



WEST VALLEY WATER DISTRICT  
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**POLICY REVIEW AND OVERSIGHT COMMITTEE MEETING  
AGENDA**

**TUESDAY, NOVEMBER 22, 2022 - 6:00 PM**

**NOTICE IS HEREBY GIVEN** that West Valley Water District has called a meeting of the Policy Review and Oversight Committee to meet in the Administrative Conference Room, 855 W. Base Line Road, Rialto, CA 92376.

On March 4, 2020, Governor Newsom declared a State of Emergency resulting from the threat of COVID-19. On September 16, 2021, Governor Newsom signed Assembly Bill No. 361 into law. Assembly Bill No. 361 amends Government Code section 54953(e) by adding provisions for remote teleconferencing participation in meetings by members of a legislative body, without the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions. The West Valley Water District adopted a resolution determining, by majority vote, that, as a result of the declared State of Emergency, the District is adopting the State protocol which allows meetings in person and/or via teleconference. Accordingly, it has been determined that all Board and Workshop meetings of the West Valley Water District will be held pursuant to Assembly Bill No. 361, the Brown Act and will be conducted via teleconference and in person. Members of the public may listen and provide public comment via telephone by calling the following number and access code: Dial: (888) 475-4499, Access Code: 840-293-7790 or you may join the meeting using Zoom by clicking this link: <https://us02web.zoom.us/j/8402937790>. Public comment may also be submitted via email to [administration@wvwd.org](mailto:administration@wvwd.org). If you require additional assistance, please contact [administration@wvwd.org](mailto:administration@wvwd.org).

**BOARD OF DIRECTORS**

Director, Greg Young, (Chair)  
Director, Kelvin Moore

**I. CALL TO ORDER**

**II. PUBLIC PARTICIPATION**

*The public may address the Board on matters within its jurisdiction. Speakers are requested to keep their comments to no more than three (3) minutes. However, the Board of Directors is prohibited by State Law to take action on items not included on the printed agenda.*

### **III. DISCUSSION ITEMS**

1. General Updates
2. Proposed Water Service Rules & Regulations - Redline Versions of Articles 5-8 and 11-13. **Pg. 3.**

### **IV. ADJOURNMENT**

#### **DECLARATION OF POSTING:**

**I declare under penalty of perjury, that I am employed by the West Valley Water District and posted the foregoing Policy Review & Oversight Committee Agenda at the District Offices November 17, 2022.**



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**Nancy Albitre, Acting Board Secretary**



**BOARD OF DIRECTORS  
POLICY REVIEW AND OVERSIGHT COMMITTEE  
STAFF REPORT**

**DATE:** November 22, 2022  
**TO:** Policy Review and Oversight Committee  
**FROM:** Van Jew, Acting General Manager  
**SUBJECT:** PROPOSED WATER SERVICE RULES & REGULATIONS - REDLINE  
 VERSIONS OF ARTICLES 5-8 AND 11-13

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**BACKGROUND:**

West Valley Water District's, ("District"), Water Service Rules and Regulations ("Rules and Regulations") establish the requirements and procedures for provision of water service to our customers, and for changes in existing services, such as an increase in service size or a service abandonment. Additionally, the Rules and Regulations contain the General Provisions and Definitions for those items involved in provision of water service to the District's customers.

The District's current Rules and Regulations were last revised in May 2018, and are in need of various updates to reflect current District operating procedures and industry standards. To address these updates, staff from Operations, Engineering, and Finance met periodically over the past few months to revise the text of the Rules and Regulations

**DISCUSSION:**

The need to update the Rules and Regulations was discussed with the Policy Review and Oversight Committee at the February 22, 2022 meeting. At that meeting, staff was directed to prepare a redline copy of the proposed changes and bring them in increments to the Committee for review and comment.

Redline versions of Articles 1 – 4, 9 and 10 were reviewed at the August 23<sup>rd</sup> meeting. Redline versions of Articles 14 – 19 were reviewed at the September 27<sup>th</sup> meeting. Redline versions of Articles 20 – 26 and Exhibits A, B, and D were reviewed at the October 25<sup>th</sup> meeting. Redline versions of Articles 5 – 8 and 11 – 13 are included as **Exhibit A**.

