



Rules & Regulations

Walnut Valley Water District
271 S Brea Canyon Road
Walnut, CA 91789
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TABLE OF CONTENTS

AMENDMENT REGISTER

ARTICLE 1	DISTRICT'S GOALS AND OBJECTIVES	1-1
1.01	Operations	1-1
1.02	Planning	1-1
1.03	Equitable Allocation of Costs	1-1
1.04	Conservation	1-1
ARTICLE 2	SCOPE OF RULES AND REGULATIONS	2-1
2.01	Applicability	2-1
2.02	Severability	2-1
ARTICLE 3	DEFINITIONS	3-1
ARTICLE 4	RULES APPLICABLE TO EXISTING CUSTOMERS	4-1
4.01	Description of Service	4-1
4.02	Conditions of Service and Rights of the District and Customers	4-2
4.03	Rates and Charges	4-5
4.04	Billing Procedures	4-8
4.05	Turn-On and Turn-Off Procedures and Charges	4-15
4.06	Changes in Meter Size, Land Use, or Inclusion of Additional Land Area	4-17
4.07	Water Conservation	4-18
4.08	Private Fire Protection Service	4-20
4.09	Unlawful Acts	4-21
4.10	Fire Hydrant/Blow-Off Damage	4-21
ARTICLE 5	RULES APPLICABLE TO TEMPORARY CONNECTIONS	5-1
5.01	Establishment of Temporary Water Service	5-1
5.02	Rates, Charges and Conditions of Service	5-1
5.03	Connections to Fire Hydrants	5-2
5.04	Water for Construction Needs	5-2
5.05	Temporary Water Service	5-3
ARTICLE 6	RULES APPLICABLE TO INDIVIDUAL APPLICANTS FOR WATER SERVICE	6-1
6.01	Applicant	6-1
6.02	Application for Service	6-1
6.03	New Customer Application Administrative Charge	6-3
6.04	Refusal to Serve	6-3
6.05	Water Service Connections	6-4
6.06	Capacity Charge	6-5
6.07	Main Extensions	6-6
6.08	Contributions for Existing Facilities	6-7
6.09	Mainline Oversizing	6-7
6.10	Dead-End Lines	6-7
6.11	Provision of Service	6-8

ARTICLE 7	RULES APPLICABLE TO DEVELOPERS AND SUBDIVIDERS	7-1
7.01	Application Procedure	7-1
7.02	Costs and Charges	7-1
7.03	Processing Sequence	7-2
7.04	Payment Schedule	7-2
7.05	Water Mains Outside a Subdivision	7-4
7.06	Mainline Extension	7-4
7.07	Contributions for Existing Facilities	7-4
7.08	Procurement of Materials	7-4
7.09	Selection of Contractor for Installation	7-5
7.10	Scheduling of Water System Installation	7-5
7.11	Mainline Oversizing	7-5
7.12	Easements	7-5
7.13	District Acceptance of Facilities	7-5
7.14	Provision of Service	7-5
 ARTICLE 8	 BACKFLOW AND CROSS-CONNECTION CONTROL	 8-1
8.01	Cross-Connections	8-1
8.02	Cross-Connection Hazard Assessments	8-2
8.03	Cross-Connection Protection	8-2
8.04	Requirement for Protection Assemblies	8-2
8.05	Type of Protection Required	8-3
8.06	Approved Backflow Prevention Assemblies	8-4
8.07	Backflow Prevention Assembly Installation	8-4
8.08	Protective Assemblies	8-4
8.09	Backflow Prevention Assembly Changes	8-6
8.10	Site Supervisor	8-7
8.11	Responsibilities	8-7
8.12	Water System Survey	8-7
8.13	Consumer Notification – Assembly Installation	8-8
8.14	Backflow Prevention Assembly Testing	8-8
8.15	Consumer Notification – Testing and Maintenance	8-8
8.16	Disconnection of Service for Cross-Connection Violation	8-9
 ARTICLE 9	 RECYCLED WATER USE REGULATIONS	 9-1
9.01	General	9-1
9.02	Area Served	9-1
9.03	Service Connections	9-1
9.04	Application Procedure	9-2
9.05	Permits	9-2
9.06	Disconnection of Service	9-2
9.07	Other Limitations of Service	9-3
9.08	Size, Limitation, and Installation of Service	9-3
9.09	Limitations on Service Connections	9-3
9.10	Relocation of Recycled Water Service Line	9-4
9.11	Illegal Connections	9-4
9.12	Recycled Water Meters	9-4
9.13	Authorized Users for Recycled Water	9-5
9.14	Scheduling Use of Recycled Water	9-5
9.15	Responsibility for Maintenance	9-5

9.16	Water Conservation	9-5
9.17	Recycled Water Site Supervisor	9-5
9.18	Recycled Water Facilities Design and Construction	9-6
9.19	Recycled Water Facilities Operation	9-7
9.20	Recycled Water Monitoring and Inspection	9-13
9.21	Recycled Water Applicable Fees and Charges	9-13
9.22	Enforcement and Penalties	9-15
9.23	Future Recycled Water Expansion	9-16
9.24	Wholesale Recycled Water Service	9-16
ARTICLE 10	ANNEXATION TO WALNUT VALLEY WATER DISTRICT	10-1
10.01	Charges for Annexation	10-1
ARTICLE 11	REIMBURSABLE EXPENSES	11-1
11.01	Locating and Marking Subsurface Installations	11-1
ARTICLE 12	RULES APPLICABLE TO APPLICANTS FOR AFFORDABLE RATE PROGRAM	12-1
12.01	Applicant	12-1
12.02	Eligibility for Program	12-1
12.03	Method of Application for Program	12-2
12.04	Program Funding	12-2
12.05	Discount Rate	12-3
12.06	Reduction; Termination	12-3
APPENDICES		
APPENDIX A	RATES AND CHARGES FOR WATER SERVICE	A-1
APPENDIX B	MISCELLANEOUS CHARGES	B-1
APPENDIX C	CAPACITY CHARGES	C-1
APPENDIX D	PERMIT TO USE DISTRICT FACILITIES	D-1
APPENDIX E	COMMERCIAL DEVELOPMENT FLOW CHART	E-1
APPENDIX F	RECYCLED WATER ANNUAL PERMIT	F-1
APPENDIX G	OWNER/TENANT SERVICE AFFIDAVIT	G-1
APPENDIX H	STATEMENT OF WATER SERVICE TO NEW SUBDIVISIONS	H-1
APPENDIX I	WILL SERVE LETTER	I-1
APPENDIX J	POLICY AND PROCEDURE IMPLEMENTING THE CALIFORNIA PUBLIC RECORDS ACT	J-1
	EXHIBIT A – PUBLIC RECORDS REQUEST FORM	
	EXHIBIT B – PUBLIC AGENCY REQUEST FOR CONSUMER INFORMATION	
	EXHIBIT C - FORM OF DECLARATION	

APPENDIX K	APPLICATION FORM – WALNUT VALLEY AFFORDABLE RATE PROGRAM (WVARP)	K-1
APPENDIX L	POLICY ON DISCONTINUATION OF RESIDENTIAL WATER SERVICE FOR NON-PAYMENT	L-1

AMENDMENT REGISTER

<u>Section</u>	<u>Title</u>	<u>Date Amended</u>
4.02.10	Access to District Consumer Records by Public Agencies	2/25/03
Appendix B	Item 20, GIS Fees for Developer-Funded Projects	10/21/03
Appendix A	Item B, Monthly Base Rate – Residential	12/03
Appendix B	Item 11, Security Deposit	1/04
4.04.07	Add “Appeals Procedure”	4/30/04
4.04.09	Amortization of Unpaid Balance	4/30/04
Appendix B	Insert Amortization Payment Plan Admin Fee as Item 11	4/30/04
Appendix A	Change Commodity Rate to \$1.68	6/1/04
Appendix A	Addition of \$312/af Recycled Water Wholesale Rate and Daily Equivalent of Meter Base Charge Language	8/16/04
Appendix B	Addition of Item 22, Damaged Copper Setter Replacement	2/22/05
Appendix A	Increase Commodity Rate from \$1.68 to \$1.75 per ccf for Commercial, Industrial, & Residential potable retail consumers and adjust Commodity Rate to Recycled (effective 7/1/05)	5/23/05
Appendix A	Badillo-Grand Line – increase Monthly Base Rate for 20” meter to \$15,590	6/21/05
Appendix B	Increase Charges for Reconnection – 1st time to \$30, 2nd time to \$40, Non-working hours to \$60; Return Check to \$30; Meter Test to \$80; Pulled Meter to \$75; Unauthorized Meter Turn-on to \$50; and New Consumer Application to \$30 (effective 7/1/05)	6/21/05
Appendix A	Increase Potable Water Wholesale Commodity Rate (per af) for Tier I to \$540/Tier II to \$620 (effective 7/1/05-12/31/05) and Tier I to \$550/Tier II to \$645 (effective 1/1/06-6/30/06)	7/19/05

4.03.06.02	Type Two Private Fire Hydrant	10/18/05
4.03.07.08	Late Charge clarified	1/24/06
4.04.06.02	Overdue Notice clarified	1/24/06
Appendix B	No. 8 changed to “Late Charge” (to coordinate with 2 items immediately above)	1/24/06
Appendix A	Decrease Wholesale Rate for Badillo Grand Transmission Main to \$12,809 for 20” Meter, and Decrease Potable Water Wholesale Commodity Rate (per af) for Tier I to \$506/Tier II to \$602 (effective 7/1/06-12/31/06) and Tier I to \$531/Tier II to \$627 (effective 1/1/07-6/30/07)	8/28/06
Appendix B	No. 21 GIS Fees – 24” x 36” drawing increased from \$126.00 to \$132.30, and 24” x 36” title sheet decreased from \$5.04 to \$3.60	5/21/07
4.02.08	Consumer’s Responsibility for District Property streamlined to improve resolution process of consumer issues	6/19/07
4.03.07.05	Property Damage – same as above	6/19/07
4.04.07.01	Disputed Bills (Appeals Procedure) – same as above	6/19/07
Article 12 & Appendix K	Establish Affordable Rate Program	9/18/07
Appendix A	Add Item I-D for Affordable Rate Program	9/18/07
Table of Contents	Add Article 12 & Appendix K for Affordable Rate Program	9/18/07
Appendix A	Wholesale Potable Rate Adjustment	1/22/08
4.03.07.01 4.05.03 & 04 6.02.04 6.02.04.01 & 02	Security Deposit Requirements	3/17/08
Article 12 & Appendix K	Revisions to Affordable Rate Program	10/20/08
Appendix A	Wholesale Potable Rate Adjustment	1/28/09
4.02.04.03 & 4.07.01	Apportionment of Supplies During Times of Shortage and Water Efficiency Use Requirements	6/22/09

Appendix A	Wholesale Potable Rate adjustment	8/24/09
Appendix A	Rate Changes as Approved at March 2010 Board	4/6/10
Article 12 & Appendix K	Revisions to Affordable Rate Program	11/15/10
Appendix A	Rate Changes as Approved at January 26, 2011 Special Board Meeting	1/26/11
Appendix K	Revisions to Affordable Rate Program	6/1/11
Appendix A	Rate Changes as Approved at November 2, 2011 Special Board Meeting	11/2/11
Appendix A	Wholesale Potable Rate Adjustment	12/13/11
4.05.04	Minor modifications to Refund of Security Deposit to provide uniform policies with Articles 6.02.04.01 and 6.02.04.02	2/21/12
6.02.04.01	Minor modifications to provide uniform policies	2/21/12
6.02.04.02	Minor modifications to provide uniform policies	2/21/12
Appendix A	Modifications to the section regarding Private Fire Protection Rates to clarify that the monthly charge is based on the detector check size not the meter size	2/21/12
Appendix B	Modifications to add security deposit schedule for new water service connections as stated in Article 6.02.04	2/21/12
Appendix K	Revisions to Affordable Rate Program Application Form	6/20/12
Appendix A	Rate Changes as Approved at the October 25, 2012 Special Board Meeting	1/1/13
Appendix A	Decrease Wholesale Rate for Badillo Grand Transmission Main to \$7,444 for 20" Meter, and Increase Potable Water Wholesale Commodity Rate (per af) for Tier I to \$870/Tier II to \$1,020 (effective 1/1/13-12/31/13)	1/1/13
Appendix K	Revisions to Affordable Rate Program Application Form	6/1/13
Appendix A	Rate Changes as Approved at the October 24, 2013 Special Board Meeting (effective 1/1/14-12/31/14)	1/1/14

Appendix A	Rate Changes as Approved at the November 18, 2013 Board Meeting (effective 1/1/14-12/31/14)	1/1/14
	Increase Wholesale Rate for Badillo Grand Transmission Main to \$8,919 for 20" Meter, and Increase Potable Water Wholesale Commodity Rate (per af) for Tier I to \$899/Tier II to \$1,041	
Appendix K	Revisions to Affordable Rate Program Application Form	6/1/14
07.04.01.01	Minor modifications to provide uniform policies	7/1/14
Appendix A	Rate Changes as Approved at the December 15, 2014 Board Meeting (effective 1/1/15-12/31/15)	1/1/15
	Increase Wholesale Rate for Badillo Grand Transmission Main to \$16,416.00 for 20" Meter, and Increase Potable Water Wholesale Commodity Rate (per af) for Tier I to \$916/Tier II to \$1,048	
Article 4	Implementation of the Notice of Termination requirement. Sections 4.03.07.01, 4.03.07.02, 4.03.07.08, 4.03.07.09, 4.04.06.02, 4.04.06.04, 4.04.06.07, 4.04.09.05	5/18/15
Appendix B-1	Implementation of the Notice of Termination requirement. 9. Forty-eight Hour Notice of Disconnection Charge 9. Notice of Termination	5/18/15
Article 9	Minor grammatical change: Section 9.05 <i>The permit for recycled water service shall include the following (Appendix G F)</i>	6/1/15
Appendix K	Revisions to Affordable Rate Program Application Form	6/1/15
	Adoption of Resolution No. 07-15-618 to Approve the Water Standby Charges	7/27/15
Appendix G	Revisions to Owner/Tenant Service Affidavit Form (approved at WVWD Board Meeting held 9/21/15)	9/21/15
Appendix A	Rate Changes as Approved at the October 6, 2015, Special Board Meeting (effective 1/1/16-12/31/16)	10/6/15
Appendix A	Wholesale Potable Rate Changes as Approved at the November 17, 2015, Board Meeting (effective 1/1/16-12/31/16)	11/17/15
Article 7	Minor grammatical change: Section 7.01.03 <i>The form of the letter is substantially in the form set forth in Appendix I. and J.</i>	11/17/15

Appendix C	Modifications to the Water Supply Charge authorizing implementation of a Water Supply Charge to be imposed on all development projects or projects involving changes in land use	4/18/16
Article 4	Modifications to include the term Water Supply Charge in Section 4.06	4/18/16
Article 7	Modifications to include the term Water Supply Charge in Section 7.02.04, 7.04.01.02(d), 7.06,7.07, 7.11, and 7.12	4/18/16
Article 6	Modifications to include the Water Supply Charge-Section 6.08, 6.08.01 and 6.08.02	4/18/16
Appendix K	Revisions to Affordable Rate Program Application Form	6/1/16
Appendix A	Rate Changes as Approved at the October 20, 2016, Special Board Meeting (effective 1/1/17-12/31/17)	10/20/16
Appendix A	Drought Rate Surcharges remain effective through January 31, 2017	10/20/16
Appendix A	Drought Rate Surcharges discontinued effective January 1, 2017	1/19/17
Appendix K	Revisions to Affordable Rate Program Application Form	6/1/17
Appendix J	Revised District Policy and Procedures Implementing the California Public Records Act, with the Exhibits A, B and C	6/19/2017
Appendix D	Revisions to include the words “Public” hydrant on the Permit to Use District Facilities application.	8/10/2017
Appendix A	Rate Changes as Approved at the October 19, 2017, Special Board Meeting (effective 1/1/18-12/31/18)	10/19/17
Appendix B	Modification to Appendix B (No. 21) GIS Fees for Developer-Funded Projects to include updated fees charged by vendor	11/13/17
Appendix K	Revisions to Affordable Rate Program Application Form	6/6/18
Appendix A	Rate Changes as Approved at the October 18, 2018, Special Board Meeting (effective 1/1/19-12/31/19)	10/18/18
Appendix K	Revisions to Affordable Rate Program Application Form	5/14/19
Appendix A	Wholesale Water Rate Adjustment as Approved at the November 18, 2019, Board Meeting (effective 1/1/2020-12/31/2020)	11/18/19
Appendix A	Rate Changes as Approved at the January 23, 2020, Public Hearing (effective 2/1/2020-12/31/2020)	1/23/2020

Appendix K	Revisions to Affordable Rate Program Application Form	06/20/2020
Appendix A	Rate Changes as Approved at the November 16, 2020, Public Hearing (effective 2/1/2021-12/31/2021)	12/01/2020
Article 3	Modifications made to add clarifying language to certain definitions.	04/12/2021
Article 4	Modifications made to provide consistency with the Policy and the requirements of SB 998. Additional changes made to ensure the rules are reflective of current District practices and policies.	04/12/2021
Article 6	Modifications made to reflect applicable laws, developer fees, and current District practices and procedures.	04/12/2021
Appendix B	Modifications to include the updated fees detailed in the Miscellaneous Fees analysis.	04/12/2021
Appendix G	Revisions to the current Owner/Tenant Affidavit Form as referenced in Article 6.01	04/12/2021
Appendix L	January 2020, as a requirement of SB 998, the Board approved its Policy on Discontinuation of Residential Water Service for Non-Payment (Policy). Modifications were made to that Policy, consistent with the provisions of Article 4, and the Policy was formally incorporated into the District's Rules and Regulations as Appendix L.	04/12/2021
Appendix K	Revisions to Affordable Rate Program Application Form	06/23/2021
Appendix A	Wholesale Potable Water Rate Adjustment as Approved at the December 13, 2021 (effective 1/1/2022)	
Article 3	Modifications made to add clarifying language to certain definitions.	02/22/22
Article 4	Changes made to ensure the rules are reflective of current District practices and policies.	02/22/22
Article 6	Modifications made to reflect applicable laws, developer fees, and current District practices and procedures.	02/22/22
Article 7	Resolution No. 02-22-695 Resolution establishing Capacity Charges and rescinding acreage supply charges, reservoir capacity charges and water supply charges	02/22/22
Appendix C	Water Supply Charge was changed to Capacity Charge fee. Approved by the Board of Directors at the February 22, 2022 regular Board meeting.	02/22/22

Appendix K	Annual revisions to the Walnut Valley Affordable Rate Program (WVARP) Application Form	06/14/2022
Article 3, 4, 6, and Appendix C	Revisions made related to Accessory Dwelling Units. Approved at the February 20, 2024 regular Board meeting.	02/20/24
Appendix K	Annual revisions to the Walnut Valley Affordable Rate Program (WVARP) Application Form	6/4/2024
Various Pages	Updated Office Hours to reflect the District's 4/80 schedule	7/2025
Article 3, 4, 5,8, Appendix D and Appendix G	Revisions made related to District's cross-connection control requirements to comply with State Water Resources Control Board (SWRCB) Cross-Connection Control Policy. Approved at the September 15, 2025 regular Board meeting.	9/15/2025

ARTICLE 1

DISTRICT'S GOALS AND OBJECTIVES

The District's perceived roles and missions with respect to providing water utility service are as follows:

1.01 OPERATIONS

Operate existing water systems to provide economical service at a specified quality level to existing users.

1.02 PLANNING

Provide for the orderly expansion of capacity to satisfy future demand for utility services.

1.03 EQUITABLE ALLOCATION OF COSTS

Each rate payer, consumer class, and new applicant for service should be charged those reasonable costs incurred by the District in providing that service.

1.04 CONSERVATION

To promote wherever possible and practicable the use of recycled water and water conservation practices.

- END OF ARTICLE 1 -

ARTICLE 2

SCOPE OF RULES AND REGULATIONS

2.01 APPLICABILITY

These are the Rules and Regulations adopted by the Board of Directors with respect to water service. The Board has the right to amend, change, and supplement these Rules and Regulations at any time. Except as specifically limited, these Rules and Regulations apply to all District personnel and any person obtaining potable, non-potable, or recycled water service from the District.

2.02 SEVERABILITY

If any article, section, subsection, sentence, clause, or phrase of these Rules and Regulations is for any reason held to be invalid or unenforceable, such decision shall not affect the remaining portions of these Rules and Regulations. The Board declares that it would have passed said Rules and Regulations by article, section, subsection, sentence, clause, or phrase thereof.

- END OF ARTICLE 2 -

ARTICLE 3 DEFINITIONS

Unless the context specifically indicates otherwise, the following terms shall, for the purposes of these Rules and Regulations, have the following meanings:

- 3.01 **Accessory Dwelling Unit (ADU)**: Shall mean accessory to a primary residence and has complete independent living facilities for one or more persons and has a few variations; (1) Detached: The unit is separated from the primary structure, (2) Attached: The unit is attached to the primary structure or (3) Converted Existing Space: Space (e.g., master bedroom, garage, storage area, or similar use, or an accessory structure) on the lot of the primary residence that is converted into an independent living unit as defined in California Government Code §65852.2(j)(1).
- 3.02 **Air-Gap**: Shall mean a physical vertical separation of at least two (2) times the effective pipe diameter between the free-flowing discharge end of a potable water supply pipeline and the flood level of an open or non-pressurized receiving vessel, and in no case less than one (1) inch.
- 3.03 **Applicant**: Shall mean any person or entity who applies to receive water service from the District.
- 3.04 **Application Rate**: Shall mean the rate at which irrigation water, expressed in inches per hour, is applied to a design area.
- 3.05 **Approved Backflow Prevention Devices/Assemblies**: Shall mean those devices and/or assemblies listed as approved backflow prevention assemblies by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research.
- 3.06 **Approved Check Valve**: Shall mean a check valve that is drip-tight in the normal direction of flow when the inlet pressure is at least one (1) psi (pound per square inch) and the outlet pressure is zero. The check valve shall permit no leakage in a direction reverse to the normal flow. The closure element (e.g., clapper or poppet) shall be internally loaded to promote rapid and positive closure. (The face of the closure element and valve seat must be bronze, composition, or other non-corrodible, non-sticking material machined for easy, dependable operation.)
- 3.07 **Approved Double-Check Detector Check Assembly**: Shall mean an assembly which has previously been approved for use in this service by the District. The main assembly consists of two independently acting, spring-loaded check valves, including tightly closing shut-off valves on each side of the check valve assembly. The bypass line assembly consists of a ¾-inch meter (supplied by the District at the consumer's expense) in series with a double-check valve. The double-check valve consists of two independently acting, spring-loaded check valves, including tightly closing shut-off valves on each side of the check valve assembly. Each double-check valve assembly shall be equipped with necessary appurtenances for testing. To be approved, these assemblies must be readily accessible for maintenance and testing, be installed a minimum of 12 inches above ground level, such that no part of the valve can be underground or in a vault, and shall provide a minimum clearance of 12 inches between each separate assembly.

- 3.08 **Approved Double-Check Valve Assembly (DC)**: Shall mean an assembly composed of two independently acting, approved check valves, including tightly closing resilient seated shut-off valves attached at each end of the assembly and fitted with properly located resilient seated test cocks.
- 3.09 **Approved Reduced Pressure Principle Backflow Prevention Device (RP)**: Shall mean an assembly containing two independently acting, approved check valves, together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located resilient seated test cocks and tightly closing resilient seated shut-off valves at each end of the assembly.
- 3.10 **Approved Reduced Pressure Principle Detector Backflow Prevention Assembly (RPDA)**: Shall mean a specially designed assembly composed of a line-size approved reduced pressure principle backflow prevention assembly with a bypass containing a specific water meter and an approved reduced pressure principle backflow prevention assembly. The meter shall register accurately for only very low rates of flow up to 3 gpm and shall show a registration for all rates of flow.
- 3.11 **Approved Water Supply**: Shall mean the District's water supply, a water source that has been approved by the State Water Board for domestic use in a public water system.
- 3.12 **Automatic Irrigation System**: Shall mean any landscape irrigation system, automatic controller, valve, and associated equipment required for the programming of effective water application rates.
- 3.13 **Auxiliary Water Supply**: Shall mean any water supply on, or available to, the premises other than the approved water supply.
- 3.14 **Backflow**: Shall mean the undesirable reversal of flow of water or mixtures of water and other liquids, gases, or other substances into the distribution pipes of the potable supply of water from any source or sources.
- 3.15 **Backflow Prevention Assembly**: Shall mean a mechanical assembly designed and constructed to prevent backflow, such that while in-line it can be maintained and its ability to prevent backflow, as designed, can be field tested, inspected and evaluated.
- 3.16 **Board**: Shall mean the Board of Directors of the Walnut Valley Water District.
- 3.17 **Commercial Service**: Shall mean the provision of water for use in connection with a premises, other than residential, devoted primarily to operations for profit or non-profit (i.e., churches, community center, governmental, and commercial/retail).
- 3.18 **Commodity Charge**: Shall mean the charge imposed by the District for all water used, whether such water use is actually metered or estimated.
- 3.19 **Connection Fee**: Shall mean the charge imposed by the District for the privilege of obtaining water service from the District by means of its water facilities.

- 3.20 **Construction Water:** Shall mean the provision of water for use in activities relating to the development of property or construction before application for service as a consumer.
- 3.21 **Consumer/Customer:** Shall mean any person supplied or entitled to be supplied with water service by the District for compensation.
- 3.22 **Contamination:** Shall mean an impairment of the quality of the water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids, waste, etc.
- 3.23 **Cross-Connection:** Shall mean any unprotected actual or potential connection or structural arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices, and other temporary or permanent devices through which or because of which backflow can occur are considered to be cross-connections.
- a. The term "direct cross-connection" shall mean a cross-connection which is subject to both back-siphonage and back-pressure.
 - b. The term "indirect cross-connection" shall mean a cross-connection which is subject to back-siphonage only.
 - c. The term "high hazard cross-connection" shall mean a cross-connection that poses a threat to the potability or safety of the public water supply. Materials entering the public water supply through a high hazard cross-connection are contaminants or health hazards.
 - d. The term "low hazard cross-connection" shall mean a cross-connection that has been found to not pose a threat to the potability or safety of the public water supply but may adversely affect the aesthetic quality of the potable water supply. Materials entering the public water supply through a low hazard cross-connection are pollutants or non-health hazards.
- 3.24 **Direct Cost:** Shall mean actual or estimated costs incurred by the District for new metered services, main extensions, appurtenances, hydrants, fire services, etc., including but not limited to hardware, material, labor, fittings, paving, meters, pipe, etc. (Direct Cost does not include District Administrative Charge or Capacity Charge.)
- 3.25 **District:** Shall mean the Walnut Valley Water District, Walnut, California.
- 3.26 **District Administrative Charge:** Shall mean a percentage to be added to the total direct cost of a project charged a consumer or developer as specified in these Rules and Regulations in order to determine the total project cost of service to be charged. This percentage reimburses the District for labor-related charges of time not directly charged, but expended by District administrative and managerial staff, and for other indirect general and administrative costs.
- 3.27 **District's Water System:** Shall mean all real estate, fixtures, personal property, appliances, facilities, and appurtenances owned, controlled, operated, or managed by the District in connection with or to facilitate the diversion, development, storage, supply,

distribution, sale, furnishing, transmission, measurement, or treatment of water for irrigation, industrial, municipal, domestic, or other beneficial use.

