 commencing with Section 5470) or Articles 3 and 8, Chapter 4, Division 7 of the Public Utilities Code (commencing with Sections 16461 and 16641, respectively), or any successor provisions.

Sec. 13-9. Lien For Delinquencies.

(a) Pursuant To Public Utilities Code. Delinquent service charges and interest and penalties constitute a lien on the real property served to the extent that the property is owned by the person or entity receiving the service, when a certificate is recorded pursuant to Section 16472.1 of the Public Utilities Code. The lien shall continue in effect until the amount of charges, interest, and penalties are paid or the property is sold to satisfy the charges, interest, and penalties are paid or the property is sold to satisfy the charges, interest and penalties. However, no lien may be created pursuant to Section 16472.1 on any publicly owned property.

Delinquent service charges may also become a lien upon any real property interest of the person or persons responsible for payment in any county in which the District records a certificate of the amount of service charges, fees, and costs due, pursuant to Section 16470 of the Public Utilities Code of California.

(b) Pursuant To Health And Safety Code. Delinquent charges for services and facilities furnished by the District constitute a lien against the lot or parcel of land for which the service was provided if the charges remain delinquent for a period of 60 days, the District has notified the assessee of the property shown on the latest equalized assessment roll of the delinquent charges, and a certificate is recorded pursuant to Health and Safety Code Section 5473.11.

(c) Enforcement Of Lien. The District may bring an action in any court of competent jurisdiction to enforce any lien on real property for delinquent service charges, together with all fees and costs.

Sec. 13-10 Correction Of Violation; Injunction; Investigation. Pursuant to Section 16472.5 of the Public Utilities Code of California, the District may correct any violation of a District Ordinance. The District may also petition the superior court of competent jurisdiction for the issuance of a preliminary or permanent injunction, or both, as may be appropriate, or for the issuance of an order stopping or disconnecting water or sewer service, or both, if the service charges for that service(s), including all fees and costs, are delinquent. The District may also enter upon the private property of any person within the jurisdiction of the District in order to investigate possible violations of a District Ordinance.

#### ARTICLE 14 - PUBLIC FIRE PROTECTION

Sec. 14-1. Use Of Fire Hydrants. Fire hydrants are for use by District or by organized fire protection agencies in accordance with the rates established in this Article or pursuant to contract with the District. Other parties desiring to use fire hydrants for any purpose must first obtain written permission from the Water Department prior to use and shall operate the hydrant in accordance with instructions issued by the Water Department. Unauthorized use of hydrants will be prosecuted according to law.



Sec. 14-2. Hydrant Rental. The charge for hydrant rental by organized fire protection agencies shall be Two and 50/100 Dollars (\$2.50) per hydrant per month provided, however, that the charge may be determined by written contract between the District and the organized fire protection agency for hydrant maintenance and water use for public fire protection. The charges for use of hydrants by other than organized fire protection agencies shall be made in accordance with Article 16 hereof. The charges for private fire service shall be determined in accordance with Article 18 hereof.

Sec. 14-3. 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 of the hydrant, he shall bear all costs of such changes, without refund. Any change in the location of a fire hydrant must be approved by the proper authority.

#### ARTICLE 15 - PRIVATE FIRE PROTECTION SERVICE

Sec. 15-1. Payment Of Cost. The applicant for private fire protection service not now installed shall pay the total actual cost of installation of the service from the distribution main to his 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 ten percent (10%).

Sec. 15-2. No Connection To Other System. There shall be no connections between this fire protection system and any other water distribution system on the premises.

Sec. 15-3. Use. There shall be no water used through the fire protection service except to extinguish fires and for testing the fire fighting equipment.

Sec. 15-4. 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 duly authorized fire protection agency.

Sec. 15-5. Monthly Rates. The monthly rates for private fire protection shall be established in the District's Schedule of Rates.

Sec. 15-6. 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.

Sec. 15-7. 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.

Sec. 15-8. Water Pressure And Supply. The District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and merely agrees to furnish such quantities and pressures as are available in its general distribution system. The service is subject to shutdown and variations required by the operation of the system.