The following table provides an overview of the project status:

Status	Article	Title
08/23/22 Committee	1	GENERAL PROVISION
08/23/22 Committee	2	DEFINITIONS
08/23/22 Committee	3	NOTICES
08/23/22 Committee	4	WATER DISTRICT
11/22/22 Committee	5	APPLICATION FOR DOMESTIC WATER SERVICE
11/22/22 Committee	6	GENERAL CONDITIONS FOR INSTALLATION OF WATER FACILITIES
11/22/22 Committee	7	SUBDIVISIONS
11/22/22 Committee	8	GENERAL USE REGULATIONS
08/23/22 Committee	9	DOMESTIC WATER SERVICE DEPOSIT
08/23/22 Committee	10	METERS
11/22/22 Committee	11	BILLING/PAYMENT OF BILLS
11/22/22 Committee	12	DISCONTINUANCE OF SERVICE
11/22/22 Committee	13	COLLECTION OF UNPAID BILLS
09/27/22 Committee	14	PUBLIC FIRE PROTECTION
09/27/22 Committee	15	PRIVATE FIRE PROTECTION SERVICE
09/27/22 Committee	15A	RESIDENTIAL FIRE SPRINKLER SYSTEM
09/27/22 Committee	16	TEMPORARY SERVICE AND CHARGES
09/27/22 Committee	17	AGRICULTURAL, IRRIGATION AND GOLF COURSE WATER SERVICE
09/27/22 Committee	18	GENERAL PROVISIONS
09/27/22 Committee	19	COMPLAINTS AND DISPUTED BILLS
10/25/22 Committee	20	SCHEDULE OF RATES – MONTHLY CHARGES
10/25/22 Committee	21	SCHEDULE OF RATES – RATES, FEES AND DEPOSITS
10/25/22 Committee	22	ANNEXATION FOR AREAS OUTSIDE OF DISTRICT TERRITORY
10/25/22 Committee	23	SEWERS
10/25/22 Committee	24	WATER CONSERVATION
10/25/22 Committee	25	DUE PROCESS HEARING
10/25/22 Committee	26	INSURANCE REQUIREMENTS PROFESSIONAL SERVICES
10/25/22 Committee	Exhibit A	HOURLY LABOR RATE
10/25/22 Committee	Exhibit B	HOURLY VEHICLE EQUIPMENT RATE
Anticipate 12/27/22	Exhibit C	DEPOSITS, FEES, AND NON-RECURRING RATES
10/25/22 Committee	Exhibit D	MONTHLY SERVICE AND CONSUMPTION CHARGES

**FISCAL IMPACT:**

There is no fiscal impact currently associated with the proposed changes.

**STAFF RECOMMENDATION:**

This agenda item is for informational purposes only, no action required.

Respectfully Submitted,

*Van Jew*

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Van Jew, Acting General Manager

VJ:js

**ATTACHMENT(S):**

1. Exhibit A - Redlines Articles 5-8 and 11-13

# EXHIBIT A

Redline Versions of Articles 5 - 8 and 11 - 13

## **ARTICLE 5. APPLICATION FOR WATER SERVICE**

**501. APPLICATION FOR SERVICE.** Each water user shall submit an application for water service in writing to the District, along with providing a valid government issued identification and proof of property ownership, such as a copy of settlement documents or a copy of a recorded grant deed.

**501.** If a tenant is signing the application, they must provide valid government issued identification, signed rental agreement papers or have the owner's signature for approval to sign up for water service. It shall be on such form and shall contain such stipulations, terms, and provisions as may be changed from time to time contained in the form provided by the District. The property owner will remain the primary account holder as long as they own the property; once the tenant's account is closed, at the District's sole discretion, an account may be opened for the property owner with or without an application for service.

**502. UNDERTAKING OF APPLICANT.** Such application will signify the customer's willingness and intention to comply with this and other regulations relating to the water service and to make payment for water service as rendered.