- 3.28 **Domestic Use:** Shall mean water normally used in and around a consumer's habitat, relating to use by a family unit or household.
- 3.29 **Engineer:** Shall mean a qualified registered engineer appointed to act for the District.
- 3.30 **Excavation:** Shall mean any removal of soil or paving necessary for the installation of below ground facilities or objects, or for exploration purposes to determine size and location of existing utilities, structures, and other facilities.
- 3.31 **Excavator:** Shall mean any person, company, or corporation causing an excavation to take place.
- 3.32 **General Manager:** Shall mean the General Manager of the Walnut Valley Water District, or the person authorized by the General Manager or the Board to act for the General Manager.
- 3.33 **Hazard Assessment:** Shall mean an evaluation of a premises served by the District's potable water system to determine if there are actual or potential cross-connections and the associated degree of hazard to public health resulting from any such cross-connection.
- 3.34 **Health Agency:** Shall mean, unless otherwise specified, the California State Water Resources Control Board, Division of Drinking Water or the Los Angeles County Health Department.
- 3.35 **Industrial Service:** Shall mean the provision of water to industrial premises where the water is used primarily in manufacturing or processing activities.
- 3.36 **Infiltration Rate:** Shall mean the rate at which the soil will accept water, expressed in inches per hour, during an irrigation period.
- 3.37 **Irrigation Design Area:** Shall mean the specific land area designated to be irrigated through on-site facilities when used in reference to landscape sprinkler irrigation systems.
- 3.38 **Irrigation Service:** Shall mean the provision of water for commercial, agricultural, floracultural, or horticultural use and billed under the potable water commodity rate.
- 3.39 **Landscape Sprinkler Irrigation System:** Shall mean all equipment and materials required for applying irrigation water to the design area from the service connection, including piping, valves, sprinkler heads, and appurtenances.
- 3.40 **Main Extension:** Shall mean the extension of water distribution mains beyond existing facilities in accordance with the provisions of the rules applicable to main extensions included herein.
- 3.41 **Non-potable Water:** Shall mean that water that has not been treated for human consumption in conformance with the Drinking Water Standards referred to in the definition of potable water.

- 3.42 **Off-site Facilities:** Shall mean facilities under the control of the District including, but not limited to, water pipelines, reservoirs, pumping stations, valve connections, supply interties, and other appurtenances and property up to the service connection with the consumer's facilities.
- 3.43 **On-site Facilities:** Shall mean facilities under the control of the applicant, owner, or consumer including, but not limited to, commercial and industrial building water systems, landscape irrigation systems, and agricultural irrigation systems. The on-site facilities shall be those downstream of the service connection, which shall normally be the downstream end of the meter tailpiece.
- 3.44 **On-site Recycled Water Supervisor:** Shall mean a qualified person designated by the recycled water customer and approved by the District. This person shall be knowledgeable in the construction and operation of the on-site facilities and in the application of the guidelines, criteria, standards, and rules and regulations for recycled water and shall be responsible for maintaining plans, records, notifying the District of any changes, and overseeing all repairs.
- 3.45 **Permanent Water Customer:** Shall mean a potable water user who is supplied with permanent water service.
- 3.46 **Permanent Recycled Water Customer:** Shall mean a recycled water user who is supplied with permanent water service.
- 3.47 **Permanent Water Service:** Shall mean a provision for permanent use of District water (recycled or potable) by a Permanent Water Customer or Permanent Recycled Water Customer, as applicable.
- 3.48 **Permanent Water Service Line:** Shall mean the District's facility between its potable or recycled distribution water mains and the water service connection.
- 3.49 **Person:** Shall mean an individual, corporation, company, association, partnership, municipality, public utility, or other public body or institution.
- 3.50 **Pollution:** Shall mean an impairment of the quality of the water to a degree which does not create a hazard to the public health but which does adversely and unreasonably affect the aesthetic qualities of such waters for domestic use.
- 3.51 **Potable Water:** Shall mean that water furnished to the consumer which does not endanger the lives or health of human beings and conforms to the latest edition of the United States Public Health Service Drinking Water Standards, the California Safe Drinking Water Act, Environmental Protection Agency, or any other applicable standards.
- 3.52 **Potable Water System:** Shall mean the facilities by which water is conveyed to the District's consumers for human consumption.
- 3.53 **Premises:** Shall mean the integral property or area, including improvements thereon, to which water service is, or is to be, provided.

- 3.54 **Private Fire Protection:** Shall mean the provision of standby quantities and pressures of water as available for fire protection purposes through sprinkler systems and fire hydrants located on private property rather than through public fire hydrants operated by public authorities for general fire protection.
- 3.55 **Property Owner or Owners:** Shall mean the holder of legal title, contract purchaser, or lessee under a lease with an unexpired term of more than one (1) year jointly with the holder of title.
- 3.56 **Public Agencies:** Shall be defined as any governmental agency within the State of California and include cities, school districts, the Los Angeles County Department of Public Works, other public water purveyors, and municipally held utilities.
- 3.57 **Recycled Water:** Shall mean all water as defined in Title 22, Division 4, Chapter 3, of the California Code of Regulations, hereinafter referred to as Title 22, which, as a result of treatment of domestic wastewater, is suitable for a direct beneficial use or a controlled use that otherwise could not occur, such treatment of domestic wastewater having been accomplished in accordance with the criteria, including the level of constituents in combination with the means for assurance of reliability as set forth in Title 22.

As used in this District, however, the term “recycled water” shall additionally mean non-potable water consisting not only of recycled water as defined by Title 22 but also consisting of other non-potable water, such as untreated Colorado River or State project water received from the Metropolitan Water District of Southern California and non-potable well water. Uses for which recycled water purveyed by the District are suitable or permitted shall be determined in accordance with the standards for treatment and water quality requirements as set forth in Title 22.

- 3.58 **Recycled Water Distribution System:** Shall mean, individually or collectively, any recycled water facility or facilities financed, constructed, and dedicated to the District by an applicant, owner, or consumer, or financed and constructed by the District itself. The District shall determine what facilities are part of a distribution system from time to time as necessary. Recycled water facilities are intended to provide recycled water for uses such as landscape irrigation, agricultural irrigation, and industrial process water. The District's determination in this regard shall be final and conclusive.
- 3.59 **Recycled Water Service Agreement:** Shall mean a contract between the District and the applicant, owner, or consumer which may have to be executed as a precondition for obtaining a Recycled Water Use Permit.
- 3.60 **Recycled Water Service Line Charge:** Shall mean a charge imposed by the District as a charge for installation by the District of recycled water meters and service lines.
- 3.61 **Recycled Water Use Permit:** Shall mean the processed and approved application and agreement with the District for recycled water service.
- 3.62 **Record Drawings:** Shall mean drawings that correctly show the completed facilities as constructed or modified.
- 3.63 **Residential Service:** Shall mean the provision of water to a residence for domestic use.

- 3.64 **Security Deposit:** Shall mean moneys required upon a determination of the applicant's creditworthiness, or by reason of nonpayment of water charges. (The amount is specified in Appendix B.)
- 3.65 **Service:** Shall mean water service.
- 3.66 **Service Lateral:** Shall mean all of the pipe, fittings, and valves necessary to make the connection from the District's main to the consumer's meter.
- 3.67 **Service Connection:** Shall mean the terminal end of a service connection from the public potable or recycled water system; i.e., where the water purveyor may lose jurisdiction and sanitary control of the water at its point of delivery to the consumer's water system.
- 3.68 **State Water Board:** Shall mean the State Water Resources Control Board or the local primacy agency having the authority to enforce regulations pertaining to public water systems.
- 3.69 **Subservice Installation:** Shall mean a submeter installed by a consumer beyond a District meter for purposes of separating water use for multiple tenants.
- 3.70 **Surcharge:** Shall mean a charge imposed by the District for the provision of special service not normally provided by the District.
- 3.71 **Temporary Water Customer:** Shall mean a potable water user who is supplied with temporary water service.
- 3.72 **Temporary Recycled Water Customer:** Shall mean a recycled water user who is supplied with temporary water service.
- 3.73 **Temporary Water Service:** Shall mean a provision for short-term use of District water, either potable or recycled, for temporary needs such as seasonal sales or minor construction.
- 3.74 **Total Project Cost:** Shall mean all costs related to new construction for individual metered services, water main extensions, appurtenances, hydrants, fire services, District Administrative Charge, Capacity Charge, etc.
- 3.75 **Ultra-Low-Flush Toilets:** Shall mean toilets for which water use does not exceed 1.6 gallons per flush.
- 3.76 **Unauthorized Discharge:** Shall mean any release of any water that violates the provisions of these Rules and Regulations or of any and all applicable Federal, State, or local statutes, regulations, ordinances, contracts, or other requirements.
- 3.77 **Unpolluted Water:** Shall mean water to which no unwholesome constituent has been added, either intentionally or accidentally.
- 3.78 **Wastewater Constituents and Characteristics:** Shall mean the individual chemical, physical, bacteriological, and radiological parameter, including volume and flow rate, and such other parameters that serve to define, classify, or measure the quality and quantity of wastewater.

- 3.79 **Water Service Connection**: Shall mean the point of connection of the customer's or consumer's water line with the water service line of the District, which shall normally be the downstream end of the water meter setter tailpiece.
- 3.80 **Water Supplier**: The District.
- 3.81 **Water User**: Any person obtaining water from the District's water supply system.

- END OF ARTICLE 3 -

ARTICLE 4

RULES APPLICABLE TO EXISTING CUSTOMERS

4.01 DESCRIPTION OF SERVICE

- 4.01.01 **Quantities:** The District will use its best efforts to supply water dependably and safely in adequate quantities and pressures to meet the reasonable needs and requirements of customers but does not guarantee any specific pressures or flows.
- 4.01.02 **Pressures:** The District reserves the right to modify the pressure supplied to a region or individual service. The District's goal is to maintain normal operating pressure of not less than 40 pounds per square inch or more than 125 pounds per square inch at the service connection. Except during periods of hourly maximum demand, the pressure goal at the time of peak seasonal loads is to be not less than 30 pounds per square inch. During periods of hourly minimum demand, the pressure goal is to be not more than 150 pounds per square inch. However, there exist some isolated areas where pressure normally drops below 40 pounds per square inch or exceeds 125 pounds per square inch. Generally, variations in pressure under normal operation will not exceed 50 percent of the average operating pressure. (The average operating pressure will be determined by computing the arithmetical average of at least 24 consecutive hourly pressure readings.)
- 4.01.03 **Potable Water Quality:** Whenever furnished for human consumption or for domestic use, the District will endeavor to provide water that is wholesome, potable, in no way harmful or dangerous to health, and, insofar as practicable, free from objectionable odors, taste, color, and turbidity.
- 4.01.04 **Recycled Water Quality:** Generally, recycled water supplied by the District will meet all applicable standards set forth in Title 22, Division 4, California Code of Regulations. The District will endeavor to maintain the quality of the water received from sources outside the control of the District; however, the District cannot guarantee recycled water quality.
- 4.01.05 **Other Limitations:** The District shall not be liable for any damage resulting from inadequate capacity, defective plumbing, broken or faulty service lines or water mains, or damage resulting from any condition of the quality of the water itself, or any substance that may be mixed with or be in any water as delivered to any customer or any conditions beyond the control of the District, or otherwise.
- 4.01.06 **Responsibility for Loss or Damage:** Customers shall accept such conditions of pressure, quality, and service as are provided by the District system and hold the District harmless from any loss or damage to customer resulting from the District's failure to meet the service goals stated within this article, due to low or high pressure conditions, any interruptions in service, or any change in pressure.

4.02 CONDITIONS OF SERVICE AND RIGHTS OF THE DISTRICT AND CUSTOMERS

4.02.01 **Notice to Customers:** Notice to a customer will normally be in writing and will be delivered or mailed to the customer's last known address. In emergencies or when circumstances warrant, the District, where feasible, will endeavor to promptly notify the customer affected and may make such notification orally, either in person or by telephone, or by leaving a written notice at the service premises.

4.02.02 **Notice from Customers:** A customer may make notification in person, or by telephone or letter, to the District office.

4.02.03 **Change in Customer's Equipment, Operations, or Land Use:** A customer making any material change in the size, character, or extent of the equipment, operations, or nature of land use (such as using water for commercial activities where water had been previously used for residential purposes only) shall immediately give the District written notice of the nature and extent of the change.

4.02.04 **Continuity of Service:**

4.02.04.01 **Emergency Interruptions:** The District will make all reasonable efforts to prevent interruptions to service and, when such interruptions occur, will endeavor to re-establish service with the shortest possible delay consistent with the safety of customers and the general public.

Where an emergency interruption of service affects the service to any public fire protection device, the District will promptly endeavor to notify the Fire Chief, or other public official responsible for fire protection, of such interruption and of subsequent restoration of normal service.

4.02.04.02 **Scheduled Interruptions:** Whenever the District finds it necessary to schedule an interruption in service, it will, when feasible, notify all customers to be affected by the interruption, stating the approximate time and anticipated duration of the interruption. Scheduled interruptions will be made at such hours as will provide the least inconvenience to customers, consistent with reasonable utility operations.

Where public fire protection is provided by the mains affected by the interruptions, the District will promptly endeavor to notify the Fire Chief, or other public official responsible for fire protection, stating the approximate time and anticipated duration. In addition, the Fire Chief, or other public official responsible for fire protection, will be notified promptly upon restoration of service.

- 4.02.04.03 **Apportionment of Supply During Times of Shortage:** During times when the District determines that a water supply shortage or threatened water shortage exists and it appears the demand for water consumption exceeds or threatens to exceed the District's available allocation, the District's Board may implement the water supply shortage stages established in the District's water conservation ordinance by Resolution and public announcement. In the absence of direction from the Board or such authorities, the District will apportion the supply in the manner that appears most equitable under circumstances then prevailing and with due regard to public health and safety in accordance with State Law. *[Updated 6/22/09]*
- 4.02.04.04 **Loss or Damage:** The District will not be liable for any damage or loss resulting from an emergency, scheduled interruption of water service, or from any act of the District in connection with the repair or replacement of District facilities required by such emergency or interruption.
- 4.02.05 **Ownership of Facilities on Customer's Premises:** The service lateral, copper setter, meter, hand valve, and meter box located within public right-of-way or wholly or partially upon a customer's premises are the property of the District. No rent or other charge will be paid by the District where the District-owned service facilities are located on a customer's premises.
- 4.02.06 **District Access to Customer's Premises:** The District shall at all reasonable hours have access to meters, service connections, and other property owned by the District which may be located on customer's premises for purposes of installation, maintenance, operation, removal of the property, termination of service or any inspections or assessments specified in Article 6 hereof. The customer's system shall be open for inspection at all reasonable times to authorized representatives of the District. Any inspection work or recommendations made by the District or its agents in connection with plumbing or appliances, cross-connections, or any use of water on the customer's premises, either as a result of a complaint or otherwise, may be subject to a charge dependent upon the service rendered.
- 4.02.07 **District's Responsibilities for Damage or Loss to Customer:** The District will not be responsible for any loss or damage caused by any negligence or wrongful act of a customer or of a customer's authorized representative in operating or using any or all appliances, facilities, or equipment owned or furnished by the District.
- 4.02.08 **Customer's Responsibilities for District Property:** Upon an appropriate finding by the District, the customer may be held responsible, for any and all damage to District meters and other property resulting from removal, damage, or misuse of District property and will be responsible for the use or operation of appliances and facilities on customer's premises, including,

but not limited to, damage caused by steam, hot water, or chemicals.
[Updated 6/19/07]

- 4.02.09 **Resale of Water:** Except by special written agreement with the District, no customer shall resell or deliver any water received from the District to a property other than that specified in the application for service. When property provided with a service connection is subdivided, the service connection shall be considered as belonging to the lot or parcel of land which it directly enters. Except by special permission of the District's Board, a service connection shall not be used to supply water to any parcel of land other than the parcel on which the service connection is located and for which all relevant connection fees have been paid, including, but not limited to, Capacity Charge.
- 4.02.10 **Access to District Customer Records by Public Agencies:** The District shall make available a copy of any District customer record not exempt from disclosure in accordance with the Public Records Act as follows:
- 4.02.10.01 **Disclosure of Water Usage Data to Public Agencies:** The District will, pursuant to Government Code Section 6254.16, provide water usage data for its customers upon the completion and filing of the Public Agency Request for Customer Information form (Appendix J) by an officer or employee of another governmental agency when necessary for the performance of its official duties.
- 4.02.10.02 **Form of Request:** The request for a copy of District customer records must be in writing and must describe, with reasonable particularity, a record readily identifiable by District personnel.
- 4.02.10.03 **District Determination of Compliance:** The District, within ten (10) days of actual receipt of a proper request, shall determine whether to comply with the request and will notify the person making the request of such determination and the reasons therefore.
- 4.02.10.04 **Extension of Time for Determination:** In unusual circumstances, as specified below, the time for determination of District compliance may be extended for a period not to exceed ten (10) working days, by written notice from the Manager to the person making the request, setting forth the reasons for the extension and the date on which a determination will be mailed. Unusual circumstances are:
- a) The need to search District facilities or other locations that are separate from the main office.
 - b) The need to search for, collect, and examine a voluminous amount of separate and distinct records demanded in a single request.

- 4.02.10.05 **No Compilation or Extraction:** The District will provide, unless impracticable to do so, an exact copy of the record requested. The District is not obligated to create a compilation or extract of its records in response to a request.
- 4.02.10.06 **Fee:** By Resolution No. 5-02-420, the District has established charges for reproduction of District public records (see Section III-D of Appendix J).

4.03 RATES AND CHARGES

General Provisions. Rates and charges for water consumption, as specified under various classifications of service and other miscellaneous charges, are set by the Board from time to time. Current rates and charges set forth in the attached appendices according to section and rate classification as set forth below:

- 4.03.01 **Potable Water Retail Rates:** Retail charges consist of a monthly meter charge, commodity charge, pump zone charge, and drought rate surcharge. The monthly meter charges are based on meter size and do not vary based on the amount of water delivered. The commodity charge applies to all water passing through the meter and is assessed at the commodity rate. Pump zone surcharges are based upon water usage, and cover the costs incurred to pump water to customers in higher elevation pumping zones. Drought rate surcharges may be imposed to adjust water rates by a specified percentage depending upon the severity of the water supply shortage. The amounts currently set for the rates is contained in Appendix A of these Rules and Regulations. (Updated 4/19/21)
- 4.03.02 **Potable Water Wholesale Rate:** Wholesale charges, which shall apply to those water deliveries determined by the General Manager to be wholesale deliveries at his or her discretion, consist of two types of charges – a monthly base rate and a commodity rate charge. The monthly base rate is determined by the size of the meter and is fixed irrespective of the quantity of water passing through the meter. The commodity charge applies to all water passing through the meter and is assessed at the commodity rate. The amount currently set for the base and commodity rate is contained in Appendix A of these Rules and Regulations.
- 4.03.03 **Potable Water Irrigation Rate:** No irrigation rate is available.
- 4.03.04 **Construction Rate:** Water for construction purposes may be obtained by licensed contractors from District facilities on a metered or unmetered basis as determined by the District. Special rates, hook-up charges, advance payments, and conditions apply to water obtained for construction purposes as set forth in Appendix A and as specified in the District's Permit To Use District Facilities, which can be obtained upon written application by the contractor on the approved permit form, a copy of which is included as Appendix D.
- 4.03.05 **Recycled Water Rates:** Recycled water charges consist of two charges – a monthly meter charge and a commodity rate charge. The monthly charge

is determined by the size of the meter and is fixed irrespective of the quantity of water registered through the meter. The commodity charge applies to all recycled water passing through the meter and is assessed at the recycled water commodity rate. The amounts currently set for the rates are contained in Appendix A of these Rules and Regulations.

4.03.06

Private Fire Protection Rates: Private fire protection rates are based on the three different types of private fire hydrants or services found in the District. These rates are in addition to any commodity charges.

4.03.06.01

Type One Private Fire Hydrant: Type one private hydrants are connected directly to the District's public water system within an on-site District easement on private, commercial, industrial, institutional, apartment, or condominium property. Maintenance of type one private fire hydrants is performed by the District. Each type one private fire hydrant shall be assessed a monthly charge as set forth in Appendix A.

4.03.06.02

Type Two Private Fire Hydrant: Type two private hydrants are installed downstream of detector checks. Each private automatic sprinkler system, including those with type two on-site hydrants and fire hose racks connected to District lines by means of a detector check valve with metered bypass, shall be assessed a monthly service charge based on the size of the detector check as set forth in Appendix A. This service classification will not be charged for any water used for fire suppression, fire drill, or test purposes provided the District is given advance notice of any fire test or drill, or where water used for fire suppression can be verified. All other unauthorized use, either registered by the bypass or estimated by the magnitude of the flow, will be invoiced at the construction water rate. In some instances, the customer's unauthorized use of water may be unintentional, such as in the case of a leak in the water line. In such cases, and upon written request by the customer, the District will investigate to determine whether the unauthorized use was intentional or unintentional. Upon a determination by the District that the unauthorized use was unintentional, the customer will be given 90 days to correct the problem causing the unintentional unauthorized use. Billing for intentional unauthorized use will be determined by multiplying the consumption recorded on the bypass meter by a factor of 50. Maintenance of type two hydrants shall be the responsibility of the owner. *(Updated 10/18/05)*

4.03.06.03

Type Three Private Fire Hydrants: Type three private fire hydrants are connected to the public system by means of a fire-rated water meter. Water used in fire suppression will be measured by the fire-rated meter and billed at the Potable Water Commodity Rate as specified in Appendix A. Where such a service exists, no separate charge for private

fire protection shall exist. Maintenance of type three private fire hydrants shall be the responsibility of the owner.

4.03.07 **Miscellaneous Charges** [Updated 4/19/21]: In order to recover the costs associated with late payments, disconnections, and/or damages sustained by the District, the specified items listed below are charged to customers, the amounts of which are approved by the Board and set forth in Appendix B.

4.03.07.01 **Reconnection Charge**: The reconnection charge is the fee charged to reconnect water service that has been disconnected due to non-payment, returned payment, or other violations of the District's Rules and Regulations.

4.03.07.02 **Security Deposit**: If the service was disconnected due to non-payment, the nonpayment which led to the disconnection shall be deemed to be evidence of non-creditworthiness, and the customer may then be required to make a security deposit in an amount determined by the Board and set forth in Appendix B.

4.03.07.03 **Returned Check, Credit Card, or ACH Payment Charge**: When a customer payment of water service or other charges is returned or rejected, the customer will be assessed a returned payment charge based on the type of payment that was returned or rejected. The amount of that charge is set forth in Appendix B.

4.03.07.04 **Meter Test Charge**: The District shall endeavor to keep the meters in good condition and registering accurately. Any customer may request that the meter be examined and tested to determine if it is correctly recording water delivered through it. If such examination and test reveal that quantities of water recorded by the meter fall outside of a range between 97 percent and 103 percent of the actual quantities of water passed through the meter during the test, then the cost of such test shall be paid by the District. If the meter is found to be registering at or within the parameters set (3 percent of accuracy), then the actual cost of such test shall be paid by the customer. Any adjustment to water bills shall be made in accordance with Article 4.04.10.

4.03.07.05 **Pulled Meter Charge**: If a customer's service has been disconnected and the meter is in the process of or has been removed from the premises, then the customer shall pay a Pulled Meter Charge along with any other charges before the service and meter can be reconnected.

4.03.07.06 **Property Damage**: If a customer, new applicant or developer is found to be responsible for any damage done to District property, such damages shall be reimbursed to

the District at cost plus District Administrative Burden. If responsibility for such damage cannot be determined, charges for such damage may be billed to the current customer or property owner.

- 4.03.07.07 **Unauthorized Water Use Charge:** Any person making an unauthorized use of water from or through any District facility will be assessed an Unauthorized Water Use Charge. The cost of any water taken, if approximate use can be determined, will also be collected using the current construction water rate.
- 4.03.07.08 **District Administrative Burden:** For any services not included in the rates and charges specified in Appendix A, the District may assess a charge for Administrative Burden at the sole discretion and in an amount determined by the General Manager.
- 4.03.07.09 **Late Charge:** Bills for service are due and payable upon receipt. If payment for a bill rendered is not received within 20 days of the "Bill Prepared" date, a Late Charge, in the amount specified in Appendix B will be added to any outstanding charges.
- 4.03.07.10 **Notice of Termination Charge:** If no payment has been received in response to an Overdue Notice, or other notification, the District will make a reasonable, good-faith effort to contact the customer by a Notice of Termination at the premises in the manner provided in Section 4.04.07.04, or as specified in the District's Policy on Discontinuation of Residential Water Service for Non-Payment, set forth in Appendix L. A Notice of Termination Charge will be charged and added to the customer's bill for such service.
- 4.03.07.11 **Unauthorized Meter Turn-On Charge:** Once a meter lock-off has been performed for any reason, it may only be unlocked by District personnel. Unauthorized meter turn-ons shall be assessed an Unauthorized Meter Turn-On Charge. Any additional costs incurred by the District to prevent unauthorized use shall be added to any outstanding charges payable by the responsible customer.

4.04 BILLING PROCEDURES

- 4.04.01 **Joint Service:** No joint service is allowed. An individual party will be solely liable for payment of bills.
- 4.04.02 **Re-establishment of Credit:** A customer whose service has been disconnected for nonpayment of bills will be required to pay any unpaid balance due the District for the premises for which service is to be restored. He/she may additionally be required to make a security deposit, in an

amount specified in Appendix B, for the service in question and pay a reconnection charge, also as specified in Appendix B, before service is restored.

4.04.03 **Bankruptcy of Customer:** Pursuant to the Bankruptcy Act (P.L. 95-598), the District shall not alter, refuse, disconnect service to, or discriminate against, a customer, or a trustee of a customer, solely on the basis that a debt owed by the customer to the District for service rendered before issuance of the order for relief was not paid when due. It shall be the responsibility of the customer to supply the District with a copy of any applicable order for relief. The District shall disconnect service if neither the customer nor the trustee, within twenty (20) days after the date of the order for relief, furnishes adequate assurance of payment in the form of an advance payment for service after such date. As used herein, "adequate assurance of payment" shall mean an advance payment in an amount equal to the highest of the last six billings rendered to the customer, or for the customer's property if customer has not occupied the property for that period of time prior to the order for relief. As used herein, "order for relief" shall have the same meaning as given to it in the Bankruptcy Act. The commencement of a voluntary case under the Bankruptcy Act shall constitute an order for relief. Service may be disconnected in accordance with the rules of the District upon nonpayment for service rendered after the order of relief.

4.04.04 **Refund of Advance Payment:** Upon termination of service, the District will refund the balance of the customer's advance payment for that service in excess of any unpaid bills or charges. Refunds will be made in a reasonable period of time.

4.04.05 **Rendering and Payment of Bills:** Bills for service will be rendered for each customer on a monthly basis unless otherwise provided for in the rate schedules. Bills for service are due and payable upon presentation. It is the consumer's responsibility to assure that payments are received by the District in a timely manner. Partial payments are not authorized unless prior approval has been received from the District. Collection of closing bills may be made at the time of presentation. Bills will be computed as follows [Updated 4/19/21]:

4.04.05.01 Meters will be read at regular intervals for the preparation of periodic bills and as required for the preparation of opening bills, closing bills, and special bills.

Opening and closing bills for less than the normal billing period shall consist of charges for actual water consumption and a proration of the monthly meter charge.

4.04.05.02 Bills for metered service will show the meter reading for the current and previous meter reading period for which the bill is rendered, the number of units, date, and days of service for the current meter reading.

- 4.04.05.03 Each meter on a customer's premises will normally be billed separately. The readings of two or more meters will not be combined except where the combination of meter readings is specifically provided for in the applicable rate schedule or where the District's operating convenience or necessity may require the use of more than one meter or a battery of meters. In the latter case, the monthly minimum or readiness-to-serve charge will be determined from the monthly minimum or readiness-to-serve charges of the applicable rate schedule on the basis of a meter size equivalent in discharge area to the total combined discharge areas of such meters.
- 4.04.05.04 District billings shall be paid in legal tender of the United States of America. Notwithstanding the foregoing, the District shall have the right to refuse any payment of such billings in coin.
- 4.04.06 **Residential Water Service: Overdue Bills and Discontinuation of Service:** The Policy on Discontinuation of Residential Water Service for Non-Payment (Discontinuation Policy), set forth in Appendix L, shall apply to the discontinuation of residential water service for non-payment. In the event of any conflict between that Discontinuation Policy and any other policy, or rule, the Discontinuation Policy shall prevail. (Updated 4/19/21)
- 4.04.07 **Non-Residential Water Service: Overdue Bills and Discontinuation of Service** [Updated 4/19/21]: The following rules apply to non-residential customers whose bills remain unpaid for more than twenty (20) days following the invoice date:
- 4.04.07.01 **Small Balance Accounts:** If less than a minimum bill remains unpaid on any billing, it shall be carried over and added to the next billing period as specified in Appendix B.
- 4.04.07.02 **Overdue Notice:** If payment for a bill rendered is not made on or before the twentieth (20th) day following the "Bill Prepared" date, an Overdue Notice of nonpayment will be mailed to the water service customer approximately fifteen (15) days prior to the possible disconnection date identified in the Overdue Notice. A Late Charge, in the amount specified in Appendix B, shall be assessed and added to the outstanding balance. Upon receipt of the Overdue Notice of nonpayment and up to two (2) working days prior to the date set for disconnection, the customer may request an alternative payment arrangement pursuant to Article 4.04.11.
- 4.04.07.03 **Contents of Overdue Notice:** The Overdue Notice shall contain the following information:

- a) Customer's name and address
- b) Amount in arrears
- c) Date and time by which payment must be made
- d) Procedures for requesting amortization of the unpaid balance
- e) Possible sources for obtaining assistance
- f) Telephone number of the District representative who can provide additional information
- g) Date of disconnection

4.04.07.04 **Notice of Termination:** Forty-eight hours prior to the scheduled disconnection date set forth in the Overdue Notice, the District shall make a reasonable, good-faith effort to contact the customer by telephone or in person (whenever possible) and provide them with the information set forth in Article 4.04.07.03.