Sec. 15-9. Rules. The following rules shall apply in fire service connections:

a) Valve. When a fire service connection is installed, the valve governing same will be closed and sealed and remain so until a written order is received from the owner of the premises to have the water turned on.

b) Meter. If the District does not require a meter, and if water is used through a fire service connection for any other purpose than extinguishing of fires, it shall have the right to place a meter on the fire service connection and at the owner's expense, or shut off the entire water supply from such premises.

c) Additional Service. The District shall have the right to take a domestic, commercial, or industrial service connection from the fire service connection at the curb to supply the same premises as those to which the fire service connection belongs. The Board shall also have the right to determine the proportion of the installation costs properly chargeable to each service connection, if such segregation of costs shall become necessary.

d) Check Valve. The Board reserves the right to install on all fire service connections a check valve of a type approved by the National Board of Fire Underwriters, and to equip the same with a by-pass meter at the expense of the owner of the property.

#### ARTICLE 16 - TEMPORARY SERVICE

Sec. 16-1. Duration Of Service. Temporary service connections shall be disconnected and terminated within six (6) months after installation unless an extension of time is granted in writing by the District.

Sec. 16-2. Deposit, Hydrant Meter Rental, Installation, Relocating And Removal Charges. The applicant shall deposit, in advance, the estimated cost of installing, relocating and removing of the meter and facilities required to furnish service through a meter. Upon discontinuance of service, the actual cost shall be determined in accordance with the rates stated herein and an adjustment made as an additional charge, refund, or credit. If the service is supplied through a fire hydrant, the applicant shall deposit, in advance, the following amounts for meters sized as follows:

5/8 inch Meter	\$60.00 Deposit
3/4 inch Meter	85.00 Deposit
Any other size & Hydrant Meter Replacement	The estimated replacement cost of such meter & 15%.

The hydrant meter rental shall be \$1.00 per day.

Charges for both installation and removal shall be \$30.00, and \$15.00 for each relocation.

Fire hydrant meter rental charges shall be made for each calendar day or portion of calendar day the meter is in service.

Should the fire hydrant meter be damaged in service, the deposit shall be utilized to pay the cost of repair or replacement of said meter.

In addition to the deposit and the meter rentals provided herein, the applicant shall pay the rates for water utilized through the temporary service as provided in Sec. 16-3 hereof.

Sec. 16-3. Rates. The rates for regular service shall be increased by fifty percent (50%) for temporary service, except as otherwise provided herein. The minimum charge for water shall be \$48.67.

Sec. 16-4. Installation And Operation. All facilities for temporary service to the customer connection shall be made by the Water Department and shall be operated in accordance with its instructions.

Sec. 16-5. Responsibility For Meters And Installation. 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 person 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.

Sec. 16-6. Temporary Service From A Fire Hydrant. If temporary service is supplied through a fire hydrant, a permit for the use of the hydrant shall be obtained from the proper authority and the District. Operating the valve of any fire hydrant other than by the use of a spanner wrench designed for this purpose is specifically prohibited.

Sec. 16-7. 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.

Sec. 16-8. Charge For Unauthorized Use Of Fire Hydrants. In the event any person, other than organized fire protection agencies, makes any connection to a fire hydrant without written permission from the Water Department, a charge of One Hundred Dollars (\$100.00) shall be paid to the District by the person making such connection for the use of the water taken through such connection. A charge of Five Hundred Dollars (\$500.00) for each subsequent time water is taken without permission shall be paid to the District by the person making such connection for the use of the water taken through such connection. Any such unauthorized connection shall be immediately disconnected upon discovery thereof, and no further connection by said person shall be permitted until payment of the charge for water herein provided.

Sec. 16-9. Credit. The applicant shall pay the estimated cost of service in advance or shall be otherwise required to establish credit, in accordance with Article 19 hereunder.

## ARTICLE 17 - SPECIAL PROVISIONS

Sec. 17-1. 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. Water to be used for other than domestic purposes, such as swimming pools and tanks, will be supplied only through a meter and filter system approved by the State Board of Health. All meters, lines, checks, filters, and appurtenances are to be furnished and installed by the owner, under the supervision of the Water Superintendent at all times.

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.