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

**504. INSTALLATION CHARGES.** When the premises to which water is to be furnished does not have a meter for use on said premises, the applicant shall pay an installation charge based on all costs of the installation, including meters and appurtenances. Where a regular charge has been fixed for the type of service installation desired, such regular charge or actual costs shall be paid in advance by the applicant. Where there is no regular charge, the District reserves the right to require the applicant's deposit of an amount equal to the estimated cost of such service installation. The schedule of regular service installation charges ~~is as shown~~ as specified in Exhibit C.

**505. INSTALLATION OF SERVICE.** Regular water service will be installed at the location and of a size ~~desired by the applicant~~ that meets the demand of the project and as approved by the District. Service installations will be made only to property abutting on distribution mains as approved by the District that have been constructed in public streets, alleys, or easements, or to extensions thereof as herein provided. Unless otherwise approved by the General Manager, services will be installed by the District after all charges are paid. The District may use its own personnel or select a contractor from the District's pre-qualified contractor list to install the service. The developer may solicit his/her own bids for the work to be accomplished by using the District's pre-qualified contractors list provided that the developer adheres to District requirements and at the discretion of the

General Manager. Services will be installed only after the construction of concrete curb and gutter. The District will not allow partially installed services, all services must be installed in their entirety from the water main to the meter or backflow assembly. The applicant shall be responsible for the installed service until final acceptance by the District. Any cost to repair damage or to relocate or modify the service shall be borne by the applicant. The District reserves the right to determine the size of service connections and their location with



respect to the boundaries of the premises to be served and location of District's distribution facilities. The installation of service lateral lines to the curb should not be done until the District has approved the location of the service connection. No service shall be connected to a transmission main, except at the discretion of the ~~General Manager~~District. Water mains should not be installed within ten (10) feet of trees. New trees should not be planted within ten (10) feet of existing water mains. If that cannot be avoided, then the trees should be planted with root barriers or installed in above ground planters.

**506. CHANGES IN CUSTOMER'S EQUIPMENT.** Customers making any material change in the size, character, or extent of the equipment or operations utilizing water service, or whose change in operations results in a large increase in the use of water, shall immediately give the District written notice of the nature of the change and, if necessary, amend their applications.

**507. CURB STOP.** Every service connection installed by the District shall be equipped with a curb stop on the inlet side of the meter. Such valve or curb stop is intended for the exclusive use of the District in controlling the water supply through the service connection pipe. If the curb stop is damaged by the ~~customer's use to an extent requiring replacement, such replacement shall be at the customer's expense, customer, the customer shall be charged for replacing it, fined for tampering with District property and shall be held responsible for any damages. Tampering with District property is a misdemeanor and is punishable by law. All charges, fees, and/or fines must be paid prior to renewing or continuing service.~~

**508. SERVICE CONNECTION.** Each service connection for domestic, irrigation or fire use shall be installed in accordance with the following provisions:

- a. Separate ownership. Each home dwelling, building, or parcel of land under separate ownership must be provided with a separate service connection.
- b. Single connection. Two or more homes, dwellings, or buildings under one ownership and on the same lot or parcel of land may be supplied through the same service connection; with an approved backflow prevention assembly, a monthly service charge ~~shall~~may be applied for each home or dwelling receiving water supplies through the same service connection.
- c. Number of homes, dwellings, or buildings. The District reserves the right to limit the number of homes, dwellings, or buildings on the area of land under one ownership to be supplied by one service connection.
- d. Separate service connection. Two or more homes or dwellings under one ownership and on the same lot or parcel may be served by separate service connections. An approved backflow prevention assembly shall be installed

on each service connection.

- e. More than one service connection. Not more than one service connection shall be installed for one home, dwelling, or building except under special conditions. An approved backflow prevention assembly shall be installed on each service connection.