4.04.07.05 **Turn-Off Deadline:** Payment for water service charges must be received by the District no later than 4:30 p.m. on the date specified in the Overdue Notice. Postmarks are not acceptable.

4.04.07.06 **Waiver of Overdue Notices to Public Agency:** Public agencies, because of usual sound financial base and variations in warrant payment procedures, will not be sent Overdue Notices for nonpayment of current accounts.

4.04.07.07 **Notification of Returned Check Disposition:** Upon receipt of a returned check rendered as remittance for water service or other charges, the District will consider the account not paid. The District will attempt to notify the customer in person and leave a Notice of Termination of water service at the premises. Water service will be disconnected if the amount of the returned check and returned check charge are not paid by the due date specified on the notice. To redeem a returned check and to pay a returned check charge, all amounts owing must be paid by cash or certified funds.

4.04.07.08 **Returned Check Tendered as Payment for Water Service Disconnected for Nonpayment:**

- a) If the check tendered and accepted as payment which resulted in restoring service to an account that had been disconnected for nonpayment is returned as non-negotiable, the District may immediately disconnect said water service without further notice. The customer's account may only be reinstated by receipt of outstanding charges in the form of cash or certified funds. Once the customer's account has been reinstated, the account will be flagged for a one-year period indicating the fact

that a non-negotiable check was issued by the customer.

- b) If at any time during the one (1) year period described above, the customer's account is again disconnected for nonpayment, the District may require the customer to pay cash or certified funds to have said water service restored.

4.04.07.09 **Assessment for Unpaid Charges:** If prior attempts to collect unpaid charges for water or other services have been unsuccessful, such unpaid charges may become an assessment against the property for which the services were provided. Such assessments shall constitute a lien against that property, which lien may be recorded against the property to secure repayment of the delinquent amount. Any associated lien fees and accrued interest, as set forth in Appendix B, will be added to the balance of the unpaid charges.

4.04.08 **Residential Water Service: Disputed Bills (Appeals Procedure):** The procedure to be used to contest the accuracy of water or non-water charges upon receipt of a bill for water service is included in the District's Discontinuation Policy, set forth in Appendix L. (Updated 4/19/21)

4.04.09 **Non-Residential Water Service Disputed Bills (Appeals Procedure):** The procedure to be used to contest the accuracy of water or non-water charges upon receipt of a bill for water service is as follows [Updated 4/19/21]:

4.04.09.01 Within ten (10) days of receipt of the bill for water service, the customer has a right to initiate a complaint or request an investigation regarding any bill or charge rendered by the District. Such protest shall be made in writing and delivered to the District at its office. (Updated 6/19/07)

4.04.09.02 Following receipt of a complaint or a request for an investigation, a hearing date shall be set before an appointed hearing officer of the District. After evaluation of the evidence provided by the customer and the information on file with the District concerning the water charges in question, the District representative shall render a decision as to the accuracy of the water charges and shall provide the complainant with a brief written summary of the decision.

- a) If water charges are determined to be incorrect, a corrected invoice will be provided and payment of the revised charges will be due within ten (10) days of the invoice date for revised charges. If the revised charges remain unpaid for more than ten (10) days, water service will be disconnected, subject to right of appeal to the Board, on the next regular working day following the

period allowed for payment. Water service will only be restored upon full payment of all outstanding water charges, penalties, and any and all applicable reconnection charges.

- b) If the water charges in question are determined to be correct, the water charges are due and payable at the time the decision of the District representative is rendered.
- c) At the time the decision of the appointed representative is rendered, the customer will be advised of the right to further appeal before the District's Board.
- d) If the decision of the District representative is not to the satisfaction of the customer, the customer may submit a written request for a hearing before the District's Board at the next regular meeting.
- e) Water service may not be terminated until the investigation is completed and the customer has been notified of the District's decision.

4.04.09.03

When a hearing before the Board is requested, such request shall be made in writing and delivered to the District at its office. The customer will be required to personally appear before the Board and present evidence and reasons as to why the water charges in question are not accurate. The Board shall evaluate the evidence presented by the customer, as well as the information on file with the District concerning the water charges in question, and render a decision as to the accuracy of said charges.

- a) If the Board finds the water charges in question are incorrect, the customer will be invoiced for the revised charges and payment of the invoice is due within ten (10) days from the date of said invoice. If the revised charges remain unpaid after the prescribed period of time, water service will be disconnected on the next regular working day following the period allowed for payment or date set by the Board. Service will be restored only after outstanding water charges and any and all applicable reconnection charges are paid in full.
- b) If the water charges in question are determined to be correct, the water charges are due and payable at the time the decision of the Board is rendered.
- c) Any overcharges will be reflected as a credit on the next regular bill to the customer, or refunded directly to the customer, at the sole discretion of the Board.
- d) The Board's decision is final and binding.

4.04.10

Adjustment of Bills for Meter Error: The customer may request an adjustment of his/her bill on the basis of meter error. Such a request must be made in writing, and the rules set forth in Article 4.03.07.04, Meter Test Charge, will apply. The District will, within one (1) week, proceed to test

the customer's meter; the meter will be tested in an "as-found" condition in order to determine the average meter error. If the average meter error is found to exceed 3 percent, that is if quantities of water recorded by the meter are outside of a range between 97 percent and 103 percent of the actual quantities of water passed through the meter during the test, the following billing adjustments will be made:

- 4.04.10.01 **Fast Meters:** The District will refund to the customer the amount of the overcharge based on corrected meter readings for the period the meter was in use and determined to be incorrect, but not to exceed a period of six (6) months.
- 4.04.10.02 **Slow Meters:** The District may bill the customer, at its option, for the amount of the undercharge based upon corrected meter readings for the period the meter was in service and determined to be incorrect, but not to exceed a period of four (4) months.
- 4.04.10.03 **Non-Registering Meters:** The District may bill the customer according to an estimate of water consumed while the meter was not registering, but not exceeding a period of four (4) months. This estimate will be based on the customer's prior use during the same season of the previous year if conditions were unchanged during the year, or on a reasonable comparison of consumption of other similar customers during the same period.

4.04.11 **Alternative Payment Arrangements** *[Updated 4/19/21]:*

- 4.04.11.01 **Financial Hardship:** Any customer who is unable to pay for water service within the normal payment period and is willing to enter into an amortization agreement, or who otherwise requests extension of the payment period of a bill the customer asserts to be beyond the customer's financial means to pay in full during the normal payment period, may request amortization of the unpaid balance over a period not to exceed twelve (12) months.
- 4.04.11.02 **Consideration and Approval of Amortization Payment Plan:** The District will consider all circumstances surrounding any request for an amortization payment plan and will make a determination as to whether amortization is warranted. Requests for amortization of unpaid amounts shall be determined by the District's General Manager or his or her designee.
- 4.04.11.03 **Compliance with Plan:** The customer must comply with the amortization plan and remain current as charges accrue in each subsequent billing period. The customer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to an

amortization plan. Failure to comply with the terms of an amortization plan will result in a Notice of Termination pursuant to Article 4.04.07.04.

4.04.11.04 **Special Conditions for Certain Residential Customers:** Any residential customer who meets the three conditions under Section II(C) of the District's Discontinuation Policy, as set forth in Appendix L, may be eligible for alternative payment arrangements as described in Section III of the policy.

4.04.12 **Transfer (Old/New) Service:** Any and all outstanding balances left unpaid over thirty (30) days on a closed account by a customer making application for a new service connection elsewhere in the District will either be collected in full at the time the customer makes application for a new account or will be transferred to the new account.

4.05 **TURN-ON AND TURN-OFF PROCEDURES AND CHARGES**

4.05.01 **Turn-Off at the Customer's Request:** A customer may request that service be disconnected, either temporarily or permanently, by giving at least one (1) working day's advance notice of the date for such disconnection to the District. If the advance notice is not given, the customer will be billed for service until one (1) working day following the District's knowledge that the customer has vacated the premises or otherwise has discontinued service.

4.05.02 **Turn-Off by the District** [Updated 4/19/21]: The District may disconnect a customer's service for various reasons as listed below. Such involuntary disconnections are effected by turning off and locking the meter, thereby stopping the water service. Reasons for involuntary disconnection include, but are not limited to, the following:

4.05.02.01 **Nonpayment of Bills:** A service may be disconnected for periodic nonpayment of bills. Before a service is disconnected, the customer shall be notified of the disconnection in accordance with the District's Rules and Regulations, including the District's Discontinuation Policy, as set forth in Appendix L. A service may be disconnected for nonpayment of bills of a customer whether or not the payment delinquency is associated with water service at that service connection or at any other water service connection of that same customer.

4.05.02.02 **Noncompliance with Rules:** The District may disconnect service to any customer for violation of the District's Rules and Regulations following a minimum of five (5) days' written notice to the customer of such intention. Where safety of the District's water supply is endangered by a customer's acts or omissions, service may be disconnected immediately without notice.

- 4.05.02.03 **Waste of Water:** In order to protect itself against serious and negligent waste or misuse of water, the District may disconnect service if such wasteful practices are not remedied within five (5) days after notice to such effect has been given to the customer.
- 4.05.02.04 **Unsafe or Hazardous Conditions:** The District may disconnect a service without notice if unsafe or hazardous conditions are found to exist on the customer's premises. The District will immediately notify the customer of the reasons and the necessary corrections required before reconnection. Such unsafe or hazardous conditions may exist due to defective appliances or equipment that may be detrimental to either the customer, the District, or to the District's other customers.
- 4.05.02.05 **Fraudulent Use of Service:** When the District has discovered that a customer has obtained service by fraudulent means, or has diverted the water service for unauthorized use, the service to that customer may be disconnected without notice. The District will not restore service to said customer until that customer has complied with all Rules and Regulations of the District and the District has been reimbursed for the full amount of the service rendered plus all the costs incurred by the District by reason of the fraudulent use.
- 4.05.02.06 **Improper Cross-Connection Protection:** The District may disconnect a service if it finds improper cross-connection protection is being provided at connections requiring specific protection as set forth in Article 8.15.
- 4.05.02.07 **Removal of a Service Connection:** The District may act to remove a service connection if:
- a) The service connection has remained inactive for a period of more than one year
 - b) The service connection has been purposely damaged or tampered with
 - c) The service connection poses a health and safety risk
 - d) The service connection is being used contrary to its original purpose
 - e) The service connection poses an immediate cross-connection risk

- 4.05.03 **Restoration of Service:** In order to resume or continue service that has been disconnected by the District for those reasons set forth in Article 4.05.02.01, the customer must pay all charges and any required security deposit, as set forth under Article 4.03.07.01 and 4.03.07.02. The District will endeavor to make such reconnections as soon as practicable as a convenience to the customer. The District shall make the reconnection no

later than the end of the next regular working day following the customer's request and payment of any applicable charges. *(Updated 3/17/08)*

- 4.05.04 **Refund of Security Deposit:** The District shall refund to the customer the amount held as a security deposit pursuant to Articles 6.02.03.01 and 6.02.03.02. However, during the life of the customer's account, the District may require any customer, regardless of whether he or she was previously found to be creditworthy, to post a security deposit as specified in Appendix B, any time there are three assessed late charges within any consecutive six-month period. *(Updated 2/21/12)*

4.06 **CHANGES IN METER SIZE, LAND USE, OR INCLUSION OF ADDITIONAL LAND AREA**

The owner of a property who desires a change in meter size or location, who substantially changes the type of land use (such as residential to commercial), or who wishes to include adjacent land areas not served at the time of the original commencement of service, shall request such change in writing and, if approved by the District, shall pay the various costs and charges as set forth below:

- 4.06.01 **Charges for a Smaller Meter:** If the desired meter size is the next smaller size meter than the current size, the owner will not be charged for a new regular connection for the desired meter size as set forth in Article 6.05; however, the owner will be charged a Meter Exchange Charge as specified in Appendix B.
- 4.06.02 **Charges for a Larger Meter:** If the desired meter size is larger than the current size, the owner shall pay the full current charges for a new regular service connection for the desired meter size as set forth in Article 6.05, less any credit on the removed meter. In addition, the owner must also pay the current Capacity Charge as set forth in Article 6.06. Such charges that have been paid previously by the owner or predecessors will be credited against the amount due under current charges.
- 4.06.03 **Charges for Change in Meter Location:** If a customer desires a change in location of the meter, such change may be granted with the mutual agreement of the District and the property owner, and the owner/customer shall pay for the actual costs incurred by the District. Lateral meter relocations of less than two (2) feet can generally be executed without re-tapping the water main; however, lateral meter relocations greater than two (2) feet require re-tapping the water main and abandoning the original service line and tap.
- 4.06.04 **Change in Land Use:** Any customer/property owner must inform the District of any change in the character, size, or use of the property or buildings other than that for which the service connection was originally intended. Such changes include, but are not limited to, a residential property reclassified or used as commercial or industrial, or a commercial property reclassified or used as industrial. Upon such a change, the owner shall pay the current Capacity Charge as set forth in Article 6.06, less credit for such charges previously paid by the owner or predecessors. In all

cases, the General Manager shall determine the property's zoning classification or intended use. Subject to an appeal to the Board, such determination by the General Manager will be final.

- 4.06.05 **Inclusion of Additional Land Area:** Any customer/property owner shall notify the District of any additional land area or adjacent lots not served at the time of original commencement of service that are to be served from the existing service connection. In such cases, the District will assess current Capacity Charge for the additional land area as set forth in Article 6.06.

4.07 **WATER CONSERVATION**

The purpose of this rule is to ensure that water resources available to the District are put to a reasonable beneficial use and that the benefits of the District's water supply and service extend to the largest number of persons. Every 5 years the District updates its Urban Water Management Plan, which details the long-range plans for the use and management of the District's water supply. The current Urban Water Management Plan is on file in the District's office.

- 4.07.01 **Water Use Efficiency Requirements** [Updated 4/19/21]: In an effort to avoid serious and negligent waste of water, the District has instituted the following permanent water use efficiency requirements. Violations of this section may be considered an unauthorized use of water and subject to penalties established in Article 4.03.07.07 and/or Article 4.05.02.03.

4.07.01.01 **Limit on Watering Duration:** Watering or irrigating of lawn, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than fifteen (15) minutes watering per day per station. This subsection does not apply to landscape irrigation systems that exclusively use very low-flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour and weather-based controllers or stream rotor sprinklers that meet a 70% efficiency standard.

4.07.01.02 **Limits on Watering Hours:** Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of 8:00 a.m. and 5:00 p.m. on any day, except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for short periods of time for the express purpose of adjusting or repairing an irrigation system.

4.07.01.03 **Limits on Watering Following Precipitation/Rainfall:** Watering or irrigating of lawn, landscape, or other vegetated area with potable water within forty-eight (48) hours following measurable precipitation is prohibited.

- 4.07.01.04 **No Excessive Water Flow or Runoff:** Watering or irrigating of any lawn, landscape, or other vegetated area in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch is prohibited.
- 4.07.01.05 **No Washing Down Hard or Paved Surfaces:** Washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards, and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off device, a low-volume, high-pressure cleaning machine equipped to recycle any water used, or a low-volume high-pressure water broom.
- 4.07.01.06 **Obligation to Fix Leaks, Breaks or Malfunctions:** Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the water user's plumbing or distribution system for any period of time after such escape of water should have reasonably been discovered and corrected and in no event more than seven (7) days after receiving written notice from the District is prohibited.
- 4.07.01.07 **Limits on Washing Vehicles:** Using water to wash or clean a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not is prohibited, except by use of a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing water shut-off nozzle or device. This subsection does not apply to any commercial car washing facility.
- 4.07.01.08 **Recirculating Water Required for Water Fountains and Decorative Water Features:** Operating a water fountain or other decorative water feature that does not use recirculated water is prohibited.
- 4.07.01.09 **No Installation of Single Pass Cooling Systems:** Installation of single pass cooling systems is prohibited in buildings requesting new water service.
- 4.07.01.10 **No Installation of Non-recirculating Water Systems in Commercial Car Wash and Laundry Systems:** Installation of non-recirculating water systems is prohibited in new commercial conveyor car wash and new commercial laundry systems.

- 4.07.01.11 **No Irrigating Ornamental Turf on Public Street Medians:** Irrigating ornamental turf on public street medians with potable water is prohibited.
- 4.07.01.12 **Negligent Waste of Water:** At the discretion of the General Manager, the District reserves the right to determine negligent waste or misuse of water supplies. Such waste of water supplies is prohibited, constitutes an unauthorized use of water and is subject to imposition of penalties pursuant to these Rules and Regulations.
- 4.07.02 **Water-Saving Devices:** Each customer of the District is urged to install devices to reduce the quantity of water needed to flush toilets, reduce the flow rate of shower heads, reduce the amount of water used for turf irrigation, or any other reduction which may be required to comply with any regulations promulgated by State or local authorities.
- 4.07.03 **Alternate Sources – Use of Recycled Water:** Whenever economically feasible, recycled water shall be used to the fullest extent possible.
- 4.07.04 **Water-Saving Practices:** Each customer in the District is urged to implement other water-saving and reuse practices and procedures which are feasible.
- 4.07.05 **Dual Meters:** To facilitate potential water conservation measures and provide for expansion of recycled water use, all new commercial/industrial sites shall be required to install separate meters for potable water use and landscape irrigation. This requirement shall also apply to any commercial/industrial sites undergoing a change of use or inclusion of additional land area, as defined in Section 4.06. For purposes of this requirement, change of use shall include, but not be limited to, tenant improvements or other expansion constituting a substantial change in the character, size, or use of the property, as determined by the General Manager or designee on a case-by-case basis.

4.08 PRIVATE FIRE PROTECTION SERVICE

- 4.08.01 **Private Fire Protection Service:** Shall be installed and paid for in total by the owner or developer. The specifications for such service shall be established by the District and shall provide for the installation of an approved aboveground double detector check valve, including bypass meter, in accordance with District Standard 20A and as specified in Article 8 hereof. Any such service shall be subject to inspection and assessment as specified in Article 8 hereof. Installation of a detector check valve may not necessarily preclude the addition of a backflow prevention device where deemed necessary by the District.
- 4.08.02 **Unauthorized Use:** The use, or attempted use, of water through any hydrant, sprinkler head, hose rack, or any other device for any purpose other than directly in connection with fire protection purposes, without the prior written consent of the District in each case, shall be cause for

immediate disconnection of the service. The District may make no further deliveries of water through such service nor will the District continue to maintain such service until a suitable meter of the type and size approved by the District is installed through which may be registered all water flowing to said service. The cost and expense of the installation of such meters shall be borne by the customer and shall be paid in advance to the District based upon the estimate by the District of the cost of such installation. If the actual installation cost is more than that estimated by the District, the customer shall forthwith, upon demand, pay such excess; and, in the event the cost is less than that estimated by the District, the District will refund the excess to the customer.

4.08.03 **Sizing:** The District reserves the right to determine the size of private fire service connections.

4.09 **UNLAWFUL ACTS**

Customers shall comply with all applicable Federal, State, and local laws, ordinances, and regulations related to water service.

4.10 **FIRE HYDRANT/BLOW-OFF DAMAGE**

When any person, company, or agency is determined to be the responsible party that has caused damage to a fire hydrant or blow-off, the District may charge that party with all costs necessary to repair the damages and the cost of water loss computed from District records on the basis of the duration of flow and the flow rate. In situations where water loss is not reflected in the District records, water loss shall be based upon the type of land zoning in which the fire hydrant is located:

	<u>Fire Hydrant</u>	<u>Blow-Off</u>
Industrial	10,000 gallons per minute	3000 GPM
Commercial	5,000 gallons per minute	2000 GPM
Residential	2,500 gallons per minute	1500 GPM

If the length of time the broken fire hydrant was flowing cannot be reasonably determined by witnesses or District records, the minimum time used for calculating lost water shall be thirty (30) minutes.

- END OF ARTICLE 4 -

ARTICLE 5

RULES APPLICABLE TO TEMPORARY CONNECTIONS

5.01 ESTABLISHMENT OF TEMPORARY WATER SERVICE

The District will, if no undue hardship would result therefrom, furnish temporary service when the applicant has requested service on this basis or the District reasonably expects the service to be temporary and the applicant, therefore, has paid advances and established credit. The District contemplates temporary service will be provided for a term of approximately ninety (90) days or less and requires the applicant to comply with the following:

- 5.01.01 **Advances:** The applicant must advance to the District the estimated net cost of installing and removing the facilities necessary to furnish the service.
- 5.01.02 **Deposits/Establishment of Credit:** The applicant must deposit a sum of money equal to the estimated bill when the duration of service is to be for a period of one month or less, subject to adjustment or refund according to the actual bill at termination of service.
- 5.01.03 **Water Service for Civic Activities:** Upon application, water metering devices and water service will be provided at no cost to recognized charitable and civic organizations, subject to the following conditions:
 - 5.01.03.01 The applicant must be a tax-exempt, charitable organization or civic group organized and operating within the boundaries of the District.
 - 5.01.03.02 The applicant shall agree to hold harmless and indemnify the District from any and all claims or actions arising out of the provision of water service and facilities.
 - 5.01.03.03 The temporary use by the applicant shall be for a period not to exceed fourteen (14) calendar days during any calendar year.
 - 5.01.03.04 The actual cost of labor, materials, and commodity charges shall not exceed \$50. All amounts in excess of \$50 shall be billed to the applicant and paid in accordance with the current District Rules and Regulations for water service.

5.02 RATES, CHARGES AND CONDITIONS OF SERVICE

Except for construction water as set forth in Article 5.04 below, the rates, charges, and conditions for temporary service will be the same as those prescribed for permanent service.

5.03 CONNECTIONS TO FIRE HYDRANTS

Fire hydrants connected to District mains are for use by the District and by public fire protection agencies. Other parties desiring to use water from fire hydrants for any purpose must obtain written permission from the General Manager in the form set forth in Appendix D, Permit to Use District Facilities, and from the appropriate fire protection agency prior to use, and shall operate the hydrant according to the instructions issued by the District. Unauthorized use will be subject to penalty and will be prosecuted according to law. Notwithstanding all other penalties, charges for unauthorized use of water through fire hydrants will be subject to the appropriate charge specified in Appendix B. Any connection to a fire hydrant must comply with the cross-connection control requirements set forth in Article 8 hereof.

5.04 WATER FOR CONSTRUCTION NEEDS

Water used for temporary construction needs, such as grading or dust control, is classified by the District to be surplus water. Supply of such water can be terminated without notice in the event of water shortage, water rationing, general emergency, or anytime deemed necessary by the District. Recipients of water for construction needs shall be considered Temporary Water Consumers (potable) and Temporary Water Customers (recycled) as defined in Article 3. Any water supplied for construction needs must comply with the cross-connection control requirements set forth in Article 8 hereof.

5.04.01 **Potable Sources of Construction Water:** All requests for construction water shall be made on an approved permit form available in the District office and accompanied by the appropriate deposit amount as stated in that form, a copy of which is attached as Appendix D, Permit to Use District Facilities. Any costs involved in supplying such connections will be prepaid by the applicant. All applicants for construction water must be licensed contractors in the State of California and are required to comply with the rules, charges, and conditions of service set forth in Part 4 of Appendix A and in Appendix D.

5.04.02 **Recycled Sources of Construction Water:** All Requests for recycled water for construction purposes shall be made to the District in writing and accompanied by the appropriate deposit. All applicants for construction water must be licensed contractors or the property developer for the land upon which the recycled water will be used. When a metered or non-metered use changes from temporary or construction to permanent use, then an additional deposit, based upon the creditworthiness of the new customer, will be required if deemed necessary by the District in accordance with Section 6.02.04 of these Rules and Regulations. Any costs involved in supplying such metered or non-metered connections shall be prepaid by the applicant. Recycled water used for construction purposes shall be either through a temporary (metered or non-metered) connection or a permanent (metered) connection and billed at the Recycled Water Construction Rate identified in Appendix A. Use of recycled water for construction purposes through a temporary connection may be allowed at the discretion of the General Manager.

5.05 TEMPORARY WATER SERVICE

Temporary metered connections to any existing aboveground District facilities must be applied for by letter and will be subject to the approval of the General Manager. Any costs incurred in the installation of such a temporary meter shall be borne by the applicant. In the event the temporary use exceeds a duration of ninety days, the applicant must apply for permanent service or the District will terminate the temporary water service. Any temporary water service must comply with the cross-connection control requirements set forth in Article 8 hereof.

- END OF ARTICLE 5 -

ARTICLE 6

RULES APPLICABLE TO INDIVIDUAL APPLICANTS FOR WATER SERVICE

6.01 APPLICANT

Applicant for service must be either the owner or the tenant of the premises that will be served by the metered connection. Tenants will be required to file an affidavit with the District, signed by the owner of the premises, under which the owner assumes responsibility for any unpaid water charges resulting from the actuation and use of this service by a tenant. A sample affidavit will be supplied by the District, a copy of which is attached hereto as Appendix G.

6.01.01 **Use of an Active Service by New Tenant/Owner:** A person who takes possession of premises and uses water without applying for water service is liable for all water delivered from the date of the last recorded meter reading. If the meter is found inoperative, the quantity consumed will be estimated. If proper application for service is not made within forty-eight (48) hours after notification to do so, water service shall be disconnected without further notice.

6.01.02 **Tenant's Right to Have Service in Tenant's Name** [Updated 4/19/21]: Notwithstanding any other provision of this Article 6, a tenant has the right under applicable law and where all conditions are met to have the Service put in the tenant's name as specified in the District's Policy on Discontinuation of Residential Water Service for Non-Payment, set forth in Appendix L.

6.02 APPLICATION FOR SERVICE [Updated 4/19/21]

Each applicant for service is required to sign, on a form prescribed by the District, an application setting forth the following contents and limited to the purpose stated below:

6.02.01 **Information Required from Applicant:**

1. Legal Name of Applicant
2. Date of application
3. Location of premises to be served
4. Start date applicant would like to begin water service
5. Agreement to abide by District Rules and Regulations
6. Address to which bills are to be mailed or delivered
7. Home, mobile, and office telephone numbers
8. Email address
9. Social Security Number
10. Driver's License Number
11. Acknowledgment of District's security deposit requirements if service is subject to turnoff for reason of nonpayment of any billing rendered
12. Such other information as the District may reasonably require

Failure to complete and return a signed application, along with any required documents, within 14 working days will subject the service to disconnection and applicable reconnection charges without further notice.

6.02.02 **Purpose:** The application is merely a written request for service and does not bind the applicant to take service for a period of time longer than that upon which the minimum charge is based. In addition, the application does not bind the District to serve except under reasonable conditions and upon the approval of the General Manager.

6.02.03 **Establishment of Credit:** The District may require applicants for service to provide it with information sufficient to enable the District to determine the creditworthiness of the applicant. Upon determining the applicant's creditworthiness, the District may require the applicant to deposit with the District such sums of money as determined by the Board from time to time as specified in Appendix B, as a condition for obtaining service. A security deposit required for a new water service connection applicant shall be determined by the Board as specified in Appendix B, according to the consumer's classification and meter size.