Sec. 17-2. Responsibility For Equipment. The owner 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 owner 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 that are open when water is turned on at the meter, either originally or when turned on after a temporary shutdown.

Sec. 17-3. Service Connections. The service connections, extending from the water main to the property line and including the meter, meter box, and curb cock or wheel valve, shall be maintained by the District. All pipes and fixtures extending or lying beyond the property line shall be installed and maintained by the owner of the property.

ARTICLE 18 - RATES

Sec. 18-1. Base Rate Schedule. Base rates for water service are hereby established as follows:

FLAT RATE SERVICE

BI-MONTHLY FLAT RATE CHARGE FOR PRIVATE FIRE SERVICE:

Eight and 50/100 dollars (\$8.50) per month per inch of diameter per connection.

METERED SERVICE

BI-MONTHLY QUANTITY CHARGES FOR METERED SERVICE:

Water Usage	Charge from January 1, 2013 to December 31, 2013	Charge from January 1, 2014 to December 31, 2014	Charge from January 1, 2015 to December 31, 2015	Charge from January 1, 2016
Zero to 800 cubic feet (the Base Rate)				
<u>Meter Size</u>				
5/8 or 3/4 inch	\$43.07	\$48.67	\$54.90	\$61.82
1 inch	\$49.46	\$55.90	\$63.05	\$71.00
1 1/2 inch	\$55.85	\$63.12	\$71.20	\$80.17
2 inch	\$60.63	\$68.52	\$77.29	\$87.04
3 inch	\$68.63	\$77.56	\$87.49	\$98.52
801 to 2500 cubic feet	\$4.53	\$5.12	\$5.78	\$6.51
In excess of 2500 cubic feet	\$5.18	\$5.85	\$6.60	\$7.43

(These water service charges include an adjustment for inflation of 1.3%.)

Sec. 18-2. Additional Rates For Single Service connection - Multiple

Use. For each additional commercial, professional, dwelling, or family unit, situated upon single premises, not separately serviced, the following monthly charges shall be made:

a) Single Dwelling. Each additional and separate dwelling serviced through a single service connection, metered or flat rate, whether occupied or not, shall pay an added minimum rate as established for the type or service received. Each such added minimum charge shall entitle the user to receive additional minimum delivery of water.

b) Multiple Dwellings. Multiple dwellings, such as duplexes, triplexes, apartment houses, and mobile home parks, serviced through a single service connection, metered or flat rate, whether occupied or not, shall pay an added minimum rate as established for the type of service received. Each such added minimum shall entitle the user to receive additional minimum delivery of water.

c) Hotels, Motels, Auto Courts. Hotels, motels, and auto courts, in addition to the appropriate base rate established for the type of service received, shall pay a monthly service charge of \$.375 for each unit therein, whether occupied or not.

d) Trailer Parks. Trailer parks, in addition to the appropriate base rate established for the type of service received, shall pay a monthly service charge of \$.75 for each space whether rented or available to rent.

e) Family Units Combined with Business, Etc., Units. Family units combined with business, commercial, or professional units, in addition to the appropriate base rate established for the type of service received for family units, shall pay a monthly charge of \$.75 for each business, commercial, or professional unit if water is served to such business, commercial, or professional unit.

f) Business, Commercial Or Professional Units. Business, commercial or professional units combined into one structure shall be charged the appropriate minimum base rate established for such initial business, commercial, or professional unit, plus a monthly service charge of \$3.00 for each unit if water is served the additional business, commercial, or professional units.

Sec. 18-3. Domestic, Commercial, and Industrial Service Connection. It shall be unlawful to maintain a connection excepting in conformity with the following rules:

a) Separate Building. Each house or building under separate ownership must be provided with a separate service connection. Two or more houses under one ownership and on the same lot or parcel of land may be supplied through the same service connection as provided in Sec. 18-2. The Board reserves the right to limit the number of houses or the area of land under one ownership to be supplied by one service connection.

b) Single Connection. Not more than one service connection for domestic or commercial supply shall be installed for one building, except under special conditions.

c) Different Owners. A service connection shall not be used to supply adjoining property of a different owner or to supply property of the same owner across a street or alley.

d) Divided Property. When property provided with a service connection is divided, each service connection shall be considered as belonging to the lot or parcel of land which it directly enters.