- f. Different owners. A service connection shall not be used to supply adjoining property of a different owner or to supply property of the same owner across a street or alley.
- g. Divided property. When property provided with a service connection is divided, each service connection shall be considered as belonging to the lot or parcel of land, which it directly enters and the second property shall require a service exclusive to that parcel.
- h. Backflow Prevention Assembly. Service connections for commercial, institutional and industrial properties shall be installed with an approved backflow prevention assembly.
- h.i. Master Meters. Master meters are not allowed.

**509. SERVICE CONNECTION RESPONSIBILITIES.** The service connections extending from the water main to the discharge side of the meter including the meter, meter box, and curb stop becomes the property of the District and shall be maintained by the District. All pipes and fixtures, including customer's shut off valve, extending or lying beyond the discharge side of the meter shall be installed and maintained by the owner of the property. The District will not allow any connections through a tee or splice in the lateral between the water main and meter, hydrant, DCDA, or other service connection.

**510. CAPACITY CHARGE.** A capacity charge shall be levied for each new service connection to the system of the District. This capacity charge or fee shall be in addition to all other charges set forth in ~~this resolution~~these regulations. The capacity charge shall be as ~~indicated~~specified in Exhibit C, Section 2005. Capacity charge, or other costs and charges, shall be collected with monies deposited for installation of mains or service connection.

**511. FRONTAGE CHARGE.** A frontage charge shall be levied for each new service connection to the system of the District. When ~~persons owning land~~the landowner to which water mains are adjacent in streets or rights-of-way, said mains having been installed by the District or jointly by the District and others, makes application for water service to a lot, parcel, or tract of land, such ~~persons~~landowner shall reimburse the District by paying a water main construction charge as set forth in Exhibit C, Section 2004~~of this resolution~~, except those pipelines installed by ~~Improvement District No. 4~~an alternate agreement. This charge shall be paid prior to water being furnished by the District. This charge is in addition to all other charges ~~set forth~~as specified in ~~this resolution~~these regulations.

**512. SERVICE OUTSIDE BOUNDARIES.** For service outside District boundaries, approval must be obtained from the Board of Directors of the District and Local Agency

Formation Commission. Additional charges may be added to offset special conditions.

**513. UNLAWFUL CONNECTIONS.** The District may impose a penalty upon anyone who unlawfully connects to the District's facilities. The District shall issue a written notice of

penalty setting forth the amount of the penalty, which the penalty shall be paid within thirty (30) days of the issuance of the notice of imposition of the penalty, and the reason for imposing the penalty. The notice shall advise the person to whom it is directed that ~~he/she~~ they may seek review of the imposition of the penalty by filing a written request for a hearing pursuant to the provisions of Article 25.

**514. IRRIGATION SERVICE CONNECTIONS.** A separate landscape irrigation meter shall be required for all new service connections that service a parcel containing irrigated landscape area for all commercial, industrial and institutional developments.

**515. WILL SERVE LETTER.** A will serve letter can be requested by submitting an application, project plans, and required fee to the District for review.

**516. FIRE FLOW TEST.** A fire flow test can be obtained by submitting an application and required fee to the District for review and approval.

## **ARTICLE 6. GENERAL CONDITIONS FOR INSTALLATION OF WATER FACILITIES**

- 601. OVERVIEW.** Any work on District facilities, including, but not limited to the installation of new service connections, water main, backflow prevention devices and associated appurtenances (water facilities), relocation or removal of existing facilities, not contracted for directly by the District, shall comply with the requirements of this section. All work shall be submitted for review, required fees, deposits and charges paid and approved in writing by the District prior to the time the work is started.

Upon review of the project area, the District may require the update, replacement, installation, relocation or alteration of District facilities and appurtenances to meet the current District Standards and Specifications or other government codes and regulations. At the discretion of the General Manager, the complete cost of the required work may be collected and used by the District to perform the work itself.