6.02.03.01 **Single Family Residential Customers and Multiple-Unit Residential Customers in Dwelling Units with Individual Meters:** The District shall refund to a residential customer the amount held as a security deposit if the customer's account for the previous twelve months is free of any overdue notices or late charges. The security deposit refunds will be credited to the customer's account. No interest will be paid on deposits.

The District shall refund all residential customer security deposits at the termination of water service. The refunded security deposit shall first be applied toward the unpaid balances on any account held by the customer with the District before the remaining sum, if any, is refunded to the customer. No interest will be paid on deposits.

6.02.03.02 **Commercial, Industrial, Multiple-Unit Customers with Master Meters:** The District shall refund each security deposit to a commercial, industrial or multiple-unit customer at the termination of water service. The refunded security deposit shall first be applied toward the unpaid balances on any account held by the customer with the District before the remaining sum, if any, is refunded to the customer. No interest will be paid on deposits.

During the life of a customer's account, the District may require any customer, regardless of whether he or she was previously found to be creditworthy, to post a security deposit as specified in Appendix B any time there are three (3) assessed late charges within any consecutive six-month period.

6.02.03.03 **Pre-Payment Upon Disconnect for Non-Payment:** The Customer shall be required to deposit with the District such sums as specified in Appendix B in the event the customer's service is disconnected for non-payment as provided in Article 4.04.02.

6.02.03.04 **Waiver of Deposit:** Public Agencies will not be subject to the deposit requirements stated above.

6.03 **NEW CUSTOMER APPLICATION ADMINSTRATIVE CHARGE**

Applicants for service shall pay the District a new customer application administrative charge as determined by the Board from time to time. Such charges are set forth in Appendix B.

6.04 **REFUSAL TO SERVE**

6.04.01 **Conditions for Refusal:** The District may refuse to serve an applicant for service under the following conditions:

6.04.01.01 The applicant fails to comply with any of the rules and regulations contained herein.

6.04.01.02 The intended use of the service is of such a nature that it will be detrimental or injurious to existing customers.

6.04.01.03 The applicant's installation for utilizing the service is unsafe or hazardous in the judgment of the District, or of such nature that satisfactory service cannot be rendered, or exceeds the normal capacity of the meter service.

6.04.01.04 Where service has been discontinued for fraudulent use, the District will not serve an applicant until it has determined that all conditions of fraudulent use or practice have been corrected.

6.04.01.05 The applicant is not the owner of the premises that will be provided with service where a prior tenant has left an unpaid balance for water charges. This condition for refusal to serve may be waived if the applicant elects to pay any outstanding water charges at the premises.

6.04.02 **Notification to Applicant:** When an applicant is refused service under any of these provisions, the District will notify the applicant promptly of the reason for the refusal to serve and of the right of applicant to appeal the District's decision.

6.05 WATER SERVICE CONNECTIONS [Updated 4/19/21]

For those premises that do not have an existing service connection, the applicant will be charged for the installation and material costs for a service connection in accordance with Appendix B. In addition, the applicant must pay the Capacity Charge as set forth in Articles 6.06. If such a connection requires an extension of the District's mains, the applicant must also pay the costs of main extension as set forth in Article 6.07. In all cases, the applicant shall contribute for any existing mains and public fire hydrants as set forth in Article 6.07. In instances where such additional charges are due, credit will be allowed for any such previous payments made by either the applicant, owner, or their predecessors. In order to ensure the ability of the District to collect these increased charges where applicable, the size of any such meter service and/or the area it serves, the property's zoning classification, or actual use shall be determined by the General Manager. Such determination by the General Manager will be final.

- 6.05.01 **Size:** The District reserves the right to determine the size of the service connection, the service pipe, the water meter, and the type and size of any backflow preventer or other appurtenances required for the installation.
- 6.05.02 **Location:** Service will be installed at locations designated by the applicant, but only at curb and/or property lines of the property to be served abutting upon a public street, highway, alley, lane, or road (other than a freeway) which contains an installed water main of the District.
- 6.05.03 **Looped Metered Connections:** Service provided to a location that has its own distribution system that is looped and connected to District facilities by two (2) or more meters shall be provided with an approved type backflow prevention device immediately downstream of each metered connection per Article 8.
- 6.05.04 **Payment and Ownership:** Where a regular charge has been fixed for a type of service connection, such regular charge shall be paid in advance by the applicant. Where no regular charge has been fixed, the District will require the applicant to deposit an amount equal to the estimated cost of such connection as determined by the General Manager. If the General Manager's estimate is less than the actual cost, the applicant shall pay the difference to the District and, if the actual cost is less than the estimate, the District will refund the difference to the applicant. All service connections, meters, and measuring devices shall become and remain the property of the District.
- 6.05.05 **Changes in Service Connection/Meter Size or Use:** Payment of the current charges for the Capacity Charge will be required upon the occurrence of any of the following:
- 6.05.05.01 The alteration or increase in meter size due to increase in water demands or flow-requirements of a service connection exceeding the capacity of the existing meter.

6.05.05.02 The service of any area, adjacent property, or property of different ownership not served at the time of the original commencement of service.

6.05.05.03 The increase of use by reason of land zoning reclassification or actual physical use of the land or structures thereon.

6.05.06 **Limitations of Use of Service Connections:**

6.05.06.01 **Number of Units and Land Area:** To the extent permitted by law, the District reserves the right to limit the number of buildings, separate houses, living or business quarters, and the area of land under one ownership to be supplied by one service connection.

6.05.06.02 **After Subdivision:** When property provided with a single service connection is subdivided, the service connection shall be considered as belonging to the lot or parcel of land which it directly enters.

6.05.06.03 **Supplying to Other Property:** Except by special permission by the District, no service connection shall be used to supply adjoining property belonging to a different owner, or adjoining property acquired by the original applicant or owner subsequent to installation of the original service connection, or to supply property of the same owner on opposite sides of a public street or alley, or to supply water to any property for which the Capacity Charge shall not have previously been paid to the District.

6.05.06.04 **Supplying Outside District:** No service connection will be used to supply water received from the District to property outside the District.

6.06 **CAPACITY CHARGE**

A fee imposed by the District for: (a) public water facilities in existence at the time the fee is imposed; or (b) new public water facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged. This charge is in addition to any and all other charges and requirements set forth by the District and will be deposited in a special fund known as the capacity charge fund; monies from this fund are to be utilized for the construction of potable and recycled water system expansion and improvements, conservation projects, recycled water irrigation retrofits, and for any other related use that is approved the Board.

6.06.01 **Determination of Charges:** The capacity charge is computed on the basis of equivalent meters. The charge shall be determined based on the meter requirements for the type of development. The charges shall be as set forth in Appendix C.

- 6.06.02 **Credits:** In instances where there is a modification of service or change in fixture units previously paid by the owner or predecessor, the amount of such previously paid charge will be credited against the current charge based on current or proposed modification of service.

6.07 **MAIN EXTENSIONS**

If an applicant's property does not front upon an existing distribution main of the District, such applicant shall, in addition to any and all other charges, be required to pay the cost of a main extension of a size to be determined by the General Manager. The size of the extended main may be larger than that required to serve the applicant, in which case the District shall bear the difference in cost between the larger size and the size required to serve the applicant as described in Article 6.08. In addition, the cost may include the cost of providing a circulating line to avoid a dead-end line if deemed necessary by the General Manager.

- 6.07.01 **Payment of Costs:** Prior to construction by the District, the applicant shall deposit an amount of money equal to the District's cost estimate for the work. Upon completion of construction, the applicant will be charged the actual cost and the difference shall be refunded or billed to the applicant.

- 6.07.02 **Water Main in a Private Street:** The District will not install a water main in a street which is not formally dedicated to public use unless the following conditions are met:

6.07.02.01 Applicant grants to the District a non-exclusive easement or easements for the installation, maintenance, and replacement of water lines and appurtenances required for such service as determined by the General Manager on an approved District form. Size and location of said easement(s) shall be determined by the Planning and Engineering Department. Format for the legal document shall be on an approved District form. In most instances, a grant of easement shall be provided to the District at no cost.

6.07.02.02 The General Manager approves the easement and the application for service.

- 6.07.03 **Water Main in Private Property:** The District will not install a water main in private property unless the following conditions are met:

6.07.03.01 Applicant grants to the District a non-exclusive easement(s) for the installation, maintenance, and replacement of water lines and appurtenances required for such service. Size and location of said easement(s) shall be determined by the Planning and Engineering Department. Format for the legal document shall be on an approved District form. In most instances, a grant of easement shall be provided to the District at no cost.

6.07.03.02 The General Manager approves the easement and the application for service.

6.08 CONTRIBUTIONS FOR EXSISTING FACILITIES

Wherever any water line of the District constructed exclusively by the use of Acreage Supply Charge Funds now exists, or is hereafter placed adjacent to any parcel of property through which water may be served to parcels abutting on said line, in addition to the Acreage Supply Charge herein provided to be paid, there shall be paid at the time service is required to such parcel a contribution on the existing main and other facilities, such as hydrants, as determined by the District, based on the size which would be required to serve the parcel. The calculation of the contribution for existing facilities shall be based on the Front Footage Charge as set forth in Appendix B. The General Manager shall be responsible to determine the size of water main necessary for the development.

Where there is an existing distribution main in the public street from which a corner lot may receive water service from the District and a service connection is requested (except by a subdivider, who shall be required to pay the entire expense of the necessary main extension, including a circulating line) beyond the said corner lot and said requested service connection requires an additional main extension, the District will install, at its expense, the said necessary water main for the width of the said corner lot, or one hundred twenty-five (125) feet, whichever is the shorter distance. Distances shall be measured from the front lot line of the corner lot.

6.09 MAINLINE OVERSIZING

The District reserves the right to oversize any of the water mains which serve a property or planned development. The portion of the main which is considered oversized will be determined by the District on the basis of the difference between the size of the main required to serve the development and the size that the District requires.

In such a case, the District will bear the difference in cost as follows:

6.09.01 **12-Inch Mains and Smaller:** The District will pay for the difference in the cost of materials between the size required for the development and the larger size of pipe, valves, fittings, and other appurtenances determined by the District for satisfactory operation of the system. Such difference in cost will be determined by the District.

6.09.02 **Larger than 12-Inch:** The District's cost of the materials oversizing will be the same as Article 6.09.01. The District will also bear the difference in cost of the labor on a pro-rata basis on main diameter as determined by the District.

6.10 DEAD-END LINES

No dead-end lines shall be permitted except at the discretion of the General Manager. In cases where circulation lines are necessary, they shall be designed and installed by the District as part of the cost of the main extension and paid for by the developer in accordance with Article 6.07.

6.11 PROVISION OF SERVICE

The District shall not be obligated to provide water service to any applicant for water service until any and all fees, charges, and past-due assessments owing to the District and associated with the parcel, for which water service is being sought, have been paid in full.

- END OF ARTICLE 6 -

ARTICLE 7

RULES APPLICABLE TO DEVELOPERS AND SUBDIVIDERS

The Total Project Cost for design and construction of all distribution mains and other necessary facilities required in subdivisions, or to service a remote parcel of land shall be paid for by the developer or sub-divider as set forth in this Article 7. Actual procurement of materials and construction of all facilities shall be performed by the District or its contractor. In some cases the District may require larger size mains to be installed than are actually required to serve a particular subdivision or remote parcel. In such event, the District will bear the difference in cost between the size required and the larger size of pipe, valve, fittings, and other appurtenances as described in Article 6.09. Such difference in cost will be determined by the District.

7.01 APPLICATION PROCEDURE

7.01.01 **Submission of Plans and Fire Requirements:** The sub-divider or developer shall furnish the District with two (2) copies each (except as noted) of the following:

Street Plan
Grading Plan
Tract/Parcel Map
Plot Plan
Sewer Plan
Storm Drainage Plan

Fire Department Requirements – One copy of the plot plan, stamped by the Fire Department, showing fire hydrant locations and fire flow requirements.

Service Locations and Sizes – The developer shall determine and indicate on one copy of the tract map the sizing of all service connections, subject to District approval per Article 6.05.01.

Size of Development – The developer shall provide the District with documentation of the gross (blue border) acreage of the property being developed.

7.01.02 **Master Plan:** In cases where the total area to be developed covers more than one tract or requires extensive study, as determined by the District, a water system master plan of the proposed development shall be performed by the District and paid for by the developer.

7.01.03 **Request for Statement of Water Service:** Upon written request by the applicant to the District, the District will advise the Department of Real Estate and/or the County Engineer by letter if water can be supplied to the proposed subdivision. The form of the letter is substantially in the form set forth in Appendices I.

7.02 COSTS AND CHARGES

The developer shall be assessed the following costs and charges, which are payable according to the payment schedule set forth in Article 7.04.

- 7.02.01 **Water System Design and Plan Check Deposit:** The developer of any project shall place with the District, prior to the District designing any water plans for the developer's project, a non-refundable deposit in accordance with Sections 7.04.01.01, 7.04.02.01, 7.04.03.01 or 7.05 of these Rules and Regulations. The Water System Design and Plan Check Deposit shall be computed as set forth in Appendix B.
- 7.02.02 **Construction Costs:** These costs include the total direct cost of labor and materials for mains, valves, fire hydrants, service connections, meters, and other appurtenances, less the difference in cost due to any District-required oversizing.
- 7.02.03 **District Administrative Charge:** This charge covers the District's costs of engineering, plan checking, inspection, and administrative burden and is computed as set forth in Appendix B.
- 7.02.04 **Capacity Charges:** This charge shall be paid by the developer as set forth in Article 6.06.
- 7.02.05 **Front Footage Charge:** This charge may be collected based on front footage at the parcel served on the street which contains the water main that will supply water to the parcel. Said Front Footage Charge shall be determined by the District, subject to revision on a case-by-case basis as set forth in Appendix B.
- 7.02.06 **Existing Fire Hydrant Fees:** The District may impose a fee to help defray the cost of the prior installation of any existing fire hydrant within three hundred (300) feet of the property served.
- 7.02.07 **GIS Update Fees for Developer-Funded Projects:** This charge will be collected to cover the costs of outside services required for updating the District's GIS system following completion of projects involving developer-funded system improvements/modifications as set forth in Appendix B.

7.03 **PROCESSING SEQUENCE**

The flow chart contained herein as Appendix E sets forth the sequence associated with the processing of developer-submitted plans, payment schedules, bidding procedures, and the obtaining of necessary permits prior to start of construction. This flow chart is included for the convenience of the developer and, if a conflict exists between data contained in Appendix E and the narrative Rules and Regulations, the narrative Rules and Regulations will apply.

7.04 **PAYMENT SCHEDULE**

As shown in Appendix E, Processing Sequence, different payment schedules are required for Residential, Public Agency, and Industrial/Commercial developments.

- 7.04.01 **Residential Developments:** The developer of any parcel shall pay the Total Project Cost, as defined in Article 3, in four (4) installments. After

final construction is complete, the Total Project Cost will be reconciled and the developer will be invoiced for any excess cost over and above the four installments paid or refunded any excess moneys remaining.

7.04.01.01 The first installment shall consist of a non-refundable Water System Design and Plan Check Deposit as set forth in Appendix B, Item 18, and must be paid prior to the District commencing design work for the water system. This deposit shall be credited towards the District Administrative Charge as set forth in Appendix B, required as part of the developer's second installment.

7.04.01.02 The second installment shall be paid after the water system improvement plans have been approved by the City/County Engineer and shall consist of the following items:

- a) District Administrative Charge (less prepaid Water System Design and Plan Check Deposit received in the first installment) (See Articles 7.02.01 & 7.02.03)
- b) Capacity Charge (See Articles 7.02.04 and 6.06)
- c) Contributions For Any Existing Facilities (See Articles 7.02.05, 7.02.06, & 6.07)
- d) Cost of Long Lead Time Materials (i.e., special orders such as tapping sleeves, regulating valves, meters, etc.)
- e) Cost of GIS Update for Developer-Funded Projects (See Appendix B)

7.04.01.03 The third installment shall be paid after the District has selected the successful bidder for all materials, pipe, etc. This third installment shall be an amount equal to the actual cost of all materials, plus a ten percent (10%) contingency.

7.04.01.04 The fourth installment shall be paid after the District has selected the successful bidder for labor. This fourth installment shall be an amount equal to the actual bid cost of all labor, plus a ten percent (10%) contingency.

7.04.02 **Industrial/Commercial Developments:** The developer of any parcel shall pay the entire project cost in two (2) installments.

7.04.02.01 The first installment shall consist of a non-refundable Water System Design and Plan Check Deposit, as set forth in Appendix B, and must be paid prior to the District commencing design work for the water system. This deposit shall be credited towards the District Administrative Charge required as part of the developer's second installment as set forth in Appendix B.

7.04.02.02 The second installment shall be an amount equal to the estimated Total Project Cost of the water system (less the first installment) required for the project and shall be paid following completion of plans by the District and, upon approval of other agencies having jurisdiction over the project, prior to the District soliciting any bids or quotes for any materials or labor for the project.

7.04.03 **Public Agencies:** A public agency shall pay the entire estimated project cost in two (2) installments. The public agency shall issue the District a purchase order in the amount of those costs and will be invoiced for each installment, when applicable, and given thirty (30) days from the date of the invoice in which to pay the amount due in full.

7.04.03.01 The first installment shall consist of a non-refundable Water System Design and Plan Check Deposit, as set forth in Appendix B, and must be paid prior to the District commencing design work for the water system. This deposit shall be credited towards the District Administrative Charge required as part of the developer's second installment as set forth in Appendix B.

7.04.03.02 The second installment shall consist of the full estimated cost of the water system required for the project and shall be paid following completion of plans by the District and, upon approval of other agencies having jurisdiction over the project, prior to the District soliciting any bids or quotes for any materials or labor for the project.

7.05 **WATER MAINS OUTSIDE A SUBDIVISION**

Construction drawings for mains outside the boundaries of the subdivision will be prepared by the District, and the costs of such drawings and mains shall be borne and paid by the developer. Where it is deemed advisable by the District for a line to pass over private property, other than dedicated right-of-way, the District will expend all reasonable effort to assist the developer in obtaining such rights-of-way. All costs incidental to obtaining such rights-of-way shall be borne by the developer.

7.06 **MAINLINE EXTENSION**

See Article 6.07

7.07 **CONTRIBUTIONS FOR EXISTING FACILITIES**

See Articles 6.08, 7.02.05, & 7.02.06

7.08 **PROCUREMENT OF MATERIALS**

It is the District's policy that the District procure all the necessary materials for the water system at the developer's expense. The District shall use a list of select suppliers that have demonstrated adherence to the District's standard material specifications.

7.09 SELECTION OF CONTRACTOR FOR INSTALLATION

It is the District's policy to arrange and contract for all labor necessary to install any water facilities. The District shall use a select list of labor contractors who have demonstrated knowledge of and adherence to the District's standard labor specifications. The District reserves the right to have any labor performed by force account by any contractor selected by the District.

7.10 SCHEDULING OF WATER SYSTEM INSTALLATION

The developer is required to coordinate all installation of the various utilities so that the storm drain and sewer are constructed prior to the water main installation. The curb and gutter must be completed prior to the District issuing a Notice to Proceed to the water system installation contractor. All remaining utilities must be scheduled for installation after the District has completed and accepted the water system.

7.11 MAINLINE OVERSIZING

See Article 6.09

7.12 EASEMENTS

When required, a developer or applicant for water service shall provide the District with any necessary easements required for District facilities at no cost, in a form acceptable to the District, in order to accomplish or complete water service for an applicant. (See Articles 6.07.02 & 6.07.03)

7.13 DISTRICT ACCEPTANCE OF FACILITIES

All mains, fire hydrants, services, or other appurtenances connected to the District's distribution system shall become the property of the District upon acceptance of the facility for operation, maintenance, and repair by the District.

7.14 PROVISION OF SERVICE

The District shall not be obligated to provide water service to any applicant for water service until such time as all fees, charges, and past-due assessments owing to the District and associated with the parcel, for which water service is being sought, have been paid in full, or unless payment arrangements satisfactory to the District are made.

- END OF ARTICLE 7-

ARTICLE 8

BACKFLOW AND CROSS-CONNECTION CONTROL

8.01 CROSS-CONNECTIONS

8.01.01 **General Provisions:** These regulations are adopted pursuant to the State Water Board's standards for backflow protection and cross-connection control, implemented through the California Cross-Connection Control Policy Handbook (effective July 1, 2024); and California Health and Safety Code Division 104, Part 12, Chapter 5, Article 2, Section 116800; These provisions shall be in addition to, but not in lieu of, the controls and requirements of other regulatory agencies such as local government agencies and local and State health departments. These regulations are intended to protect the District's potable water supply and are not intended to provide regulatory measures for protection of consumers from the hazards of cross-connections within their own premises. Backflow prevention devices, as required in these provisions, shall be provided and maintained by the applicant, owner, or consumer at his/her expense. Such devices shall be located on the premises of the property served and shall not be considered part of the District's water distribution system. District personnel shall be provided access to such property as is provided in this Article.

It is the intent of these regulations to prevent any person, firm, or corporation from making or maintaining or causing to be made or maintained, temporarily or permanently, for any period of time whatsoever, 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 appurtenance or fixture which, by reason of its construction, may cause or allow backflow of water or other substances into the water supply system of the District.

The purpose of these regulations are:

- 8.01.01.01 To protect the District's water system against actual or potential cross-connections by isolating, within the premises, contamination that may occur because of some undiscovered or unauthorized cross-connection on the premises.
- 8.01.01.02 To eliminate existing connections between the District's water system and other sources of water that are not approved as safe and potable for human consumption.
- 8.01.01.03 To eliminate cross-connections between drinking water systems and other sources of water or processed water used for any purpose whatsoever which jeopardize the safety of the potable water supply.

8.01.01.04 To prevent the making of cross-connections in the future.

8.02 CROSS-CONNECTION HAZARD ASSESSMENTS

- 8.02.01 In accordance with the State Water Board's requirements, the District shall perform cross-connection hazard assessments to evaluate premises served by the District's potable water system to determine if there are actual or potential cross-connections, the associated degree of hazard to public health and the type of backflow protection required. Hazard assessments are performed periodically and as needed. The District shall use a variety of methods to properly conduct cross-connection hazard assessments, including but not limited to consumer questionnaires, phone/email interviews, public records review, and on-premises inspections. The District will inform the customer of any necessary installations as specified in Article 8.12.
- 8.02.02 The District shall conduct cross-connection hazard assessments for all requests for new service. Plans and specifications must be submitted to the District upon request for review of possible cross-connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention assembly is necessary to protect the public water system, the required assembly must be installed and tested before permanent service will be granted.
- 8.02.03 Any consumer who cannot or will not provide required information or not allow on-premises inspection to complete a hazard assessment shall be required to immediately install any cross-connection protection required under Article 8.03 as the District shall determine, at the consumer's cost and expense.

8.03 CROSS-CONNECTION PROTECTION

- 8.03.01 Whenever backflow protection has been determined necessary by the District, the consumer will be required to install an approved backflow prevention assembly at his/her expense. Any such assembly will be installed as close as practicable to the downstream side of the consumer's metered service or the connection to the District's distribution system in accordance with District Standard Drawing No. 4.
- 8.03.02 Whenever backflow protection has been determined to be necessary on a water supply line entering a consumer'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 prevention assembly. The type of assembly to be installed shall be in accordance with the requirements set forth in these Rules and Regulations.

8.04 REQUIREMENT FOR PROTECTION ASSEMBLIES

- 8.04.01 **Protection from an Auxiliary Supply:** Each service connection originating from the District's water system for supplying water to premises

having an auxiliary water supply shall be protected against backflow of water from the premises into the public water system.

- 8.04.02 **Protection from Processed Water:** Each service connection originating from the District's water system for supplying water to premises on which any substance is handled in such fashion as to permit its entry into the water system shall be protected against backflow of water from the premises into the public system. This shall include the handling of processed waters and waters originating from the District's water supply system which have been subject to deterioration in quality.
- 8.04.03 **Protection from Internal Cross-Connection:** Backflow prevention assemblies shall be installed on the service connection to any premises that has: (a) internal cross-connections, (b) intricate plumbing and piping arrangements, (c) restrictions where entry to all portions of the premises is not readily accessible for inspection purposes, making it impractical or impossible to determine whether or not cross-connections exist, or (d) if connection is temporary providing water for miscellaneous uses including construction.
- 8.04.04 **Protection from Recycled Water:** A property which is also supplied with recycled water, in addition to the District's potable water supply, shall also comply with such additional cross-connection provisions specified in these Rules and Regulations pertaining to recycled water service. Protective devices will be required on the District's potable water services, although under no circumstances will the District tolerate an actual or potential cross-connection between the District's potable water supply and the consumer's on-site recycled water facilities. Tracer dyes may be periodically required to be introduced into the recycled water system by the owner, where feasible, so that the existence of cross-connections with (or backflow into) the potable water system will be visible. In all cases in which recycled water is used on individually and privately owned premises and is under individual and private control, such as in the case of an industrial user, or in which recycled water is used at schools and public parks with extensive systems and high public exposure and use, or in which the on-site recycled water system has additional pressure added through pumping, the District shall require a backflow prevention device on its potable water supply. The type of protection device shall be determined by the District in accordance with Articles 8.08 and 8.09 herein.

8.05 TYPE OF PROTECTION REQUIRED

The type of protection that shall be provided to prevent backflow shall be commensurate with the degree of hazard that exists on the consumer's premises. The type of protective assembly that may be required includes: Double Detector Check Assembly (DDC), Reduced Pressure Principle Backflow Prevention Assembly (RP), and an Air-Gap Separation (AG). The consumer may choose a higher level of protection than is required by the District. The minimum types of backflow protection to premises with varying degrees of hazard are listed below. Situations which are not covered shall be evaluated on a case-by-case basis, and the appropriate backflow protection assembly shall be determined by the District and/or health agency.

8.06 APPROVED BACKFLOW PREVENTION ASSEMBLIES

- 8.06.01 Only backflow prevention assemblies which have been approved through both laboratory and field evaluation tests performed in accordance with the State Water Board's regulations shall be acceptable for installation by a consumer at his/her connection to the District's potable water system. The approved list is based on the current list periodically published by the University of Southern California Foundation for Cross-Connection Control.
- 8.06.02 The District will provide, upon request, to any interested or affected consumer a list of approved backflow prevention assemblies.

8.07 BACKFLOW PREVENTION ASSEMBLY INSTALLATION

Backflow prevention assemblies shall be installed as close as practicable to the consumer connection. If a backflow prevention assembly cannot be located within five feet of the consumer connection, an alternate location may be proposed but must be approved by the District. The District shall have the final authority in determining the required location of a backflow prevention assembly. In any event, no connections will be permitted to be made to the service piping between the District's facilities and the backflow prevention assembly.

8.08 PROTECTIVE ASSEMBLIES

The protective assembly required shall depend on the degree of hazard as tabulated below:

- 8.08.01 **Assembly for Auxiliary Water Supply:** At the service connection to any premises where there is an auxiliary water supply handled in a separate piping system with no known cross-connection, the District's water supply shall be protected by an approved, reduced-pressure principle backflow prevention assembly or air-gap separation.
- 8.08.02 **Assembly for Recycled Water:** At the service connection to any premises where the District's potable water system is used to supplement a recycled water supply, or where recycled water is used and there is no interconnection, the District's water supply shall be protected by an air-gap separation. The air-gap separation shall be located as close as practicable to the metered service, and all piping between the metered service and the receiving tank shall be visible or available for inspection. If these conditions cannot be reasonably met, the potable water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly, providing this alternative is acceptable to both the District and the applicable health agency.
- 8.08.03 **Assembly for Objectionable Substance:** At the service connection to any premises on which a substance that would be objectionable (but not necessarily hazardous to health), if introduced into the District's water supply, is handled so as to constitute a cross-connection, the District's water supply shall be protected with an approved, reduced-pressure

principle backflow prevention assembly installed in accordance with District standards.