## ARTICLE 19 - CREDIT

Sec. 19-1. Establishment And Maintenance. Each applicant for water service, or any other District service which is billed on the bill for water service, shall establish and maintain credit to the satisfaction of the Water Department by a cash guarantee deposit as hereinafter provided, or otherwise, before service will be rendered.

Sec. 19-2. Guarantee Deposit. The amount of deposit required will be One Hundred Dollars (\$100.00). No interest will be paid on guarantee deposit.

Sec. 19-3. Loss Of Credit. Any amount due for water service, or any other District service which is billed on the bill for water service, which remains unpaid at the end of the twentieth (20th) day of the month following the month in which the bill was sent therefore, may be deducted from the guarantee deposit and service shall be subject to discontinuance until the deposit is again restored to the original amount.

Sec. 19-4. Return Of Guarantee Deposit. A guarantee deposit with the Water Department, made by a person whose account is not in arrears, is returnable to that person upon written request upon discontinuance of service to that person. Deposits made shall not be returned until a closing bill is rendered and paid. Any deposit uncalled for within five (5) years from the date that water service has been discontinued to that person will become the property of and be retained by the Water Department.

Sec. 19-5. Return Of Guarantee Deposit Upon Establishment Of Credit. A guarantee deposit with the Water Department is returnable to the person making the deposit after twelve (12) months of continued service to the person for which the deposit was made, provided that the person's credit has been maintained to the satisfaction of the District.

## ARTICLE 20 - CONNECTION CHARGES

Sec. 20-1. Connection Charges. Connection charges shall be collected in accordance with the provisions of this Article. Such connection charges must be paid to the District prior to the connection of the facilities of the applicant to the water system of the District in accordance with the terms and conditions stated in this Article, unless the Board of Directors of the District shall, by special agreement with the applicant, provide other charges than those hereinafter stated or other terms and conditions of payment than those hereinafter stated.

Sec. 20-2. Connection Charges - Areas Within District. A connection charge for connection of a premises presently within the boundaries of the District is hereby established and shall be as set forth in said Exhibit "A" attached hereto and by reference incorporated herein.

Sec. 20-3. Connection Charges - Annexed Areas. A special and additional connection charge shall be paid in all areas annexed to the District after December 16, 1981. The charge shall be the amount set forth in Exhibit A, attached hereto.

Sec. 20-4. Prepayment Of Connection Charges - Subdivisions And Multi-Family Units. The District may require the prepayment of connection charges required under this Article, together with any other charges which may be established by the District, before the improvement plans for any subdivision or multi-family unit development are approved by the District and before any permit to install water mains to provide service to the subdivision or multi-family unit development is issued, and before any agreement relating to the installation of the subdivision water system is entered into pursuant to Article 8 or 8A hereof, and before any service connection for multi-family units is made.

Sec. 20-5. Connection Charges - Alterations Of Use. The connection charges herein established are applicable to the use proposed to be made of the water service at the time the service is to be rendered. In the event of alteration of the service requirements requiring greater use of water facilities, additional charges shall be paid for added family units as herein defined at the connection charge rate in effect at the time such alterations or additions are made.

Sec. 20-6. Special Connection Charges. Where, in the opinion of the District, special conditions exist relating to service to any applicant or applicants, the District may revise, either upward or downward, any of the connection charges provided herein by motion, resolution, or ordinance, or it may provide for the charges to be paid by special agreement between the District and the applicant for water service.

ARTICLE 21 - REPEAL OF INCONSISTENT ORDINANCES

Sec. 21-1. Ordinances Nos. 7, 17, 23, and 34 are hereby repealed.

ARTICLE 22 - TIME OF TAKING EFFECT

Sec. 22-1. This Ordinance shall take effect on July 30, 1974, said date being at least thirty (30) days from date of adoption, and at least one week before the expiration of said 30 days copies shall be posted in three public places in the District.

Signed: C. K. Viland  
Acting President Of The Board  
Of Directors Of The Bodega Bay Public  
Utility District

ATTEST:  
Margaret Mantua  
Secretary Of The Bodega Bay  
Public Utility District