- 8.08.04 **Assembly for Internal Cross-Connections:** At the service connection to any premises on which there is an auxiliary water supply where cross-connections are known to exist and which cannot be presently eliminated, the District's water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly installed in accordance with District standards or air-gap separation.
- 8.08.05 **Assembly For Toxic Substance:** At the service connection to any premises on which any material dangerous to health or toxic substance in toxic concentration is or may be handled, the District's water supply shall be protected by an air-gap separation. The air-gap separation shall be located as close as practicable to the metered service, and all piping between the metered service and receiving tank shall be visible or available for inspection. If these conditions cannot be reasonably met, the potable water supply shall be protected with an approved, reduced- pressure principle backflow prevention assembly, providing this alternative is acceptable to the District and the applicable health agencies.
- 8.08.06 **Assembly for Sewage:** At the service connection to any sewage treatment plant or sewage pumping station, the District's water supply shall be protected by an air-gap separation. The air-gap separation shall be located as close as practicable to the metered service, and all piping between the metered service and receiving tank shall be visible or available for inspection. If these conditions cannot be reasonably met, the potable water supply shall be protected with an approved, reduced- pressure principle backflow prevention assembly, providing this alternative is acceptable to the District and applicable health agencies.
- 8.08.07 **Assemblies for Master Metered Connections and Looped Private Fire Protection Systems:** At service connections to any premises served by a master meter assembly, or which have a looped private fire protection system that is not maintained by the District, the District's water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly installed in accordance with District standards.
- 8.08.08 **Assemblies for Commercial and Industrial Developments:** At the service connection to any commercial or industrial development, the District's water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly installed in accordance with District standards.
- 8.08.09 **Assemblies for Private Fire Protection Systems:** At the service connection to any Class I or II private fire protection system, the District's water supply shall be protected with an approved, double-detector check assembly installed in accordance with District Standard Drawing No. 20A. Other classes of private fire protection systems shall be protected with a minimum of an approved, double-detector check assembly installed in accordance with District standards. Higher levels of protection, as

determined by the District, may be required for Class III or higher private fire protection systems.

- 8.08.10 **Assemblies for Landscape Irrigation Service:** At the service connection to any landscape irrigation service, including those for landscape maintenance districts, the District's water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly installed in accordance with District standards.
- 8.08.11 **Fire Protection System:** The District's water supply shall be protected by an air-gap separation on premises where the fire protection system is directly connected to the District's system and is interconnected with an unapproved auxiliary water supply. If these conditions cannot be reasonably met, the potable water supply shall be protected with an approved reduced pressure principle backflow prevention assembly, providing this alternative is acceptable to both the District and the health agency.
- 8.08.12 **Use of Pumps on Consumer's Side of the Meter:** When a consumer receiving service at the District's main or service connection must, by means of a pump of any kind, elevate or increase the pressure of the water received, the pump shall not be attached to any pipe directly connected to the District's main or service pipe. Such pumping or boosting of pressure shall be done from a sump, cistern, or storage tank which shall be served by the District's distribution facilities through an approved air-gap assembly. If these conditions cannot be reasonably met, the potable water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly, providing this alternative is acceptable to both the District and the health agency.

8.09 BACKFLOW PREVENTION ASSEMBLY CHANGES

Approval must be obtained before a backflow prevention assembly is removed, relocated, or replaced. All costs related to removal, relocation, replacement, repair, or testing of a backflow prevention assembly shall be borne by the consumer.

- 8.09.01 **Removal:** The use of an assembly may be discontinued and the assembly removed from service upon presentation of sufficient evidence acceptable to the District to verify that a hazard no longer exists or is not likely to be created in the future.
- 8.09.02 **Relocation:** An assembly may be relocated following confirmation by the District that the relocation will continue to provide the required protection and satisfy installation requirements. A retest will be required following the relocation of the assembly.
- 8.09.03 **Repair:** An assembly may be removed and replaced, provided the water use is either discontinued until repair is completed and the assembly is returned to service or the service connection is equipped with other backflow protection approved by the District. A retest will be required following the repair of the assembly.

- 8.09.04 **Replacement:** An assembly may be removed and replaced provided the water use is discontinued until the replacement assembly is installed. All replacement assemblies must be approved by the District and must be commensurate with the degree of hazard involved.

8.10 SITE SUPERVISOR

At each premises, where it is determined by the District to be necessary, a site supervisor shall be designated by and at the expense of the consumer. This site supervisor shall be responsible for the monitoring of the consumer's backflow prevention assemblies and for avoidance of cross-connections. In the event of contamination or pollution of the drinking water system resulting from a cross-connection on the premises, the District shall be immediately notified by the site supervisor so that appropriate measures may be taken to overcome the contamination. The consumer shall provide the District with the names of all site supervisors and notify the District whenever a change occurs, or on an annual basis, whichever occurs first.

8.11 RESPONSIBILITIES

- 8.11.01 **Cross-Connection Protection Determination:** It shall be the responsibility of the General Manager or their designee to determine whether any service connection or the handling of substances within the premises served is deemed to constitute a hazard to the District's water system and to determine the degree of hazard and to establish the requirements for protection. The General Manager or their designee shall accomplish the requirements for protection in conjunction with the applicable health agencies.
- 8.11.02 **Cross-Connection Protection Installation and Maintenance:** It shall be the responsibility of the consumer to install and maintain the required protective assembly and to have the assembly inspected and tested in accordance with Article 8.14 at least once a year. The assembly shall be repaired, overhauled, or replaced at the expense of the consumer whenever it is found to be defective. It shall be the duty of the District to verify that these tests are made in accordance with the State Water Board's requirements.

8.12 WATER SYSTEM SURVEY

- 8.12.01 The District shall review all requests for new services to determine what degree and type of backflow protection is required. Plans and specifications must be submitted to the District upon request for review of possible cross-connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention assembly is necessary to protect the public water system, the required assembly must be installed before service will be granted.
- 8.12.02 The District may require an on-premise inspection to evaluate cross-connection hazards. Any consumer who cannot or will not allow an on-premise inspection of his/her piping system shall be required to

immediately install a District-approved backflow prevention assembly immediately downstream from the consumer's metered service.

- 8.12.03 The District may, at its discretion, require a re-inspection for cross-connection hazards on any premise to which it serves water. Any consumer who cannot or will not allow an on-premise inspection of his/her piping system shall be required to immediately install a District-approved backflow prevention assembly immediately downstream from the consumer's metered service.

8.13 CONSUMER NOTIFICATION – ASSEMBLY INSTALLATION

- 8.13.01 The District will notify the consumer of the findings of any such hazard assessment inspection provided for in Article 8.02 above, listing corrective action to be taken if required. A period of approximately sixty (60) days will be given to complete all corrective action required, including installation of backflow prevention assemblies.
- 8.13.02 A second notice will be sent to each consumer who fails to take the required corrective action prescribed in the first notice within the time period allowed. The second notice shall give the consumer a two (2) week period to comply with the required corrective action. If no action is taken within the two (2) week period, the District will disconnect water service to the affected consumer until the required corrective actions are taken. The District may provide a short extension if the customer establishes to the District's satisfaction that there are material extenuating circumstances impacting their ability to complete the installation.

8.14 BACKFLOW PREVENTION ASSEMBLY TESTING

- 8.14.01 The owners of any premises on which, or on account of which, backflow prevention assemblies are installed shall have the assemblies tested by a person (tester) with valid certification from an ANSI accredited or State Water Board recognized organization.
- 8.14.02 Backflow prevention assemblies must be tested at least annually and immediately after installation, permanent relocation, or repair. Testing intervals shall be set by the District. Required intervals for such testing are at minimum annually but be shortened if it is determined by the District that a history of malfunctioning has been established, or if the degree of hazard makes more frequent testing prudent. No assembly shall be placed back into service unless it is functioning as required. A test report in a form provided by the District shall be submitted to the District each time an assembly is tested, relocated, or repaired.
- 8.14.03 The District will supply affected consumers with a list of persons acceptable to the District to test backflow prevention assemblies, upon request. The District will notify affected consumers by mail or by e-mail with confirmation when initial, annual, or periodic testing of an assembly is required.

8.15 CONSUMER NOTIFICATION – TESTING AND MAINTENANCE

- 8.15.01 The District will annually notify each affected consumer by mail or by e-mail with confirmation when it is time for the backflow prevention assembly installed at his/her service connection to be tested. This notice shall provide the consumer approximately thirty (30) days in which to have the assembly tested and shall supply the consumer with the necessary form to be completed and submitted to the District.
- 8.15.02 A second notice shall be sent to each consumer who fails to test his/her backflow prevention assembly as prescribed in the first notice within the thirty (30) day period allowed. The second notice will give the consumer a two (2) week period to have the backflow prevention assembly tested.
- 8.15.03 A final notice shall be sent if no action is taken within the two (2) week period following the second notice. This notice shall provide the consumer with a final two (2) week period to have the backflow prevention assembly tested.
- 8.15.04 If the backflow prevention assembly still remains untested at the end of this final two (2) week period, the District shall proceed to disconnect the consumer's water service as set forth in Article 8.15. The water service will remain terminated until acceptable documentation of a successful test on the backflow prevention assembly is received by the District.

8.16 DISCONNECTION OF SERVICE FOR CROSS-CONNECTION VIOLATION

Service of water to any premises may be disconnected by the District after reasonable notification if unprotected cross-connections exist on the premises, if any defect is found in an installed backflow prevention assembly, or if a backflow prevention assembly has been removed or bypassed. Service will not be reconnected until such conditions or defects are corrected. Disconnection of service may be summary, immediate, and without notice whenever, in the judgment of the General Manager, General Manager's designee or health agency, such action is necessary to protect the purity of the water supply or the safety of the water system.

- 8.16.01 **Basis for Disconnection:** Conditions or water uses that create a basis for water service disconnection shall include, but are not limited to, the following:

- 8.16.01.01 Refusal to install a required backflow prevention assembly
- 8.16.01.02 Refusal to allow access for a hazard assessment inspection to be completed
- 8.16.01.03 Refusal to provide information required to complete a hazard assessment
- 8.16.01.04 Refusal to test a backflow prevention assembly

- 8.16.01.05 Refusal to repair a faulty backflow prevention assembly
 - 8.16.01.06 Refusal to replace a faulty backflow prevention assembly
 - 8.16.01.07 Direct or indirect connection between the District water system and a sewer line
 - 8.16.01.08 Unprotected direct or indirect connection between the District water system and a system or equipment containing contaminants
 - 8.16.01.09 Unprotected direct or indirect connection between the District water system and an auxiliary water system
 - 8.16.01.10 A situation which presents an immediate health hazard to the District water system
 - 8.16.01.11 If ordered by local or State Health Department
- 8.16.02 **Water Service Disconnection Procedures:** For conditions 8.16.01.01 through 8.16.01.11, the District will disconnect service to a consumer's premises after a written notice has been sent specifying the corrective action needed and the time period in which it must be done. If no action is taken within the allowed time period, water service will be disconnected. The District may disconnect any service without notice if an immediate health threat to other consumers or to the District's potable supply is evident.

- END OF ARTICLE 8 -

ARTICLE 9

RECYCLED WATER USE REGULATIONS

9.01 GENERAL

The Walnut Valley Water District (District) operates and maintains a recycled water distribution system, which provides recycled water service for landscape irrigation, agricultural irrigation, or any industrial process purpose.

It is the intent of the District that recycled water be used in a manner that, in compliance with any and all applicable Federal, State and local statutes, ordinances, regulations, and other requirements, will achieve the following:

- Prevent direct human consumption of recycled water
- Limit direct human contact with recycled water
- Limit runoff of recycled water by controlling the installation and operation of recycled water facilities

Where water is required for landscape irrigation, agricultural irrigation, or industrial process purposes, it is the intent of the District to provide the applicant, owner, or customer with recycled water in lieu of potable water where feasible. Each use must be approved on a case-by-case basis. Determination of the specific uses to be allowed shall be in accordance with the treatment standards and water quality requirements set forth in Title 22, Division 4, Chapter 3, of the California Code of Regulations and with the intent of these Rules and Regulations to protect the public health. In addition, each use shall be subject to the availability of distribution facilities and the feasibility of making such facilities available.

9.02 AREA SERVED

The requirements set forth herein pertain to recycled water service to land or improvements, or both, lying within and without the boundaries of the District.

The District may, at its discretion from time to time, contract with an applicant, owner, or customer to construct the necessary service lines and appurtenant facilities as a condition to obtaining service from the District.

9.03 SERVICE CONNECTIONS

Recycled water may be used for landscape irrigation, agricultural irrigation, or industrial process purposes, provided that all such use is in accordance with these Rules and Regulations and provided further that:

- 9.03.01 The design and construction of the on-site recycled water system shall be approved by the District.
- 9.03.02 The operator of the on-site recycled system is able to obtain a permit to receive such water and use it only for approved purposes.

- 9.03.03 Violation of permit conditions will result in reprimand, fines, and/or disconnection of service, depending on the severity of the violation.

Any such permit may be revoked by the District and thereupon such recycled water service shall cease in the manner provided in Article 9.06.

9.04 APPLICATION PROCEDURE

- 9.04.01 An application for recycled water service must be made in writing and signed by the applicant, owner, or customer if he/she is not one and the same. The application form shall be furnished by the District (Appendix G).
- 9.04.02 The applicant for a recycled water service permit under these Rules and Regulations must state thereon that he/she agrees to comply with the requirements or any and all applicable Federal, State, and local statutes, ordinances, regulations, and other requirements. The District may, at its discretion, require specific prior approval of any permit by any Federal, State, or local agency having jurisdiction over the operation of the District's facilities.
- 9.04.03 Upon receipt of an application, the District shall review the application, as it deems necessary. If the application is approved by the District, the General Manager will prescribe requirements in writing to the applicant as to the facilities necessary to be constructed, the manner of connection, and any other applicable requirements.

9.05 PERMITS

The permit for recycled water service shall include the following (Appendix F):

- Name and address of applicant
- A drawing of the proposed system showing the location and size of all valves, pipes, outlets, and appurtenances
- A statement that no changes in the proposed system will be undertaken without application and approval of an amended permit
- A statement acknowledging the applicant's liabilities due to violation of these Rules and Regulations, and the District's rights regarding water service as outlined in these Rules and Regulations

9.06 DISCONNECTION OF SERVICE

By reason of circumstances beyond the control of the District and in order to protect facilities of the District, or for the protection of the public health, safety, and welfare of the residents and property owners of the District, service may be disconnected under the conditions set forth below, notwithstanding the existence of a valid and subsisting permit for recycled water service:

- 9.06.01 Recycled water service may be disconnected on a temporary or permanent basis in the manner provided in Articles 8 and 9 herein at any

time the applicant's, owner's, or customer's operations do not conform to the applicable requirements as provided in Articles 8 and 9.

- 9.06.02 The District may disconnect recycled water service on a temporary basis at any time recycled water at the terminal point of the District's distribution system does not meet the requirements of regulatory agencies, including those prescribed by Title 22, Division 4, Chapter 3, of the California Code of Regulations. Recycled water service would, in such case, be reconnected at such time that recycled water at the terminal point of the distribution system would again meet the requirements of regulatory agencies, or at such time that the District would supplement the recycled water system with water from other sources.

9.07 OTHER LIMITATIONS OF SERVICE

Whenever possible, the District shall operate the recycled water system at a lower pressure than the potable water system so that the flow would be from the potable to the recycled system in the event of a cross-connection.

9.08 SIZE, LOCATION, AND INSTALLATION OF SERVICE

The District reserves the right to determine the size and location of the recycled water lines, service connections, and meters, including the flow rate of recycled water deliveries. The District shall have the right to determine the kind and size of backflow protection devices for potable water service in accordance with Article 8 and any and all other appurtenances to the service. The recycled water service lines shall be installed to the curb line or property line of the customer's property abutting upon a public street, highway, alley, easement, lane, or road (other than a freeway) in which are installed recycled water mains of the District.

9.09 LIMITATIONS ON SERVICE CONNECTIONS

No permit shall be issued except upon the following conditions:

- 9.09.01 The District reserves the right to limit the area of land under one ownership to be supplied by one recycled water service connection and recycled water meter.
- 9.09.02 The District reserves the right to require recycled water customers to install on-site storage facilities, at the discretion of the General Manager, to meet requested demands in order to maintain the operational capability of the recycled water system.
- 9.09.03 A recycled water service connection and recycled water meter shall not be used to supply adjoining property of a different owner.
- 9.09.04 When property provided with a recycled water service connection and recycled water meter is subdivided, such connection and meter shall be considered as serving the lot or parcel of land that it directly or first enters. Additional recycled water mains and/or recycled water service

lines will be required for all subdivided areas in accordance with these Rules and Regulations.

9.09.05 All recycled water used on any premises where a meter is installed must pass through the meter. Customers shall be held responsible and charged for all recycled water passing through their meters.

9.09.06 Every recycled water service line installed by the District is equipped with an angle meter stop on the inlet side of the meter. The angle meter stop is intended for the exclusive use of the District in controlling the recycled water supply through the recycled water service line. If the angle meter stop is damaged by the customer's use to an extent requiring replacement, such replacement shall be at the customer's expense.

9.09.07 Recycled water service may be supplied to residential property under the following conditions, provided that all attributes of the system are in compliance with Article 9 of these Rules and Regulations.

9.09.07.01 The property area proposed to be irrigated with recycled water is: (i) under ownership and/or control of a municipality or approved homeowner's association; (ii) has been designated as permanent open space; (iii) or is part of a Lighting and Open Space Maintenance District (LOSMD).

9.09.07.02 Upon application to the District by a property owner who can demonstrate major irrigation needs, the General Manager or designee shall evaluate such request on a case-by-case basis.

9.10 RELOCATION OF RECYCLED WATER SERVICE LINE

Should a recycled water service line installed by the District pursuant to the request of the applicant, owner, or customer be of the wrong size or installed at a wrong location, the cost of all changes required shall be paid by the applicant, owner, or customer. The costs for all repairs or changes required to be performed by the District shall also be paid by the applicant, owner, or customer.

9.11 ILLEGAL CONNECTIONS

No person shall make connection to recycled water facilities of the District without a permit, except as provided in the permit issued by the District.

9.12 RECYCLED WATER METERS

9.12.01 Water meters suspected by the customer of failing to register correctly (either high or low) may be requested by the customer to be tested. Testing and payment of costs are to be conducted according to Article 4.04.08, Adjustment of Bills for Meter Error; and Article 4.03.06.03, Meter Test Charge.

- 9.12.02 Water meters used for recycled water service shall not be interchanged or used for domestic water service after repairs or meter testing has been accomplished.

9.13 AUTHORIZED USES FOR RECYCLED WATER

In accordance with the provisions of Article 9.01, the uses of recycled water may include, but not necessarily be limited to, landscape irrigation, agricultural irrigation, and industrial process water. Each such use must be considered for approval by the District on a case-by-case basis, and the District may determine, at its discretion, whether it is necessary or desirable to furnish recycled water for the specific uses involved. Determination as to specific uses to be allowed shall be in accordance with the treatment standards and water quality requirements set forth in Title 22, Division 4, Chapter 3, of the California Code of Regulations. Prior to approving such uses, the District may, at its discretion, set forth specific requirements as conditions to providing such services and/or require specific prior approval from the appropriate regulatory agencies.

9.14 SCHEDULING USE OF RECYCLED WATER

The District reserves the right to control and schedule the use of recycled water if, in the opinion of the General Manager or his/her designated representative, scheduling is necessary for purposes including, but not limited to, the maintenance of an acceptable working pressure in the recycled water system and providing for reasonable safeguards in relation to public health. Such scheduling may involve programming deliveries to different customers and to various portions of a single customer's on-site system.

9.15 RESPONSIBILITY FOR MAINTENANCE

The applicant, owner, or customer is responsible for maintaining all on-site facilities (downstream of the customer's service meter) and the District has no ownership interest therein.

9.16 WATER CONSERVATION

It is the desire of the District to effect conservation of water resources whenever possible and to limit direct human contact with recycled water. In accordance with the above, the rate and extent of application of recycled water shall be controlled by the customer so as to minimize runoff from irrigated areas.

9.17 RECYCLED WATER SITE SUPERVISOR

The local health department and the District shall be kept informed of the identity of the person responsible for the water piping on all premises concerned with these regulations. At each premises, a "Recycled Water Site Supervisor" shall be designated. This supervisor shall be responsible for the installation and use of pipelines and equipment and for the prevention of cross-connections. All conditions set forth in Article 8.09 shall apply to the Recycled Water Site Supervisor.

9.18 RECYCLED WATER FACILITIES DESIGN AND CONSTRUCTION

9.18.01 **General:** All off-site recycled water facilities and all on-site recycled water facilities shall be designed and constructed according to the requirements, conditions, and standards set forth in a separate supplement as adopted and revised by the District from time to time entitled, "Standard Specifications for the Construction of Water Facilities." This document is on file at the District office and by this reference is incorporated herein. The recycled water system, including both off-site and on-site facilities, shall be separate and independent of any potable water system.

9.18.02 **Off-Site Recycled Water Facilities:** Any recycled water distribution facilities determined by the District to be required to serve the property of an applicant, owner, or customer shall be provided by the applicant, owner, or customer at his/her expense.

The District shall prepare all plans and specifications and perform the installation of any facilities. In some cases, the District may require larger facilities to be installed than are actually required to serve the property of the applicant. In such event, the District will bear the difference in cost between the size required and the larger size of pipe, valves, fittings, labor, and other appurtenances specified by the District.

The District will assume responsibility for providing recycled water service to the point of connection upon completion of all distribution facilities and conveyance of any necessary easements. All easements shall be in a form acceptable to the District and shall not be subject to outstanding obligations to relocate such facilities or to any Deeds of Trust, except in instances where such is determined by the Board or the General Manager to be in the best interests of the District.

9.18.03 **On-Site Recycled Water Facilities:** Any on-site recycled water facility shall be provided by the applicant, owner, or customer at his/her expense. The applicant, owner, or customer shall retain title to all such on-site facilities.

9.18.03.01 **Plans and Specifications:** On-site recycled water facilities, in addition to conforming to these Rules and Regulations and the District's Standard Specifications for the Construction of Water Facilities, shall conform to State and local governing codes, rules, and regulations. When the District's Standard Specifications for the Construction of Water Facilities require a higher quality material, equipment, design or construction method than that required by State or local governing codes, rules, and regulations, the District's Rules and Regulations and specifications shall take precedence.

Plans and specifications must be approved by the District prior to commencing construction. Controller charts for

landscape sprinkler irrigation systems must be prepared and approved in accordance with the above-referenced specifications. Prior to commencement of service to any on-site system using recycled water, as-built record drawings shall be provided and approved by the District. The installed system shall be tested under active conditions to ensure that the operation is in accordance with the intent of these Rules and Regulations.

9.18.03.02 **Marking Safe and Unsafe Water Lines:** Where the premises contain dual or multiple water systems and piping, the exposed portions of pipelines shall be painted, banded, or marked at sufficient intervals to distinguish clearly, which water is safe and which is not safe in accordance with health department requirements. The same color purple or lavender shall always be used to indicate recycled water throughout the system. All outlets from recycled systems shall be posted as being contaminated and unsafe for drinking purposes.

9.18.03.03 **Water Main Separation:** Potable water mains shall be at a location as far as possible above the elevation of nearby recycled water lines, and recycled water lines shall be at a location as far as possible above the elevation of nearby sanitary sewers. These separation distances shall comply with the minimum separation criteria in the State and local health requirements. In the event that particular conditions create a situation where minimum separation criteria cannot be met, the California Department of Health Services' "Criteria for the Separation of Water Mains and Sanitary Sewers" shall be used.

9.19 RECYCLED WATER FACILITIES OPERATION

9.19.01 **Interruption of Service:** All recycled water delivery shall be on an interruptible basis, depending on the quantity and quality of the recycled water delivered to the District, in accordance with the terms of the individual service agreement between the District and the applicant, owner, or customer. Supplemental supplies from potable water sources are available to the recycled system and may be used in lieu of recycled water in the event of an interruption.

9.19.02 **Operation of Off-Site Recycled Water Facilities:** Operation and surveillance of all of the District's off-site recycled water system facilities, including but not limited to, recycled water pipelines, reservoirs, pumping stations, manholes, valves, connections, supply interties, and other appurtenances and property, up to and including the District's meter assembly, shall be under the management and control of the District. No other persons, except authorized employees of the District, shall have any right to enter upon, inspect, operate, adjust, change, alter, move, or relocate any portion of the foregoing or any of the District's property.

9.19.03

Operation of On-Site Recycled Water Facilities: The operation and surveillance of all on-site recycled water system facilities, including but not limited to, landscape irrigation systems, agricultural irrigation systems, and systems utilized for industrial process purposes shall be under the management of a Recycled Water Site Supervisor designated by the applicant, owner, or customer. The District may, from time-to-time, require that a Recycled Water Site Supervisor obtain instruction in the use of recycled water, such instruction being provided or approved by the District. The District, as well, may inspect the on-site system per Article 9.20.

9.19.03.01 The applicant, owner, or customer shall have the following responsibilities in relation to operation of on-site facilities:

- a) To make sure that all operations personnel are trained and familiarized with the use of recycled water.
- b) To furnish their operations personnel with maintenance instructions, controller charts, and record drawings to ensure proper operation in accordance with the on-site facilities' design and these Rules and Regulations.
- c) To prepare and submit to the District one (1) set of record drawings of all on-site facilities installed for the conveyance of recycled water.
- d) To notify the District of any and all updates or proposed changes, modifications, or additions to the on-site facilities. Such changes shall be reviewed by the District and shall be designed and constructed in accordance with Article 9.18.03 herein. In accordance with the above-referenced requirements, conditions, and standards, changes must be submitted to the District for review and approval prior to construction. The construction shall be inspected by the District and revised record drawings and controller charts shall be delivered to the District. The District may, if it deems such to be in the best interests of the District, waive or modify any of the foregoing.
- e) To ensure that the design and operation of the recycled water facilities remain in compliance with these Rules and Regulations, including the District's Standard Specifications for the Construction of Water Facilities.
- f) To operate and control the system in order to prevent direct human consumption of recycled water, to limit direct human contact with recycled water, and to control and limit runoff. The applicant, owner, or customer shall be responsible for any and all subsequent uses of the recycled water. Operation and

control measures to be utilized in this regard shall include, where appropriate but not limited to, the following:

- (1) On-site recycled water facilities shall be operated to prevent discharge onto areas not under control of the customer. Semi-circle sprinklers shall be used adjacent to sidewalks, roadways, and property lines to confine the discharge from sprinklers to the design area.
- (2) Recycled water shall be applied at a rate that does not exceed the infiltration rate of the soil. Where varying soil types are present, the design and operation of the recycled water facilities shall be compatible with the lowest infiltration rate present.
- (3) When the application rate exceeds the infiltration rate of the soil, automatic systems shall be utilized and programmed to prevent the ponding and runoff of recycled water.
- (4) Any and all failures in the on-site system that cause an unauthorized discharge of recycled water shall be immediately reported to the District.
- (5) To comply with any and all applicable Federal, State, and local statutes, ordinances, regulations, and contracts, these Rules and Regulations, and all requirements prescribed by the Board and the General Manager.

9.19.03.02 **Implementation of On-Site Controls:** On-site controls have been promulgated by the Los Angeles County Department of Health Services (LACDHS) and the California Department of Health Services (CDHS) to protect the health of the public at large and the employees of recycled water users. The minimum necessary on-site controls are contained in *Guidelines for use of Reclaimed Water* issued by the CDHS, in the Los Angeles County Public Health Code, and in Title 17 of the California Code of Regulations.

9.19.03.03 **Local Regulation:** Recycled water system on-site controls shall meet or exceed all of the requirements established by the applicable State and local regulatory agencies to protect the public health.

9.19.03.04 **Operational Controls:** The minimum necessary operational controls shall include, but not be limited to, those stipulated below:

- a) **Irrigation Usage:** Irrigated areas must be kept completely separated from domestic water wells and reservoirs. A minimum of 500 feet shall be provided. Irrigation should be controlled to minimize ponding of wastewater and runoff should be contained and properly disposed.
- b) **Landscape Irrigation:** Irrigation should be done so as to prevent or minimize contact by the public with the sprayed material, and precautions should be taken to ensure that recycled water will not be sprayed on walkways, passing vehicles, buildings, picnic tables, domestic water facilities, or areas not under control of the user. Irrigation should be practiced during periods when the grounds will have maximum opportunity to dry before use by the public unless provisions are made to exclude the public from areas during and after spraying with recycled water. Windblown spray from the irrigation area should not reach areas accessible to the public. Drinking water fountains should be protected from direct or windblown recycled water spray.
- c) **Additional Protection:** All persons entering the premises for any reason shall be made aware by the user of the potential health hazards involved with contact or ingestion of recycled water. All recycled water valves, outlets, and sprinkler heads should be appropriately tagged to warn such persons that the water is not safe for drinking or direct contact. Adequate first aid kits should be available on location, and all cuts and abrasions should be treated promptly to prevent infection. A doctor should be consulted where infection is likely. Precautionary measures should be taken to minimize direct human contact with recycled water or recycled water sprays. All persons involved in more than a casual contact with recycled water should be provided with protective clothing. At crop irrigation sites, the crops and soil should be allowed to dry before harvesting. Provisions should be made for a supply of safe drinking water. Where bottled water is used for drinking purposes, the water should be in contamination-proof containers and protected from contact with recycled water or dust. The water should be of a source approved by the local health authority. Toilet and washing facilities should be provided. Precautions should be taken to avoid contamination of food taken to areas irrigated with recycled water

and food should not be taken to areas still wet with recycled water.

9.19.03.05 **Physical Attributes of On-Site System (General):** All recycled water valves, outlets, and sprinkler heads should be of a type that can only be operated by authorized personnel. Identification of facilities should include the following:

- a) All valve boxes shall be purple plastic with the words, "Recycled Water," cast into the plastic lid.
- b) All control valves must have a plastic label attached with a nylon tie wrap with the words, "Recycled Water – Do Not Drink," in English and Spanish.
- c) All aboveground risers shall be labeled with a self-adhesive label with the same warning as the label for control valves.
- d) All flush, pop-up sprinkler heads must be made of purple plastic.
- e) All below-grade piping must be purple "Alert Line" pipe with the words, "Recycled Water – Do Not Drink." This applies to both permanent and intermittent pressure pipe. This requirement does not apply to fittings and risers.
- f) No hose bibs are allowed on recycled water systems. Quick couplers are allowed but must be made for recycled water systems. Quick couplers must also be placed in purple plastic valve boxes.
- g) No on-site backflow prevention assembly shall be allowed on any recycled water system serving landscape, turf, or crop irrigation.

9.19.03.06 **Retrofit of Existing Irrigation Systems:** All existing systems to be retrofitted are subject to inspection by the County Health Department. All existing irrigation systems to be converted to recycled water must have the same identification as a system installed per Article 9.19.03.05 with the following exceptions:

- a) The existing piping need not be changed to purple plastic. However, any new PVC installed must be purple (i.e., the new connection piping to the recycled water source).
- b) The existing flush pop-up sprinkler heads may have snap-on purple plastic warning rings attached.
- c) Any existing concrete control valve boxes may be painted purple and stenciled with the words, "Recycled Water – Do Not Drink," in lieu of replacing them with purple plastic boxes.

The operator of the irrigation system to be retrofitted to recycled water must provide to the District the following prior to the District allowing final tie-over to the recycled water system:

- a) A detailed site plan identifying the location of heads, valves, hose bibs, quick couplers, point of connection, etc., for the system to be converted to recycled water. This site plan shall have notes identifying the retrofit work to be done (i.e., snap-on rings, hose-bib to quick coupler, etc.). The plan shall identify the disconnect and new connection location. The location for the new recycled water meter must appear on the site plan.
- b) A dye test or dual pressure test of the existing irrigation system must be performed by an experienced, licensed backflow or cross-connection contractor at the customer's expense. A dual pressure test may be performed in lieu of the dye test if it is permitted by the Health Department. The isolation testing must be witnessed by the County Health Department. A letter from the contractor performing the dye/pressure test must be forwarded to the District office certifying the absolute separation of the domestic and irrigation systems.
- c) Following completion of all retrofit work, the system shall be inspected by the District's cross-connection control technician and Health Department for compliance with these Rules and Regulations. Any discrepancies with the requirements must be remedied by the customer at the customer's sole expense prior to final tie-in to the recycled water system.
- d) Following final approval and inspection by the District and County Health Department, the applicant may perform the tie-in to the recycled water system. The final tie-in and severing of the original source of supply must be inspected by District staff.

9.19.03.07 **Posting of On-Site Warnings:** Adequate means of notification shall be provided to inform the public at large and employees of users that recycled water is being used. Such notification shall include the posting of conspicuous warning signs with proper wording of sufficient size to be clearly read, which shall be posted at adequate intervals around the use area. In some locations, especially at crop irrigation use areas, the warning signs shall be in Spanish as well as English.

At golf courses, notices should be printed on scorecards stating that recycled water is used, and the spacing and locations of signs shall be coordinated with the District.

9.20 RECYCLED WATER MONITORING AND INSPECTION

The General Manager, or authorized representatives of the District, shall monitor and inspect the entire recycled water system, including both on-site and off-site facilities. The District shall conduct monitoring programs, maintain a record as deemed necessary, and provide reports as requested by regulatory agencies, including the California Regional Water Quality Control Board. The General Manager, or authorized representatives of the District, in carrying out these functions, shall have the right to enter upon the customer's premises during reasonable hours for the purpose of inspecting on-site recycled water facilities and areas of recycled water use and to ensure compliance with these Rules and Regulations, including the provision that runoff be controlled and limited and the provision that cross-connections between potable water facilities and recycled water facilities do not exist. Monitoring of the on-site system may include periodic dual pressure tests to ensure that no cross-connections exist.

9.21 RECYCLED WATER APPLICABLE FEES AND CHARGES

- 9.21.01 **Establishment of Rates:** Rates to be charged and collected and terms, provisions, and conditions to be effective, respecting such rates for recycled water service supplied by the District, shall be as fixed and established by the Board from time-to-time and published in Appendix A herein. Such charges shall be subject to the terms of any existing recycled water service agreements. This provision is in addition to and not by way of derogation of any other remedies or procedures available to the District pursuant to any law or regulations, or by any of the provisions of these Rules and Regulations.
- 9.21.02 **Change of Service Charge:** The District reserves the right to change the schedule of recycled water service charges and other charges at any time, or from time-to-time, subject to the terms of any existing recycled water service agreements.
- 9.21.03 **Service Charge Billing:** Recycled water service charges will be rendered as part of the District Recycled Water Service Bill at intervals of one (1) month or multiples thereof.
- 9.21.04 **Metering:** For the purpose of computing charges, each meter upon the customer's premises will be considered separately.
- 9.21.05 **Time and Manner of Payment:** All bills and charges for recycled water service hereunder shall be due and payable upon presentation and shall become delinquent after the term defined in the service agreement, or thirty (30) days after presentation. Such bills and charges shall be deemed to have been presented upon having been deposited in the United States mail, postage paid and addressed to the applicant, owner, or customer as reflected in the records of the District.

9.21.05.01 If payment is not made within the term defined in the service agreement, or thirty (30) days after presentation, the recycled water service may be disconnected without further notice and recycled water service shall not again be supplied until all overdue bills, including a penalty as established from time-to-time by the District, have been paid. Payment shall be made in person or by mail at offices of the District.

9.21.05.02 Disconnection of service by reason of an overdue bill shall not automatically constitute revocation of permit. However, such delinquency may be considered as sufficient reason for a revocation of permit in accordance with the provisions of these Rules and Regulations.

9.21.06 **Disputed Bills:** The procedure to be used to contest the accuracy of charges for retail recycled water delivery is as follows:

9.21.06.01 Within five (5) days of receipt of the bill for recycled water service, the customer may initiate an investigation into the accuracy of the charges set forth on the bill. Such protest shall be in writing, shall set forth in detail the basis for the dispute, and shall be delivered to the District at its office.

9.21.06.02 The customer shall be required to pay the disputed bill in full at the time the protest is filed with the District.

9.21.06.03 Upon receipt of the protest, the District hearing officer shall review the protest to determine whether additional information or clarification is necessary to adequately evaluate the dispute. If additional information or clarification is deemed necessary, the hearing officer may request such additional information or clarification from the customer. Upon receipt of all information required to evaluate the customer's dispute, a hearing date shall be set before the hearing officer. After evaluation of the evidence provided by the customer and the information on file with the District concerning the recycled water charges in question, the hearing officer shall render a decision as to the accuracy of the recycled water charges and shall provide the customer with a brief written summary of the decision.

a) If the charges are determined to be incorrect, a corrected invoice will be provided, and either a refund or a credit will be issued, as directed by the customer.

b) If the charges are determined to be correct, no further billing will be provided, and the customer's account will reflect payment in full of the bill in question.

c) At the time the hearing officer renders his or her decision, the customer will be advised of the right to further

appeal to the General Manager, and that such further appeal must be made in writing and delivered to the District within ten (1) days of the date the hearing officer's decision is rendered.

- 9.21.06.04 Upon receipt of a written appeal to the General Manager, a hearing date will be scheduled. The customer will be required to personally appear before the General Manager and present evidence and reasons as to why the decision of the hearing officer should not be upheld. The General Manager shall evaluate the evidence presented by the customer and the information on file with the District concerning the charges in question, and shall render a decision as to the accuracy of those charges. The General Manager's decision is final and binding.

9.22 ENFORCEMENT AND PENALTIES

Any person, firm, corporation, association, or agency found to be violating any provision of these Rules and Regulations, or the terms and conditions of the applicant's, owner's, or customer's service agreement, permit, or any applicable Federal, State, or local statutes, regulations, ordinances, or other requirements, shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. This provision is in addition to and not by way of derogation of any other remedies or procedures available to the District by law, regulation, or pursuant to any of the provisions of these Rules and Regulations.

Failure to permanently cease all violations within the time stated shall result in revocation of the permit by the District and disconnection of recycled water service. Violations regarding any restrictions within these Rules and Regulations may result, at the sole discretion of the General Manager, in disconnection of recycled water service in the following manner.

- 9.22.01 **Interim Revocation:** In cases where the serious nature of the violations described above require immediate action, the General Manager may, at the sole discretion of the General Manager, immediately revoke the permit on an interim basis and thereupon disconnect recycled water service, subject to a timely decision on permanent revocation of permit pursuant to a public hearing as provided herein.

- 9.22.02 **Permanent Revocation:** Permanent revocation of a recycled water permit shall occur only subsequent to a public hearing held in the manner hereinafter provided. The applicant, owner, or customer shall be given written notice ten (10) calendar days prior to a hearing on the possible permanent revocation of any permit by the District. The notice shall specify the grounds of the proposed revocation of any such permit in reasonable detail and it may, but need not, describe corrective action acceptable to the District. Notice may be delivered personally to the applicant, owner, or customer, or it may be given by deposit in the United States mail with postage prepaid, addressed to the applicant, owner, or

customer either at the address for the applicant, owner, or customer as reflected in the records of the District or as shown on the last equalized assessment roll of the County as defined in the Revenue and Taxation Code of the State of California. Any such action to permanently revoke the permit shall be effective ten (10) consecutive calendar days after notice of the Board's decision and shall be either personally delivered to the applicant, owner, or customer or placed in the United States mail, postage prepaid, addressed to the applicant, owner, or customer in the manner herein above specified. Any request to re-establish service subsequent to the revocation of a permit and the disconnection of recycled water service shall be in the manner prescribed for initially obtaining service from the District, which may include the collection of a security deposit in an amount determined by the Director of Finance. However, in addition, the District may, at its discretion, require that a service agreement and financial security conditioned upon compliance with the District's Rules and Regulations be provided in an amount, manner, and for a period of time as determined by the Board.

9.23 FUTURE RECYCLED WATER EXPANSION

The District requires the installation of separate meters for potable and landscape irrigation needs for commercial and industrial property per Section 4.07.05. In the event recycled water is currently unavailable at the property but expansion of the recycled system to the property is foreseeable, the District may require the installation of new commercial irrigation systems to be in compliance with Sections 9.18 and 9.19.

9.24 WHOLESALE RECYCLED WATER SERVICE

In some instances the District may, by special agreement, provide recycled water on a wholesale basis. All applicable regulations apply to such sale of recycled water, as provided in this Article 9, except in those instances where the wholesale recycled customer undertakes to comply with such regulations on its own, and applicable law authorizes such undertaking by the customer. In all instances, the responsibility for compliance with laws and regulations applicable to the sale and delivery of recycled water will be provided for in a written agreement between the District and the wholesale recycled water customer. The applicable rate for such water service shall be set forth in the agreement between the District and the wholesale recycled water customer. Unless otherwise set forth in the agreement, the provisions of Article 9.21 regarding billing, payment of bills, and billing disputes shall apply.

The foregoing provisions of these Rules and Regulations are a requirement of any permit, and any application for service and permit therefore shall be subject to such provisions. The Board, if it deems such to be in the best interests of the District, may, on an interim basis or otherwise, waive or modify any of the foregoing.

- END OF ARTICLE 9 -

ARTICLE 10

ANNEXATIONS TO WALNUT VALLEY WATER DISTRICT

The following conditions pertain to annexation of land to the District.

10.01 CHARGES FOR ANNEXATION

The owners of land hereafter annexed to the District shall be required to pay, upon completion of the annexation, all back assessments, standby charges, and other charges that would have been levied on the land by the District since the formation of the District as if the annexed parcel had been part of the District. These prior assessments and charges shall be subject to an additional sum computed at the rate of six percent (6%) simple interest per year, in addition to any and all charges and conditions imposed by law or permitted to be made as a condition of annexation, and shall comply with the following conditions:

- 10.01.01 **Annexed Lines, Works, Facilities, Compliance with District Standards:** The lines, works, and facilities constructed, or to be constructed in any new annexation, shall comply with the standards of the District as to size of line, quality of materials, workmanship, and other matters and shall otherwise be subject to the terms and conditions set forth in these Rules and Regulations relating to developers, subdividers, and individual applicants for water service.
- 10.01.02 **Collection of Fees and Charges for Annexed Property:** The Acreage Supply Charge, Reservoir Capacity Charge, and Standby Charge for annexed property may be collected at the time of annexation or of application for service or connection to any lines and works of the District, as the case may be, and shall be in addition to service connection costs and on-site development costs.

- END OF ARTICLE 10 -

ARTICLE 11 REIMBURSABLE EXPENSES

11.01 LOCATING AND MARKING SUBSURFACE INSTALLATIONS

Pursuant to Government Code Section 4216.5, the District shall charge a fee, as calculated, unless granted exemption therefrom in writing, to cover its costs incurred in locating and field marking its subsurface installations under the Regional Notification Center System. (Government Code Sections 4216 et seq.)

- 11.01.01 The District shall charge any excavator the District's actual cost, as determined on a time and material basis, plus the District's Administrative Charge for any work performed by District personnel or their agents in complying with Government Code Section 4216.3 by locating and field marking any subsurface installations and thereafter notifying the excavator of the District's subsurface installations which may be affected by the planned excavation.

- 11.01.02 Notwithstanding Article 11.01.01, if an excavator notifies the Regional Notification Center less than five (5) working days before it is to begin work, the District shall charge any such excavator for the time and materials used on a "double time" basis, plus the District's Administrative Charge, for the locating and field marking services provided by District personnel or their agents. The additional charge authorized under this paragraph is necessary to provide for the increased labor costs the District incurs in satisfying its statutory obligations under the Regional Notification Center System when notice of less than five (5) working days is received in which to locate in the field and mark subsurface installations.

- END OF ARTICLE 11 -

ARTICLE 12

RULES APPLICABLE TO APPLICANTS FOR AFFORDABLE RATE PROGRAM

12.01 APPLICANT

The Walnut Valley Water District Affordable Rate Program (WVARP) is available only to residential customers who receive water through a 1-inch or smaller water meter.

An Applicant for the District's Affordable Rate Program must be either the owner in fee or the tenant of the premises that is or will be served by the District. Tenants must have on file with the District an affidavit, in the form attached hereto as Appendix G, signed by the owner in fee of the premises, assuming responsibility for payment of services for that property.

12.02 ELIGIBILITY FOR PROGRAM

Each applicant for the WVARP must establish eligibility for the program as stated below:

12.02.01 **CARE Program:** Applicant must qualify and be enrolled in Southern California Edison's or Southern California Gas' California Alternate Rates for Energy (CARE) program and must provide a utility bill showing proof of such enrollment.

12.02.02 **Household Income:** Applicant's total gross household income cannot exceed pre-determined income requirements established by the District, based upon the approved limits set by the California Public Utilities Commission for the CARE program. Applicant must provide verification of household income if requested.

12.02.02.01 **Income Requirements.** Maximum household income requirements are based upon number of persons living in home in relation to the maximum total "gross household income" from all sources.

12.02.02.02 **Income Qualification.** Total gross household income is all revenues, from all household members, from whatever sources derived, including but not limited to:

- Wages
- Salaries and Other Employment Compensation
- Interest
- Dividends
- Spousal and Child Support Payments
- Public Assistance Payments
- Social Security and Other Pensions
- Rental Income
- Income for Self-employment

- All Employment-related Non-cash Income

12.02.03 **Income Taxes:** Applicant may not be claimed as a dependent on another person's federal or state income tax return, other than that of their spouse.

12.02.04 **Property Taxes:** Applicant may be required to provide a copy of their annual property tax statement, or other documentation reasonably requested by the District to evidence home ownership.

12.02.05 **Additional Requirements:** The following requirements also apply to each Applicant:

- Must reapply each time they move.
- Must notify the District within 30 days if they become ineligible.
- Must have and maintain a good payment history with the District, including no terminations of service within the twelve (12) month period immediately preceding the date of application, and not more than three (3) late notices issued by the District during that twelve (12) month period.
- Once enrolled, applicants may be required to reapply or to certify continued eligibility as requested. Failure to comply with the request by the District may result in removal from the program.

12.03 METHOD OF APPLICATION FOR PROGRAM

12.03.01 **Application Procedure:** Applicant must obtain from the District a Notice and Application, attached hereto as Appendix K (2 pages), for the WVARP. Applicant must complete the application and submit the required documentation to the District. If approved, Applicant will receive the discount on their water bill, as calculated under Sections 12.04 and 12.05, below, at a to-be-determined date. If the application is not approved, Applicant will receive a letter from the District explaining the reason for that disapproval.

12.03.02 **Application Period:** Applications are accepted on a first come, first served basis, contingent upon the availability of funds. Participation in the WVARP is personal to the Applicant and is not transferable with the property.

12.04 PROGRAM FUNDING

The Board of Directors will approve on an annual basis, as part of the District's budget process, the annual funding for the WVARP. Approved funding, if any, will be a not-to-exceed amount established for a 12-month period that may differ from the District's fiscal year. The annual funding approved will be prorated amongst all eligible participants in an amount not-to-exceed fifty percent (50%) of the then current base rate.

12.05 DISCOUNT RATE

The District has established a discount of up to a fifty percent (50%) off the base rate for meters up to 1-inch in size, for qualified households. This rate is subject to change on an annual basis as determined by the Board of Directors.

12.06 REDUCTION; TERMINATION

The District, in its sole discretion, reserves the rights to reduce amounts available under the WVARP or to terminate the WVARP, and any discounts available under that program, in its entirety, upon at least thirty (30) days' written notice to participants in the program.

- END OF ARTICLE 12 -

APPENDICES

APPENDIX A	RATES AND CHARGES FOR WATER SERVICE
APPENDIX B	MISCELLANEOUS CHARGES
APPENDIX C	CAPACITY CHARGE
APPENDIX D	PERMIT TO USE DISTRICT FACILITIES
APPENDIX E	COMMERCIAL DEVELOPMENT FLOW CHART
APPENDIX F	RECYCLED WATER ANNUAL PERMIT
APPENDIX G	OWNER/TENANT SERVICE AFFIDAVIT
APPENDIX H	STATEMENT OF WATER SERVICE TO NEW SUBDIVISIONS
APPENDIX I	WILL SERVE LETTER
APPENDIX J	POLICY AND PROCEDURE IMPLEMENTING THE CALIFORNIA PUBLIC RECORDS ACT
	EXHIBIT A – PUBLIC RECORDS REQUEST FORM
	EXHIBIT B – PUBLIC AGENCY REQUEST FOR CONSUMER INFORMATION
	EXHIBIT C – FORM OF DECLARATION
APPENDIX K	APPLICATION FORM – WALNUT VALLEY AFFORDABLE RATE PROGRAM (WVARP)
APPENDIX L	POLICY ON DISCONTINUATION OF RESIDENTIAL WATER SERVICE FOR NON-PAYMENT

APPENDIX A RATES AND CHARGES FOR WATER SERVICE

I. RETAIL RATES

A. Single Family, Multi-Family, and Commercial/Industrial/Institutional Service Charge by Meter Size

Meter Size	Monthly Base Rate Effective January 1, 2025
5/8" or 3/4"	\$37.15
1"	\$51.59
1-1/2"	\$87.65
2"	\$130.93

Meter Size	Monthly Base Rate Effective January 1, 2025
3"	\$246.35
4"	\$376.19
6"	\$736.85
8"	\$1,169.65

B. Retail Commodity Rates per Unit (1 unit = 748 gallons) of Water Use for All Consumption - Effective January 1, 2024

Single Family	Tier I (0-6 units)	\$3.55
	Tier II (07-27 units)	\$4.49
	Tier III (28+ units)	\$5.97
Multi-Family		\$4.46
Non Residential*		\$4.46
Recycled		\$2.66

*Commercial/Industrial/Government/Institutional

C. Pumping Zone Surcharge per unit (1 unit = 748 gallons) of water use for all consumption - effective January 1, 2025

Zone 1 (Gravity System)	\$0.00
Zone 2	\$0.26
Zone 3	\$0.48

D. Affordable Rate Program Discount for Qualified Customers Having Meters up to 1-inch in Size - up to a maximum of 50%, prorated based on available funding, of Monthly Base Rate

II. PRIVATE FIRE PROTECTION RATES - Effective January 1, 2025

A. Single Family, Multi-Family, Commercial/Industrial/Institutional, and Recycled Service Charge by Detector Check Size

Detector Check Size	Monthly Charge	Detector Check Size	Monthly Charge
1"	\$11.07	6"	\$58.46
1-1/2"	\$11.88	8"	\$112.53
2"	\$13.30	10"	\$193.90
4"	\$27.09	Private Hydrant (each)	\$58.46

III. CONSTRUCTION WATER RATES

A. Use of Potable Water

- Monthly Service Charge

2-1/2" Hydrant Meter	\$ 49.00 per Month (or any part thereof)
4" Meter	\$243.61 per Month (or any part thereof)
6" Meter	\$463.07 per Month (or any part thereof)
- Set-up Charges

	<u>2 1/2"</u>	<u>4" or 6"</u>
Set-up Charge	\$50.00	\$250.00
Relocation Charge (per request)	\$25.00	\$250.00
- Use Charge

Metered - Double the Commercial/Industrial/Institutional Customers' Rate
 Tank Load - Double the Commercial/Industrial/Institutional Customers' Rate
 Street Sweeping, Curb Mile (single side) - \$0.10 per Mile
- Security Deposit

\$2,000.00 for 2 1/2" Hydrant Meter or 4" Meter and Unpaid Water Charges
 \$3,000.00 for 6" Meter and Unpaid Water Charges

B. Use of Recycled Water

- Monthly Service Charge

2 1/2" Hydrant Meter	\$ 49.00 per Month (or any part thereof)
4" Meter	\$194.97 per Month (or any part thereof)
6" Meter	\$384.76 per Month (or any part thereof)
- Set-up Charges

	2 1/2"	4" or 6"
Set-up Charge	\$50.00	\$250.00
Relocation Charge (per request)	\$25.00	\$250.00

APPENDIX B MISCELLANEOUS CHARGES

1. Reconnection Charge		(During regular working hours, M-Th 7:00am – 6:00pm)
	First time:	\$27.00
	Second time and thereafter:	\$40.00
	During non-working hours, Saturdays, Sundays, and holidays:	\$182.00
The Second Time Charge applies to any subsequent occurrence within a 12-month period. For residential customers that meet the income levels as defined in California Health and Safety Code Section 116914, the reconnection fee shall be the lower of actual costs or \$50, and for after hours reconnections, the fee shall be the lower of actual costs or \$150.		
2. Returned Payments		(During regular working hours, M-Th 7:00am – 6:00pm)
	Returned Check Charge/Auto Bill Rejection (First Time)	\$25.00
	Returned Check Charge/Auto Bill Rejection (Second Time)	\$30.00
	Returned Credit Card Charge	\$46.00
	Returned ACH Payment Charge	\$35.00
California Civil Code limits the fee for a returned check to \$25 for first occurrence, and \$35 for each subsequent occurrence. The second time charge applies to any subsequent occurrence within a 12-month period.		
3. Meter Test Charge (Meters 2" or smaller)		\$124.00
4. Pulled Meter Charge		\$56.00
5. Meter Exchange Charge (Meters 2" or smaller)		\$83.00
6. Unauthorized Meter Turn-on Charge		\$61.00
7. Unauthorized Water Use Charge		
	Existing Residential Customers	\$200.00
	Existing Non-Residential Consumers	\$500.00
	Temporary/Construction Customers	\$1,000.00
8. Late Charge		10% of Outstanding Water Charges
9. Notice of Termination		\$24.00
10. New Customer Application Admin. Charge		\$30.00
11. New Customer/Service Turn-on		
	Same Day Turn-on	\$27.00
	During non-working hours, Saturdays, Sundays, and holidays:	\$182.00
12. Security Deposit		Three times the average water bill
13. Minimum Bill		Equal to the periodic meter service charge
14. Lien Processing Fees		
	(a) For placement of lien	\$74.00 plus County Fees
	(b) For release of lien	\$74.00 plus County Fees
	(c) Accrued interest	As allowable under State law
15. District Administrative Charge		Equal to the Water System Design & Plan Check Deposit or 31% of the direct cost of service rendered, whichever is greater

**APPENDIX B
MISCELLANEOUS CHARGES**

16. Fire Flow Test	
Field Test	\$191.00
Hydraulic Model Test	\$115.00
17. Front Footage Charge	Shall be one (1) dollar per linear front footage, multiplied by the nominal size of the main required by the development, as determined by the General Manager
18. Water System Design and Plan Check Deposit	
(a) 24" x 36" drawings (per sheet)	\$1,900.00
(b) 11" x 17" drawings (per sheet)	\$1,036.00
(c) 8 1/2" x 11" drawings (per sheet)	\$461.00
Residential water system design & plan check deposit:	Equal to \$90.00per house/dwelling unit or the per sheet deposit, whichever is greater
19. County Fire Flow Availability Form	
\$29.00	
20. GIS Fees for Developer-Funded Projects	
(a) 24" x 36" drawings (per sheet)	\$130.00
(b) 11" x 17" drawings (per sheet)	\$75.00
(c) 8 1/2" x 11" drawings (per sheet)	\$45.00
(d) Valve/Hydrant/Blow-off/AirVac Cards (per card)	\$1.00
(e) Easements (unlimited pages - per document)	\$116.00
(f) Title Sheet 24" x 36"	\$5.00
21. Damaged Copper Setter Replacement	
5/8"	\$286.00
3/4"	\$308.00
1"	\$387.00
1" Fire	\$634.00
1 1/2"	\$947.00
1 1/2" Fire	\$1,462.00
2"	\$1,097.00
22. Security Deposits	
Single Family New Service Security Deposits	
5/8" and 3/4"	\$200.00
1"	\$350.00
1.5"	\$550.00
2"	\$850.00
3"	\$1,000.00
4" and larger	\$1,200.00

APPENDIX B
MISCELLANEOUS CHARGES

22. Security Deposits (Continued)

Multiple-Family New Service Security Deposits

5/8" and 3/4"	\$100.00
1"	\$360.00
1.5"	\$650.00
2"	\$1,560.00
3"	\$1,560.00
4"	\$1,600.00
6" and larger	\$9,650.00

Commercial/Industrial New Service Security Deposits

5/8" and 3/4"	\$200.00
1"	\$360.00
1.5"	\$600.00
2"	\$800.00
3"	\$1,610.00
4"	\$2,520.00
6" and larger	\$3,620.00

APPENDIX C

CAPACITY CHARGE

The Capacity Charge will be imposed on any property requesting a new or larger connection. The imposed fee will be based on meter size for new development and additional fixture units for existing connections. The rates for the Capacity Charge are shown below and may be adjusted for inflation each year.

Meter Size	Capacity Fee (Effective February 23, 2022)
5/8"	\$5,630
3/4"	\$5,630
1"*	\$9,384
1 1/2"***	\$18,768
2"	\$30,029
3"	\$60,057
4"	\$93,840
6"	\$187,679
8"	\$300,287

*In the case where a residential 1" meter is required for private fire sprinklers only, the 3/4" meter capacity charge will be applied.

**In the case where a residential 1 1/2" meter is required for private fire sprinklers only, the 1" meter capacity charge will be applied.

WALNUT VALLEY WATER DISTRICT
271 S. Brea Canyon Road, Walnut, CA 91789
(909) 595-1268 FAX (909) 594-9532

Date _____

WVWD Rules and Regulations
Last updated September 2025
Page D-1

- 6. Be advised that the District has classified water used for construction purposes as surplus water and, in time of water shortage, water rationing, general emergency, or at any time deemed necessary by the District, supply of such water can be terminated without notice.
- 7. Be further advised that the District does not guarantee any specific quantities or quality of water, pressures or flows with respect to the construction water provided hereunder.
- 8. Be responsible for payment of the meter service charge and construction water charges until the District is notified to remove the service and for any and all costs incurred by the District in collecting that charge, including any attorneys' fees and court costs the District may incur in such collection efforts.
- 9. Applicant shall abide by the District's Rules and Regulations.

(Applicant's Name)

(Address)

(Signature)

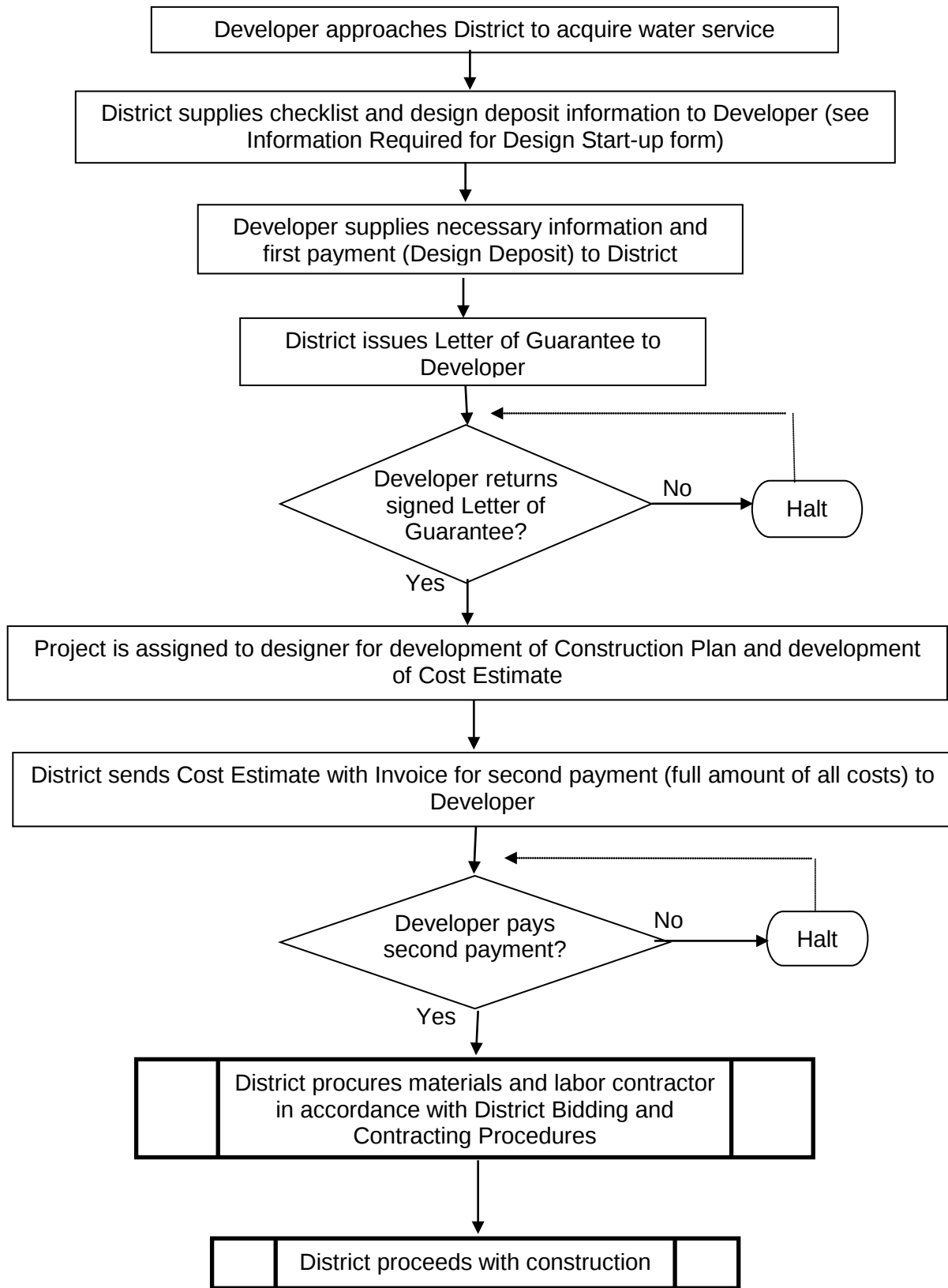
(Telephone No.)

APPROVED BY:

WALNUT VALLEY WATER DISTRICT

By _____

**APPENDIX E
COMMERCIAL DEVELOPMENT FLOWCHART**



APPENDIX F
WALNUT VALLEY WATER DISTRICT
271 South Brea Canyon Road, Walnut, CA 91789
(909)595-1268 Fax (909) 594-9532

RECYCLED WATER ANNUAL PERMIT

Permitee	
Service Address	
Application Area	
Intended Use	
Account Number(s)	
Module Number(s)	
Meter Number(s)	
Meter Size(s)	



Pursuant to the District and Regulations, the above Permitee, hereby makes application for the use of recycled water under the following terms and conditions:

1. Permitee shall comply with Articles 8 and 9 of the District Rules and Regulations and State Health Department Regulations (Title 22) regarding cross connections, and the Requirements for the Use of Recycled Water (listed on reverse side), copies of which are available upon request.
2. The facilities described herein shall be constructed and maintained according to District standards by the property owner.
3. Permitee shall provide to the District, prior to rendering recycled water service to the facilities described herein, a complete set of "as-built" plumbing and irrigation plans showing the following:
 - a) the location and size of all water pipelines (recycled and potable)
 - b) the location of all valves and other appurtenances
 - c) the location with respect to all related structures
4. Permitee agrees to allow the District periodic access to the premises during reasonable business hours for the purpose of inspecting the Permitee's system for compliance with District standards for recycled water use.
5. Permitee shall protect, indemnify and hold harmless the District, its officers, directors, employees, agents and representatives from and against all liabilities, cause of action, whether legal, equitable or administrative, damages, claims, demands, judgments, losses, costs, expenses, and shall defend District in any claim, investigation, proceeding or suit, including appeals, for any and all matters which may arise or be claimed to have arisen as a result of any act or omission to act by District or on behalf of District with respect to the construction, installation, operation or repair of the recycled water system and related facilities and with respect to the safe delivery and use of recycled water.
6. Prior to commencement of service, Permitee shall pay to the District all applicable fees and service charges in effect as of the date of issuance of the permit for said service.
7. **Permitee shall not change or modify the approved on-site recycled water distribution system without prior written approval of the District. If Permitee changes or modifies the approved system or fails to maintain the approved system in a state of good repair, the District may, in addition to other legal remedies, disconnect recycled water service.**
8. Permitee designates the following person, as **"Site Supervisor,"** as having complete working knowledge of the system and delegated responsibility for ensuring the proper use of the on-site recycled water system. Permitee also agrees to notify WVWD of a change in **"Site Supervisor."**

SITE SUPERVISOR:

Name & Title (Print): _____	E-Mail (Print): _____
Working Hours Phone: _____	24 Hr. Emergency Phone: _____

THE TERMS OF THIS PERMIT ARE HEREBY ACCEPTED:

By: _____	_____
<i>Signature</i>	<i>Print Name & Title</i>
E-Mail: _____	Date: _____
<i>Print</i>	

APPROVED BY:

_____	Date: _____	Permit Expires: _____
Thomas M. Monk, Director of Operations		

APPENDIX F

RECYCLED WATER USER REQUIREMENTS

1. No irrigation with recycled water during periods of rainfall and runoff resulting from rainfall.
2. Use of recycled water should not result in problems due to breeding of mosquitoes, gnats, midges, or other pests.
3. Adequate freeboard in recycled water storage ponds must be maintained to prevent overtopping from direct rainfall.
4. The use of recycled water must not cause pollution or a nuisance condition.
5. Recycled water must not be applied to landscaping at a rate that exceeds the vegetative demands or the soil's capacity.
6. No recycled water irrigation within 50 feet and no impoundment of recycled water within 100 feet of a domestic water supply well.
7. Irrigation spray, mist or runoff shall not enter dwellings, designated outdoor eating areas or food handling facilities, or be allowed to contact drinking water fountains.
8. Irrigation may only take place when the general public is not present, typically between 10 p.m. and 6 a.m., or otherwise specified by the reclaimed water purveyor and/or producer.
9. Reasonable precautions must be taken to prevent overspray and ponding of recycled water.
10. Hose bibs on the recycled water irrigation system are not allowed in areas where the general public has access. Quick couplers only may be used instead.
11. Recycled water use areas that are accessible to the general public must have notification signs at all points of entry (pedestrian and vehicular) that state "RECYCLED WATER-DO NOT DRINK" and include the international "DO NOT DRINK" symbol.
12. Workers handling recycled water facilities must not drink the recycled water, use it to wash their hands or other parts of their bodies or use their tools on the domestic water systems without properly cleaning them.
13. Recycled water may not be used on any unapproved site.
14. Recycled water appurtenances (e.g., valves, controllers) must be clearly identified.
15. No on-site water system (recycled or potable) modifications without the approval of the recycled water provider and/or County Department of Health Services.
16. There must never be a direct connection between the recycled water system and the potable water system.



APPENDIX G

Walnut Valley Water District

271 S. Brea Canyon Road - Walnut, CA 91789

Phone: (909) 595-1268 - Fax: (909) 594-9019 - cservice@walnutvalleywater.gov Office

Hours: Monday - Thursday 7:00 a.m. to 6:00 p.m.

OWNER/TENANT AFFIDAVIT

Today's Date

Service Start Date

Service Address

City

State

Zip

Primary Applicant/Tenant Information

First Name

Last Name

Phone number

Email

Re-enter Email

Owner's Name

Full Name

Tenant Agreement

I have leased the property at the service address shown above and do hereby assume the responsibility for payment of all water service bills incurred at that property during my lease of the property. Further, I hereby authorize the above named owner of that property to access my water service account associated with this property in order to confirm, among other things, water usage and payment history on this account. I further will defend, indemnify and hold the District, its officers, officials and employees harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with this Affidavit and enforcement of Walnut Valley Water District's policies with respect to water service being provided through this Affidavit. I further authorize Walnut Valley Water District and its authorized agents to access the property during such time as I have possession of it for purposes related to any inspection of, or for any third party to test, cross-connection control or backflow prevention facilities installed at the property. I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Tenant Signature

Date



APPLICATION TO START WATER SERVICE (CONTINUED)

Property Owner Information

First Name

Last Name

Mailing Address

City

State

Zip

Phone number

Email

Re-enter Email

Driver's License or Other ID Type

State

ID #

Owner Agreement

I hereby affirm that I am the owner of the property at the service address shown above and do hereby grant permission to the Tenant identified above, to institute water service at the above service address. In granting this permission, I guarantee full payment of any water charges remaining unpaid on this account. I also recognize the fact that no new applications will be processed for service at this address until all charges imposed for water service provided pursuant to this Affidavit are paid in full. I understand, the Tenant has granted me access to inquire about the water service account associated with this property for purposes of confirming among other things, water usage, account balance, and payment history.

I acknowledge and agree that as the Owner of the property, I am responsible for ensuring that the premises comply with all applicable provisions of the Walnut Valley Water District's Rules and Regulations, including but not limited to requirements for recycled water use, cross-connection control, and backflow protection. I further authorize Walnut Valley Water District and its authorized agents to access the property, upon at least twenty-four (24) hours' prior written notice to me and the tenant for purposes related to any inspection of, or for any third party to test, cross-connection control or backflow prevention facilities installed at the property. Where compliance requires modifications, repairs, or improvements to the property that the Tenant cannot lawfully perform under the terms of their lease, I, as Owner, accept full responsibility for completing such work at my own cost. I further acknowledge that while the District may discontinue service for non-compliance, such discontinuance shall not relieve me of liability for correction of deficiencies or payment of all charges on the account.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Owner Signature

Date

**APPENDIX H
STATEMENT OF WATER SERVICE TO NEW SUBDIVISIONS**

Date

County of Los Angeles
Building & Safety/Land Development Division
900 S. Fremont Ave.
Los Angeles, CA 91803-1331

RE: Statement of Water Service for Tract No. _____
Work Order _____

Gentlemen:

The Walnut Valley Water District, a California Special Water District, hereby states that it will operate and maintain the proposed water system for the referenced development and that the system will be adequate during normal operating conditions to meet the minimum requirements for domestic and fire flow demands. Installation of the system is based upon the developer completing financial arrangements with the District.

All service pursuant to this letter shall be in accordance with District Rules and Regulations.

Very truly yours,

WALNUT VALLEY WATER DISTRICT

Sheryl L. Shaw, P.E.
General Manager/Chief Engineer

APPENDIX I WILL SERVE LETTER

Date _____

Name _____
Company _____
Address _____
City, State, Zip _____

RE: Water Service Availability, Tract _____

Dear _____:

The referenced development ("Development") located in _____, California, lies within the service area of Walnut Valley Water District ("District"). The District is prepared to provide water service to the Development subject to the following conditions and reservations:

- 1) Developer shall submit to District all plans, designs, and fire department requirements for the Development in order that the District may design the necessary distribution system and other facilities required for the Development in accordance with District Rules and Regulations.
- 2) Developer shall grant District any and all easements required for water service, together with a policy of title insurance guaranteeing District's title to such easements.
- 3) Developer shall, In accordance with District Rules and Regulations, pay all required fees and charges including any required deposit amounts in order to process plans, design, and complete construction of the required on-site and off-site improvements.
- 4) Developer shall comply with District Rules and Regulations in force and effect at the time water service is requested and as those Rules and Regulations may be amended from time to time including, but not limited to, the payment of any and all District charges, fees, and expenses necessary to provide service to the subject Development.
- 5) Developer acknowledges that water service to the Development shall be subject to availability of water. In relying upon this representation to provide water service, developer is aware of the restrictions contained herein and the reliance by the District upon Metropolitan Water District as its sole supplier of water for domestic purposes. While there is currently no prohibition against additional connections, the District has the authority to reduce and restrict service connections. The developer further acknowledges that this letter does not constitute any guaranty that at the time of connection water service will be available for the Development.
- 6) Developer agrees that this water service letter is exclusive to the Development described above (and number of units, if indicated) and may not be transferred or assigned to any other person or for any other purpose without the District's written consent.

- 7) Provision of water service to the Development is contingent upon the Development meeting the requirements of any other governmental entity having jurisdiction over such development.
- 8) This letter and any representations made herein shall be null and void twelve (12) months from the date hereof if water service has not been installed. The developer shall not be entitled to any water connections not made at the time of the expiration of this letter.
- 9) At any time prior to connection and upon a finding by the Board of Directors that the District is unable to serve the property for reasons beyond its control, this letter may be revoked by the District.
- 10) The developer for itself and on behalf of its successors agrees to defend, at developer's expense, any action brought against the District, its agents, officers or employees because of the issuance of any approvals or authorizations obtained herein, or in the alternative, to relinquish such approvals. The developer agrees to reimburse the District for any costs, fees, or expenses the District may incur as a result of any such legal action. Developer further agrees that in conducting the defense of such action, District shall be entitled to engage its own attorneys, the expense of which shall be paid by developer.
- 11) All service pursuant to this letter shall be in accordance with District Rules and Regulations as they may be amended from time to time. By issuing this letter, the District does not guarantee any specific quantities, pressures, or flows with respect to service provided by the District.

Very truly yours,

WALNUT VALLEY WATER DISTRICT

Sheryl L. Shaw, P.E.
General Manager/Chief Engineer

Accepted this _____ day of _____, 20__

Company Name

By _____
(Signature)

(Print Name)

(Title)

APPENDIX J

Policy and Procedures Implementing the California Public Records Act

Walnut Valley Water District ("District"), pursuant to the California Public Records Act ("Act") (Government Code §§6250 et seq.) and in keeping with the public's right of access to all public records in the District's custody, and subject to certain exemptions as provided by law or necessary to protect individuals' privacy rights, adopts the following procedures.

Section I. Requesting Public Records and District's Response.

A. All requests for public records of the District must be in writing, and shall state whether the request is for examination of the records or for copies. The request must clearly identify the document, record or information requested, and the person making the request; and shall be dated and signed. The District will provide a form to be utilized by those persons requesting examination or copies of District records, as set forth in Exhibit A hereto. Any request by a public agency for information concerning a District consumer shall be submitted on the form attached hereto as Exhibit B.

B. Requests to examine public records of the District will be processed promptly in accordance with Section II, below, provided that a member of the District's staff is available to supervise the examination and retrieval of records so long as the examination does not interfere with the ordinary business operations of the District. Within three business days of receipt of a written request for examination of records, either (1) all non-exempt documents requested will be produced for examination by the requesting party, or (2) a written response will be provided stating that the request is denied and giving the reasons for the denial of the request. Requests for copies of District records will be processed in accordance with Section III, below.

C. In accordance with Government Code Section 6253.1, the District shall assist the requesting party in identifying records and information that are responsive to the request or its stated purpose. The District will also provide suggestions to the requesting party to overcome any grounds for denying access to the records or information sought, if that is feasible.

D. The District may comply with its obligation to allow for in person examination of records or to provide copies of records by posting any public record on its website and, in response to a request for records, directing the requesting party to the location on the website where the record is posted. Any such record posted on the District's website shall be posted in an open format in compliance with Government Code Section 6253.10.

E. If any request for a District record relates to a record in an electronic format, the District will make the record available in any electronic format in which it holds that record or in the format requested if the requested format is one the District has used to make copies for its own use. However, the District will not release any record in electronic format if that release would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which the record is maintained. The requesting party must pay for the District's direct cost of copying any record in an electronic format. The District may recover its programming and computer service costs if the request

requires data compilation, extraction or programming to produce the record or if the record is produced at other than a regularly scheduled interval.

Section II. Examination of Public Records. The District will provide an area at its offices for examination of its public records. Examinations may take place only during regular District business hours, must take place on District premises, and will be subject to observation by District personnel. These procedures are for the sole purpose of protecting original records against tampering or theft. Any examination of original District records will be subject to the following rules:

- A. No document or record, or any part thereof, shall be removed from the file, notebook, folder, or other compilation in which it is contained.
- B. No document or record shall be written on, marked on, or erased, nor shall any writing or information therein otherwise be removed; nor shall any person destroy, mutilate, deface, alter or falsify any document or record. Violations of this rule will be prosecuted pursuant to Government Code §6201.
- C. The party examining records shall comply with all instructions of District personnel. District personnel may terminate or restrict the examination as may be necessary to preserve District records.

Section III. Copying Public Records.

- A. Within ten days of receipt of a request for copies of identifiable public records, the District will determine whether it will comply with the request, and will thereafter notify the requesting party of its determination and the reasons therefor. In unusual circumstances, as described in Section IV, below, the response time may be extended up to an additional fourteen calendar days.
- B. Upon denial of a request in whole or in part, the reviewing official will provide a written response to the request by personal delivery or by mail stating the reasons for the denial, including whether the requested document is exempt from disclosure pursuant to the Act, as described in Sections VI and VII, below.
- C. Where a portion of the record requested contains information which is exempt from disclosure under the Act, the reviewing official will make a determination as to whether the non-exempt portion of the record is reasonably segregable from the exempt portion of the record.
- D. Upon approval of the request in whole or in part, the requesting party will be notified by writing identifying the documents and records to be produced and stating that the requesting party may obtain the copies to be produced upon payment of the copying costs, as specified in the written response. Unless waived by the General Manager, the District shall determine the cost of reproducing the record or document in accordance with the following:

1. 32¢ for each black & white copy of a document consisting of one or more pages reproduced on paper no larger than 11" x 17".

2. 38¢ for each color copy of a document consisting of one or more pages reproduced on paper no larger than 11" x 17".
3. \$10.00 additional fee charged for certified copies of public documents.
4. Documents larger than 11" x 17" and audio tapes will be furnished at District cost.
5. Electronic format documents will be furnished at District cost, including, if the request requires data compilation, extraction or programming, the cost to construct the requested record and the cost of any programming and computer services necessary to produce a copy of said record.
6. Pursuant to Government Code §81008, reproduction of Statements of Economic Interests (Form 700) will be furnished at a cost of 10¢ per page, plus a \$5.00 retrieval fee per request if the statements are five or more years old.

E. Payment of the cost of copying requested records may be by cash, check or money order, and must be made before the copies will be provided to the requesting party. Upon request and payment of mailing expenses in addition to the copying charges, the copied records will be mailed as directed by the requesting party, or may be picked up at the District office.

F. No charge will be made for staff time expended in the search and retrieval of the requested records and documents, but the District may recover its direct costs of duplication.

Section IV. Extensions of Time to Respond. The District will make every effort to comply with or provide a written response to requests to examine or copy records or documents within the applicable period specified above unless one or more of the following unusual circumstances exists:

A. The reviewing official determines that a question exists as to whether the requested documents or records are exempt under the Act, and requires additional time to seek advice of District legal counsel.

B. The requested documents or records are not located at the main District offices.

C. The request requires District personnel to search for, collect and appropriately examine a voluminous amount of separate and distinct records.

D. The requested documents or records contain information which is exempt from disclosure under the Act, and District personnel requires additional time to delete the exempt information and provide the segregable portion of the record.

E. There is a need for consultation with another agency having a substantial subject matter interest in the documents requested. Such consultation will be conducted with all practicable speed.

F. Upon determination by the reviewing official that additional time is required to respond to a request, the District will notify the requesting party in writing of the reasons for the extension and the date on which the District's determination will be available. In

no event shall such notice specify an extension to respond to the request for more than fourteen (14) days beyond the time limits provided above.

Section V. Review of Personal Electronic Devices and Personal E-Mail Accounts.

A. Upon receipt of a request under the Act that may involve responsive records that may have been transmitted by an employee or director through the employee's or director's personal electronic devices (including, but not limited to, a smart phone, tablet or laptop computer) or personal e-mail account, the District's General Manager shall notify any employee or director who may reasonably be expected to have any such requested records on such a personal device or personal e-mail account of the need for that employee or director to search his or her personal device(s) and personal e-mail account(s) for any records (including, but not limited to, text messages, e-mails or other electronic records) that may be housed on any such device or in any such account. Any such search will be conducted promptly upon receipt of notice from the General Manager in order to ensure the District complies with the timeframes for responding to the request in accordance with this policy. Any such search shall be conducted in good faith to be reasonably calculated to locate any responsive public records that may be housed on any such personal device or personal e-mail account, but need not be extraordinarily extensive or intrusive.

B. Upon completion of the search of any such devices or accounts, the employee or director shall complete the declaration in the form attached hereto as Exhibit C that states the appropriate result from that search. The District shall provide training for all employees and directors regarding how to conduct such searches and how to differentiate and segregate public records from private records. The District shall conduct updated training at least every two years. The District shall have personnel available to assist any employee or director who requests assistance in conducting such a search.

C. The District shall incorporate into its separate electronic communications policy provisions designed to minimize the likelihood of an employee or director using his or her personal electronic device or personal e-mail account for District business.

Section VI. Review for Exemption.

A. The District's Board of Directors designates the General Manager and Assistant General Manager as the reviewing officials. A reviewing official will have exclusive authority for reviewing and approving public records requests.

B. A reviewing official must review and approve each request for inspection or copying before any public record of the District is released to the requesting party. All requests for public records shall be in writing and should be submitted to a reviewing official as soon as possible after receipt by District personnel.

C. The requesting party will be informed as to the applicable time limits for the District's response, as provided under this policy.

D. The reviewing official will determine whether the requested documents or records are exempt from disclosure under the Act, and shall examine records where it is possible that some or all of the requested documents contain information that is exempt. Where

there is both exempt and non-exempt information in a particular document, the official will determine whether the exempt portions are reasonably segregable from the non-exempt portions and, where possible, direct District personnel to delete or otherwise redact those portions of the document which are exempt. Where there is a question as to whether a particular exemption applies, the reviewing official may consult with District counsel prior to disclosure.

E. Where the facts of a particular case dictate that the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record, the request may be denied. The reviewing official may consult with District counsel prior to making such a determination.

F. In response to examination requests, the reviewing official may direct District staff to make such records immediately available upon a determination that the records are subject to disclosure. The official will designate the location for the examination and shall direct an employee of the District to observe the examination as provided above.

G. Where a request to examine records is denied and in all cases of requests for copies, the reviewing official shall be identified in and shall sign the written response.

H. The District will retain in its records all written requests for inspection or copying of public records in accordance with the District's records retention guidelines.

Section VII. Exempt and Non-exempt Records.

A. Exempt Records. The provisions of the Act specifying records exempt from disclosure are fully incorporated herein by this reference. In addition, all information provided to the EPA Administrator shall be exempt from disclosure under Section 552 of Title 5 of the United States Code. Such exempt records include, but are not limited to, the following:

1. Preliminary drafts, notes, interagency and intra-agency memoranda which are not retained by the District as permanent records, where circumstances justify nondisclosure (Government Code §6254(a)).
2. Records pertaining to pending litigation to which the District is a party, or to claims filed against the District, which were created in connection with the litigation and were intended to be confidential, until the pending litigation or claim has been finally adjudicated or otherwise settled. (Government Code §6254(b)).
3. Personnel records of District staff and employees, the disclosure of which would constitute an unwarranted invasion of personal privacy. (Government Code §6254(c)).
4. Medical, dental and other insurance records of District employees and directors (Government Code §6254(c)).

5. Geological and geophysical data and similar information relating to water systems development which are obtained in confidence from any person (Government Code §6254(e)).
6. Test questions, scoring keys, and other examination data used for employment tests administered by the District (Government Code §6254(g)).
7. The contents of real estate appraisals or engineering or feasibility estimates and evaluations prepared relative to the acquisition of property or to construction or supply contracts, until the property or agreement has been obtained (Government Code §6254(h)).
8. Closed session minutes and legal memoranda and other materials distributed in a closed session of the Board of Directors held pursuant to Government Code §54956.9 (Government Code §6254.25).
9. Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege. (Government Code §6254(k)).

If applicable, the District shall specify in its response to any written request for inspection or copies of public records its determination that a record is exempt from disclosure under the Act.

B. Non-Exempt Records. The following District records are subject to disclosure under the Act:

1. Minutes of Board meetings and agenda materials provided to Directors.
2. Auditors' reports, budgets and financial reports of the District.
3. General fund, expense and disbursement records.
4. All District ordinances, resolutions, regulations, policies and procedures.
5. All Political Reform Act filings by District officers and directors.
6. All correspondence or memoranda maintained in the ordinary course of District business and not subject to statutory exemption.

EXHIBIT A

**WALNUT VALLEY WATER DISTRICT
Public Records Request Form**

Requesting Party (NAME): _____
(PLEASE PRINT)

Mailing Address: _____

Phone Number: _____

1. The Requesting Party requests (CHECK ONE):

- ☐ That the Walnut Valley Water District provide the documents, records and information described below for the Requesting Party to examine at the District's offices during District business hours.
- ☐ That the Walnut Valley Water District provide the Requesting Party with photocopies of the documents, records and information described below.

2. Description of the documents, records and information requested. (Description must be specific enough to identify the public records sought).

3. If the request is for copies of public records, the Requesting Party (CHECK ONE):

_____ Will return to pick up the copies and will pay for copying costs at the time of pickup.
(Requesting Party should leave a phone number at which they may be contacted when the copies are ready.)

_____ Requests that the copies be mailed to the address specified above. (All copying and postage costs must be paid before the copies will be mailed. The District will notify the Requesting Party of the amount of copying costs and postage by telephone or mail at the Requesting Party's choice.)

Dated: _____

Signature of Requesting Party

FOR OFFICE USE ONLY

Reviewing Official _____ Received On _____ Approved By _____

Number of Copies _____ Copying Cost _____ Date Paid _____

EXHIBIT B

WALNUT VALLEY WATER DISTRICT Public Agency Request for Consumer Information

Requesting Agency: _____

Representative Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

1. The Requesting Agency requests (CHECK ONE):

- ☐ That the Walnut Valley Water District provide the documents, records and information described below for the Requesting Agency's representative to examine at the District's offices during District business hours.
- ☐ That the Walnut Valley Water District provide the Requesting Agency's representative with photocopies of the documents, records and information described below.

2. Description of the documents, records and information requested. (Description must be specific enough to identify the public records sought).

3. If the request is for copies of public records, the Requesting Party (CHECK ONE):

- ☐ Will return to pick up the copies and will pay for copying costs prior to reproduction. (Requesting Agency should leave a phone number at which they may be contacted when the copies are ready.)
- ☐ Requests that the copies be mailed to the address specified above. (All copying and postage costs must be paid before the copies will be reproduced or mailed. The District will notify the Requesting Agency of the amount of copying costs and postage by telephone or mail at the Requesting Agency's choice.)

Dated: _____

Signature of Requesting Agency Representative

FOR OFFICE USE ONLY

Reviewing Official _____ Received On _____ Approved By _____

Number of Copies _____ Copying Cost _____ Date Paid _____

EXHIBIT C

Form of Declaration

I, _____, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration.
2. I currently am serving as the _____ [state employee or director's position] of _____ Walnut Valley Water District ("District").
3. On _____, 20____, I received notice of the need to search my personal electronic device and personal e-mail account for documents that may be responsive to a Public Records Act request the District received from _____ [insert name of requesting party] (the "Request").
4. I have, with reasonable diligence, searched all of my personal electronic devices and personal e-mail accounts (that is, those accounts which are not housed on a District server), including, but not limited to, my _____ [describe the devices searched] and my e-mail address of _____ [insert all personal e-mail accounts that were searched] and have provided all public records responsive to the Request to the responsible District employee.

[OR]

4. I have, with reasonable diligence, searched all of my personal electronic devices and personal e-mail accounts (that is, those accounts which are not housed on a District server), including, but not limited to, my _____ [describe the devices searched] and my e-mail address of _____ [insert all personal e-mail accounts that were searched] and did not locate any public records on such devices or accounts that were responsive to the Request.

[CONTINUE]

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: _____, 20____

[insert name]



APPLICATION FORM

Walnut Valley Water District Walnut Valley Affordable Rate Program (WVARP)

The Walnut Valley Water District is pleased to offer an Affordable Rate Program to our customers who meet the eligibility requirements identified below. If your household qualifies for a discount on your energy bill under the electric or gas CARE programs, you may also qualify for a discount of up to 50% on the base rate of your water bill.

- To apply for WVARP at your residence, please fill out this application and submit the required documentation to the District. If approved, the discount will become effective within sixty (60) days after the date of approval. If your application is not approved, you will receive a letter from the District explaining the reason for that disapproval. Applicants may apply any time throughout the year; however, applications will be accepted on a first come, first served basis, contingent upon the availability of funds.

If you need help completing the application, or would like more information about the program, call 909-595-7554 or visit our office at 271 S. Brea Canyon Road, Walnut CA 91789, or visit our website at walnutvalleywater.gov.

Income Requirements (Effective June 1, 2025 through May 31, 2026) Source: California PUC Alternate Rates for Energy (CARE) Program	
Number of persons living in my home	Maximum total "gross household income" from all sources
1-2	\$ 40,880
3	\$ 51,640
4	\$ 62,400
5	\$ 73,160
6	\$ 83,920
7	\$ 94,680
8	\$ 105,440
For each additional person, add \$ 10,760	

What Counts as Income?

Total gross household income is all revenues, from all household members, from whatever sources derived, including but not limited to: wages, salaries and other employment-related compensation, interest, dividends, spousal and child support payments, public assistance payments, Social Security and pensions, rental income, income for self-employment, and all employment-related non-cash income.

What are the Qualifications?

- Must complete and submit the application. Applications will be accepted on a first come, first served basis, contingent upon the availability of funds.
- Must qualify for Southern California Edison's or Southern California Gas Company's CARE program.
- Total gross household income cannot exceed the amounts shown on the "Income Requirements" chart above. These amounts are based upon the approved limits set by the CPUC for the CARE program.
- Must be a District residential customer and receive water through a 1-inch or smaller water meter.
- Must provide verification of household income if requested.
- May not be claimed as a dependent on another person's federal or state income tax return.
- May be required to provide a copy of annual property tax statement, or other documentation requested by the District to evidence home ownership.
- Must reapply each time you move.
- Must notify the District within 30 days if you become ineligible.
- The discount is not transferable with the property.
- Once enrolled, applicants may be required to reapply or to certify continued eligibility if requested. Failure to comply with the request by the District may result in removal from the program.

APPLICATION FORM
Walnut Valley Water District
Walnut Valley Affordable Rate Program (WVARP)



I am a residential customer of the Walnut Valley Water District.

Account Number: _____

Name (as it appears on your bill): _____

Phone Number: _____

Street Address: _____

City, Zip: _____

①	Check the total number of person(s) in your household.	☐ One (1) ☐ Two (2) ☐ Three (3) ☐ Four (4) ☐ Five (5) ☐ Six (6) ☐ More than six (6+) number: ____
②	Write the total Gross Annual Income for all person(s) in your household. This is income before deductions from all sources.	\$ _____
③	Can anyone else claim you as a dependent on his/her Income Tax Return (other than your spouse)?	☐ Yes ☐ No
④	Check the utility CARE program(s) for which you currently qualify. (check all that apply)	☐ Southern California Edison ☐ Southern California Gas Company
⑤	Attach a copy of your most recent utility bill showing enrollment in their CARE program and submit with this application.	

Declaration and Self Certification Statement:

I declare that the information I have provided in this application is true and correct. I agree to provide proof of income if asked. I agree to inform the Walnut Valley Water District if I no longer qualify to receive a discount. I know that if I receive any discount without qualifying for it, I may be required to pay back the discount received.

Signature: _____ Date: _____

Did you complete **①** through **⑤**? If you need help or would like more information about the program, call (909) 595-7554.

MAIL YOUR COMPLETED APPLICATION TO:
Walnut Valley Water District - WVARP
271 S. Brea Canyon Road, Walnut, CA 91789
or
EMAIL ALL REQUIRED DOCUMENTS TO:
cservice@walnutvalleywater.gov

For District Use Only	
Date Received _____	Documentation Provided _____
Approved (Y/N) _____ Effective Date _____	Approved By _____ Date _____
If Not Approved, Reason: _____	

APPENDIX L

WALNUT VALLEY WATER DISTRICT

POLICY ON DISCONTINUATION OF RESIDENTIAL WATER SERVICE FOR NON-PAYMENT

Notwithstanding any other policy or rule of the Walnut Valley Water District (District), this Policy on Discontinuation of Residential Water Service for Non-Payment shall apply to the discontinuation of residential water service for non-payment under the provisions set forth herein. In the event of any conflict between this Policy and any other policy or rule, this Policy shall prevail.

I. Application of Policy; Contact Telephone Number: This policy shall apply only to residential water service for non-payment and all existing policies and procedures shall continue to apply to commercial and industrial water service accounts. Further assistance concerning the payment of water bills and the potential establishment of the alternatives set forth in this policy to avoid discontinuation of service can be obtained by calling (909) 595-7554.

II. Discontinuation of Residential Water Service for Non-Payment:

A. Rendering and Payment of Bills: Bills for water service will be rendered to each customer on a monthly basis unless otherwise provided for in the rate schedules. Bills for service are due and payable upon receipt and become overdue and subject to discontinuation of service if not paid within sixty (60) days from the date of the bill. Payment may be made at the office, to any representative authorized to make collections or by electronic transmission if feasible. However, it is the customer's responsibility to assure that payments are received at the specified location in a timely manner. Partial payments are not authorized unless prior approval has been received. Bills will be computed as follows:

1. Meters will be read at regular intervals for the preparation of periodic bills and as required for the preparation of opening bills, closing bills, and special bills.
2. Bills for metered service will show the meter reading for the current and previous meter-reading period for which the bill is rendered, the number of units, date, and days of service for the current meter reading.
3. Billings shall be paid in legal tender of the United States of America. Notwithstanding the foregoing, the District shall have the right to refuse any payment of such billings in coin.

B. Overdue Bills: The following rules apply to customers whose bills remain unpaid for more than sixty (60) days following the invoice date:

1. Overdue Notice: If payment for a bill rendered is not made on or before the forty-fifth (45th) day following the invoice date, a notice of overdue payment (the “Overdue Notice”) will be mailed to the water service customer at least seven (7) business days prior to the possible discontinuation of service date identified in the Overdue Notice. For purposes of this policy, the term “business days” shall refer to any days on which the District’s office is open for business. If the customer’s address is not the address of the property to which the service is provided, the Overdue Notice must also be sent to the address of the property served, addressed to “Occupant.” The Overdue Notice must contain the following:

- a) Customer’s name and address;
- b) Amount of delinquency;
- c) Date by which payment or arrangement for payment must be made in order to avoid discontinuation of service;
- d) Description of the process to apply for an extension of time to pay the amount owing (see Section III (D), below);
- e) Description of the procedure to petition for review and appeal of the bill giving rise to the delinquency (see Section IV, below); and
- f) Description of the procedure by which the customer can request a deferred, amortized, reduced or alternative payment schedule (see Section III, below).

The District may alternatively provide notice to the customer of the impending discontinuation of service by telephone. If that notice is provided by telephone, the District shall offer to provide the customer with a copy of this Policy and also offer to discuss with the customer the options for alternative payments, as described in Section III, below, and the procedures for review and appeal of the customer’s bill, as described in Section IV, below.

2. Unable to Contact Customer: If the District is not able to contact the customer by written notice (e.g., a mailed notice is returned as undeliverable) or by telephone, the District will make a good faith effort to visit the residence and leave, or make other arrangements to place in a conspicuous location, a notice of imminent discontinuation of service for non-payment, and a copy of this Policy.

3. Late Charge: Bills for service are due and payable upon receipt. If payment for a bill rendered is not received within 20 days of the “Bill Prepared” date, a Late Charge, as specified in the District’s schedule of Miscellaneous Charges, shall be assessed and added to the outstanding balance on the customer’s account.

4. Turn-Off Deadline: Payment for water service charges must be received in the District's offices no later than 4:30 p.m. on the date specified in the Overdue Notice. Postmarks are not acceptable.

5. Notification of Returned Check: Upon receipt of a returned check rendered as remittance for water service or other charges, the District will consider the account not paid. The District will attempt to notify the customer in person and leave a notice of termination of water service at the premises. Water service will be disconnected if the amount of the returned check and returned check charge are not paid by the due date specified on the notice, which due date shall not be sooner than the date specified in the Overdue Notice; or if an Overdue Notice had not been previously provided, no sooner than the sixtieth (60th) day after the invoice for which payment by the returned check had been made. To redeem a returned check and to pay a returned check charge, all amounts owing must be paid by cash or certified funds.

6. Returned Check Tendered as Payment for Water Service Disconnected for Nonpayment:

a) If the check tendered and accepted as payment which resulted in restoring service to an account that had been disconnected for nonpayment is returned as non-negotiable, the District may disconnect said water service upon at least three (3) calendar days' written notice. The customer's account may only be reinstated by receipt of outstanding charges in the form of cash or certified funds. Once the customer's account has been reinstated, the account will be flagged for a one-year period indicating the fact that a non-negotiable check was issued by the customer.

b) If at any time during the one year period described above, the customer's account is again disconnected for nonpayment, the District may require the customer to pay cash or certified funds to have that water service restored.

C. Conditions Prohibiting Discontinuation: The District shall not discontinue residential water service if all of the following conditions are met:

1. Health Conditions – The customer or tenant of the customer submits certification of a primary care provider that discontinuation of water service would (i) be life threatening, or (ii) pose a serious threat to the health and safety of a person residing at the property;

2. Financial Inability – The customer demonstrates he or she is financially unable to pay for water service within the water system's normal billing cycle. The customer is deemed "financially unable to pay" if any

member of the customer's household is: (i) a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (ii) the customer declares the household's annual income is less than 200% of the federal poverty level (see this link for the federal poverty levels applicable in California: <https://www.healthforcalifornia.com/covered-california/income-limits>); and

3. Alternative Payment Arrangements – The customer is willing to enter into an amortization agreement, alternative payment schedule or a plan for deferred or reduced payment, consistent with the provisions of Section III, below.

D. Process for Determination of Conditions Prohibiting Discontinuation of Service: The burden of proving compliance with the conditions described in Subdivision (C), above, is on the customer. In order to allow the District sufficient time to process any request for assistance by a customer, the customer is encouraged to provide the District with the necessary documentation demonstrating the medical issues under Subdivision (C)(1), financial inability under Subdivision (C)(2) and willingness to enter into any alternative payment arrangement under Subdivision (C)(3) as far in advance of any proposed date for discontinuation of service as possible. Upon receipt of such documentation, the District's General Manager, or his or her designee, shall review that documentation and respond to the customer within seven (7) calendar days to either request additional information, including information relating to the feasibility of the available alternative arrangements, or to notify the customer of the alternative payment arrangement, and terms thereof, under Section III, below, in which the District will allow the customer to participate. If the District has requested additional information, the customer shall provide that requested information within five (5) calendar days of receipt of the District's request. Within five (5) calendar days of its receipt of that additional information, the District shall either notify the customer in writing that the customer does not meet the conditions under Subdivision (C), above, or notify the customer in writing of the alternative payment arrangement, and terms thereof, under Section III, below, in which the District will allow the customer to participate. Customers who fail to meet the conditions described in Subdivision (C), above, must pay the delinquent amount, including any penalties and other charges, owing to the District within the latter to occur of: (i) two (2) business days after the date of notification from the District of the District's determination the customer failed to meet those conditions; or (ii) the date of the impending service discontinuation, as specified in the Overdue Notice.

E. Special Rules for Low Income Customers: Customers are deemed to have a household income below 200% of the federal poverty line if: (i) any member of the customer's household is a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (ii) the customer declares the household's annual income is less than 200% of the federal

poverty level (see this link for the federal poverty levels applicable in California: <https://www.healthforcalifornia.com/covered-california/income-limits>). If a customer demonstrates either of those circumstances, then the following apply:

1. Reconnection Fees: If service has been discontinued and is to be reconnected, then any reconnection fees during the District's normal operating hours cannot exceed \$50, and reconnection fees during non-operational hours cannot exceed \$150. Those fees cannot exceed the actual cost of reconnection if that cost is less than the statutory caps. Those caps may be adjusted annually for changes in the Consumer Price Index for the Los Angeles-Long Beach-Anaheim metropolitan area beginning January 1, 2021.
2. Interest Waiver: The District shall not impose any interest charges on delinquent bills.

F. Landlord-Tenant Scenario: The below procedures apply to individually metered detached single-family dwellings, multi-unit residential structures and mobile home parks where the property owner or manager is the customer of record and is responsible for payment of the water bill.

1. Required Notice:

a. At least 10 calendar days prior if the property is a multi-unit residential structure or mobile home park, or 7 calendar days prior if the property is a detached single-family dwelling, to the possible discontinuation of water service, the District must make a good faith effort to inform the tenants/occupants at the property by written notice that the water service will be discontinued.

b. The written notice must also inform the tenants/occupants that they have the right to become customers to whom the service will be billed (see Subdivision 2, below), without having to pay any of the then delinquent amounts.

2. Tenants/Occupants Becoming Customers:

a. The District is not required to make service available to the tenants/occupants unless each tenant/occupant agrees to the terms and conditions for service and meets the District's requirements and rules.

b. However, if (i) one or more of the tenants/occupants assumes responsibility for subsequent charges to the account to the District's satisfaction, or (ii) there is a physical means to selectively discontinue service to those tenants/occupants who have not met the District's

requirements, then the District may make service available only to those tenants/occupants who have met the requirements.

c. If prior service for a particular length of time is a condition to establish credit with the District, then residence at the property and proof of prompt payment of rent for that length of time, to the District's satisfaction, is a satisfactory equivalent.

d. If a tenant/occupant becomes a customer of the District and the tenant's/occupant's rent payments include charges for residential water service where those charges are not separately stated, the tenant/occupant may deduct from future rent payments all reasonable charges paid to the District during the prior payment period.

III. Alternative Payment Arrangements: For any customer who meets the three conditions under Section II(C), above, in accordance with the process set forth in Section II(D), above, the District shall offer the customer one or more of the following alternative payment arrangements, to be selected by the District in its discretion: (i) amortization of the unpaid balance under Subdivision (A), below; (ii) alternative payment schedule under Subdivision (B), below; (iii) partial or full reduction of unpaid balance under Subdivision (C), below; or (iv) temporary deferral of payment under Subdivision (D), below. The General Manager, or his or her designee, shall, in the exercise of reasonable discretion, select the most appropriate alternative payment arrangement after reviewing the information and documentation provided by the customer and taking into consideration the customer's financial situation and District's payment needs.

A. Amortization: Any customer who is unable to pay for water service within the normal payment period and meets the three conditions under Section II(C), above, as the District shall confirm, may, if the District has selected this alternative, enter into an amortization plan on the following terms:

1. Term: The customer shall pay the unpaid balance, with the administrative fee and interest as specified in Subdivision (2), below, over a period not to exceed twelve (12) months, as determined by the General Manager or his or her designee; provided, however, that the General Manager or his or her designee, in their reasonable discretion, may apply an amortization term of longer than twelve (12) months to avoid undue hardship on the customer. The unpaid balance, together with the applicable administrative fee and any interest to be applied, shall be divided by the number of months in the amortization period and that amount shall be added each month to the customer's ongoing monthly bills for water service.

2. Administrative Fee; Interest: For any approved amortization plan, the customer will be charged an administrative fee, in the amount established by the District from time to time, representing the cost of initiating and administering the plan. At the discretion of the General Manager or his or her designee, interest at an annual rate not to exceed eight

percent (8%) shall be applied to any amounts to be amortized under this Subsection A.

3. Compliance with Plan: The customer must comply with the amortization plan and remain current as charges accrue in each subsequent billing period. The customer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to an amortization plan. Where the customer fails to comply with the terms of the amortization plan for sixty (60) calendar days or more, or fails to pay the customer's current service charges for sixty (60) calendar days or more, the District may discontinue water service to the customer's property at least five (5) business days after posting at the customer's residence a final notice of its intent to discontinue service.

B. Alternative Payment Schedule: Any customer who is unable to pay for water service within the normal payment period and meets the three conditions under Section II(C), above, as the District shall confirm, may, if the District has selected this alternative, enter into an alternative payment schedule for the unpaid balance in accordance with the following:

1. Repayment Period: The customer shall pay the unpaid balance, with the administrative fee and interest as specified in Subdivision (2), below, over a period not to exceed twelve (12) months, as determined by the General Manager or his or her designee; provided, however, that the General Manager or his or her designee, in their reasonable discretion, may extend the repayment period for longer than twelve (12) months to avoid undue hardship on the customer.

2. Administrative Fee; Interest: For any approved alternative payment schedule, the customer will be charged an administrative fee, in the amount established by the District from time to time, representing the cost of initiating and administering the schedule. At the discretion of the General Manager or his or her designee, interest at an annual rate not to exceed eight percent (8%) shall be applied to any amounts to be paid under this Subsection B.

3. Schedule: After consulting with the customer and considering the customer's financial limitations, the General Manager or his or her designee shall develop an alternative payment schedule to be agreed upon with the customer. That alternative schedule may provide for periodic lump sum payments that do not coincide with the established payment date, may provide for payments to be made more frequently than monthly, or may provide that payments be made less frequently than monthly, provided that in all cases, subject to Subdivision (1), above, the unpaid balance and administrative fee shall be paid in full within twelve (12) months of

establishment of the payment schedule. The agreed upon schedule shall be set forth in writing and be provided to the customer.

4. Compliance with Plan: The customer must comply with the agreed upon payment schedule and remain current as charges accrue in each subsequent billing period. The customer may not request a longer payment schedule for any subsequent unpaid charges while paying delinquent charges pursuant to a previously agreed upon schedule. Where the customer fails to comply with the terms of the agreed upon schedule for sixty (60) calendar days or more, or fails to pay the customer's current service charges for sixty (60) calendar days or more, the District may discontinue water service to the customer's property at least five (5) business days after posting at the customer's residence a final notice of its intent to discontinue service.

C. Reduction of Unpaid Balance: Any customer who is unable to pay for water service within the normal payment period and meets the three conditions under Section II(C), above, as the District shall confirm, may, if the District has selected this alternative, receive a reduction of the unpaid balance owed by the customer, not to exceed thirty percent (30%) of that balance without approval of and action by the Board of Directors; provided that any such reduction shall be funded from a source that does not result in additional charges being imposed on other customers. The proportion of any reduction shall be determined by the customer's financial need, the District's financial condition and needs and the availability of funds to offset the reduction of the customer's unpaid balance.

1. Repayment Period: The customer shall pay the reduced balance by the due date determined by the General Manager or his or her designee, which date (the "Reduced Payment Date") shall be at least fifteen (15) calendar days after the effective date of the reduction of the unpaid balance.

2. Compliance with Reduced Payment Date: The customer must pay the reduced balance on or before the Reduced Payment Date, and must remain current in paying in full any charges that accrue in each subsequent billing period. If the customer fails to pay the reduced payment amount within sixty (60) calendar days after the Reduced Payment Date, or fails to pay the customer's current service charges for sixty (60) calendar days or more, the District may discontinue water service to the customer's property at least five (5) business days after posting at the customer's residence a final notice of its intent to discontinue service.

D. Temporary Deferral of Payment: Any customer who is unable to pay for water service within the normal payment period and meets the three conditions under Section II(C), above, as the District shall confirm, may, if the District has selected this alternative, have payment of the unpaid balance temporarily deferred for a period of up to six (6) months after the payment is due. The District shall determine, in its discretion, how long of a deferral shall be provided to the customer.

1. Repayment Period: The customer shall pay the unpaid balance by the deferral date (the “Deferred Payment Date”) determined by the General Manager or his or her designee. The Deferred Payment Date shall be within twelve (12) months from the date the unpaid balance became delinquent; provided, however, that the General Manager or his or her designee, in their reasonable discretion, may establish a Deferred Payment Date beyond that twelve (12) month period to avoid undue hardship on the customer.

2. Compliance with Reduced Payment Date: The customer must pay the reduced balance on or before the Deferred Payment Date, and must remain current in paying in full any charges that accrue in each subsequent billing period. If the customer fails to pay the unpaid payment amount within sixty (60) calendar days after the Deferred Payment Date, or fails to pay the customer’s current service charges for sixty (60) calendar days or more, the District may discontinue water service to the customer’s property at least five (5) business days after posting at the customer’s residence a final notice of its intent to discontinue service.

IV. Appeals: The procedure to be used to appeal the amount set forth in any bill for residential water service is set forth below. A customer shall be limited to three (3) unsuccessful appeals in any twelve (12) month period and if that limit has been reached, the District is not required to consider any subsequent appeals commenced by or on behalf of that customer.

A. Initial Appeal: Within ten (10) days of receipt of the bill for water service, the customer has a right to initiate an appeal or review of any bill or charge. Such request must be made in writing and be delivered to the District’s office. For so long as the customer’s appeal and any resulting investigation is pending, the District cannot discontinue water service to the customer.

B. Overdue Notice Appeal: In addition to the appeal rights provided under Subsection A, above, any customer who receives an Overdue Notice may request an appeal or review of the bill to which the Overdue Notice relates at least five business (5) days after the date of the Overdue Notice if the customer alleges the bill is in error with respect to the quantity of water consumption set forth on that bill; provided, however, that no such appeal or review rights shall apply to any bill for which an appeal or request for review under Subsection A, above, has been made. Any appeal or request for review under this Subsection B must be in writing and must include documentation supporting the appeal or the reason for the review. The request for an appeal or review must be delivered to the District’s office within that five (5) business day period. For so long as the customer’s appeal and any resulting investigation is pending, the District cannot discontinue water service to the customer.

C. Appeal Hearing: Following receipt of a request for an appeal or review under Subsections A or B, above, a hearing date shall be promptly set before the General

Manager, or his or her designee (the “Hearing Officer”). After evaluation of the evidence provided by the customer and the information on file with the District concerning the water charges in question, the Hearing Officer shall render a decision as to the accuracy of the water charges set forth on the bill and shall provide the appealing customer with a brief written summary of the decision.

1. If water charges are determined to be incorrect, the District will provide a corrected invoice and payment of the revised charges will be due within ten (10) calendar days of the invoice date for revised charges. If the revised charges remain unpaid for more than sixty (60) calendar days after the corrected invoice is provided, water service will be disconnected, on the next regular working day after expiration of that sixty (60) calendar day period; provided that the District shall provide the customer with the Overdue Notice in accordance with Section II(B)(1), above. Water service will only be restored upon full payment of all outstanding water charges, fees, and any and all applicable reconnection charges.

2. (a) If the water charges in question are determined to be correct, the water charges are due and payable within two (2) business days after the Hearing Officer’s decision is rendered. At the time the Hearing Officer’s decision is rendered, the customer will be advised of the right to further appeal before the Board of Directors. Any such appeal must be filed in writing within seven (7) calendar days after the Hearing Officer’s decision is rendered if the appeal or review is an initial appeal under Subdivision A above, or within three (3) calendar days if the appeal or review is an Overdue Notice appeal under Subdivision B, above. The appeal hearing will occur at the next regular meeting of the Board of Directors, unless the customer and District agree to a later date.

(b) For an initial appeal under Subdivision A, above, if the customer does not timely appeal to the Board of Directors, the water charges in question shall be immediately due and payable. In the event the charges are not paid in full within sixty (60) calendar days after the original billing date, then the District shall provide with the Overdue Notice in accordance with Section II(B)(1), above, and may proceed in potentially discontinuing service to the customer’s property.

(c) For an Overdue Notice appeal under Subdivision B, above, if the customer does not timely appeal to the Board of Directors, then water service to the subject property may be discontinued on written or telephonic notice to the customer to be given at least twenty-four (24) hours after the latter to occur of: (i) expiration of the original sixty (60) calendar day notice period set forth in the Overdue Notice; or (ii) the expiration of the appeal period.

3. When a hearing before the Board of Directors is requested, such request shall be made in writing and delivered to the District at its office. The customer will be required to personally appear before the Board and present evidence and reasons as to why the water charges on the bill in question are not accurate. The Board shall evaluate the evidence presented by the customer, as well as the information on file with the District concerning the water charges in question, and render a decision as to the accuracy of said charges.

a) If the Board finds the water charges in question are incorrect, the customer will be invoiced for the revised charges. If the revised charges remain unpaid for more than sixty (60) calendar days after the corrected invoice is provided, water service will be disconnected, on the next regular working day after expiration of that sixty (60) calendar day period; provided that the District shall provide the customer with the Overdue Notice in accordance with Section II(B)(1), above. Water service will be restored only after outstanding water charges and any and all applicable reconnection charges are paid in full.

b) If the water charges in question are determined to be correct, the water charges are due and payable within two (2) business days after the decision of the Board is rendered. In the event the charges are not paid in full within sixty (60) calendar days after the original billing date, then the District shall provide with the Overdue Notice in accordance with Section II(B)(1), above, and may proceed in potentially discontinuing service to the customer's property.

c) Any overcharges will be reflected as a credit on the next regular bill to the customer, or refunded directly to the customer, at the sole discretion of the Board.

d) Water service to any customer shall not be discontinued at any time during which the customer's appeal to the District or its Board of Directors is pending.

e) The Board's decision is final and binding.

V. Restoration of Service: In order to resume or continue service that has been discontinued due to non-payment, the customer must pay a security deposit and a Reconnection Fee established by the District, subject to the limitation set forth in Section II(E)(1), above. The District will endeavor to make such reconnection as soon as practicable as a convenience to the customer. The District shall make the reconnection no later than the end of the next regular working day following the customer's request and payment of any applicable Reconnection Fee.