~~An Applicant-Developer~~ requesting the installation of water facilities to a property, where ~~existing waterlines adjacent to the property~~ water mains in the vicinity are in excess of fifty (50) years of age, or near the end of its useful life, shall be required to replace ~~and/or extend said waterline~~ the District water main to all property limits at their expense. ~~Such replacement and/or upsizing shall be at the discretion of the General Manager. The District reserves the right to make a final determination of the replacement, extension, and/or upsizing of public water mains and will consider age, leak history, soil condition, construction material, elimination of a bottleneck, facilitate fire flow needs, and/or system operating conditions to determine the end of its useful life.~~

- 602. APPLICATION.** ~~An Applicant-Developer~~ requesting the installation of water facilities shall complete an ~~Application for Domestic Water Service~~ application. The application shall be accompanied by ~~two (2)~~ three (3) copies of the Water Improvement Plans for review and approval. The Water Improvement Plans shall be prepared and approved in accordance with District's "Standards for Domestic Water Facilities:" and "Standard Drawings".
- 603. PLAN CHECK.** A plan check fee as specified in Exhibit C, ~~Section 2018~~ shall be submitted with the application if District personnel perform the plan check. If the plan check is performed by a District contracted professional consultant at the discretion of the District, Applicant shall be responsible to pay for all costs and expenses incurred by the District including the consultant's plan checking fee. Applicant shall be required to pay the plan check fee associated with the contracted consultant prior to beginning plan check review.

- 604. DDW WAIVER REVIEW.** All water main separation criteria must comply with Title 22 Section 64572 of the California Waterworks Standards. If these criteria cannot be met, a Division of Drinking Water (DDW) waiver will be required for all installations seeking exemption from this mandate. A DDW waiver will be reviewed by the District and submitted to DDW by the District. It will be reviewed concurrently with the project plans before being submitted to the State for review and plans will not be approved until an approval has been given by the DDW.
- 605. DOCUMENT REVIEW.** A Document Review is required for submission related to water improvements not covered by the District's plan check. Such documents which fall under this category include, but are not limited to; quit claims, grant of easements, hydraulic analysis, water supply assessments, annexations, utility letters, plan of services, etc. Document Reviews can be obtained by submitting an application, supplemental materials, and the required fee to the District for review and approval.
- 604-606. ADVANCE COSTS.** Upon approval of the application and approved plans, the owner, or owners, of said lots or parcel shall deposit with the Water District the following fees, deposits and charges. These charges shall be paid prior to water being furnished by the District. The applicant will only be allowed to pay District fees for construction of water facilities when all required documents have been submitted; including approved signed plans, executed Water System Installation Infrastructure Agreement, and Contractor documents. Upon approval, a Billing Letter will be issued as specified in Exhibit C - Deposits, Fees, and Non-recurring Rates, the following fees, deposits and charges shall be paid to the District prior to construction:

- a. Refundable Service Deposits.** Developers are to make various advance refundable service deposits. ~~See as specified in~~ Exhibit C, Section 2003 for deposits. Said deposits shall be refunded to Developer ~~at time of final inspection, less any charges for necessary repairs to water system~~ after all requirements are satisfied.
- b. Frontage Charge.** A frontage charge shall be levied for each new service connection to the system of the District. When persons owning land to which water mains are adjacent in streets or rights-of-way, said mains having been installed by the District or jointly by the District and others, make application for water service to a lot, parcel, or tract of land, such persons shall reimburse the District by paying a water main construction charge as ~~set forth~~ specified in Exhibit C, Section 2004 of ~~this resolution~~ these regulations, except those pipelines installed by ~~Improvement District No. 1~~ an alternate agreement.
- c. Capacity Charge.** A capacity charge shall be ~~levied for~~ paid prior to installation of each new service connection to ~~the system of~~ the District's system. This capacity charge ~~or fee~~ shall be in addition to all other charges set forth in ~~this resolution~~ these regulations. The capacity charge shall be as ~~indicated~~ specified in Exhibit C, Section 2005.
- d. Service Installation Charge.** Where new meters are installed for the first time, a charge or deposit shall be payable prior to installation.
- e. Inspection Fees and Deposits.** An inspection fee for District and/or professional construction inspection consultant retained by the District on an as-needed basis will be required prior to inspection of a project. Applicant shall be responsible to pay all costs and expenses incurred by the District including any inspection consultant's fees. Applicant shall be required to pay the estimated inspection costs associated with the contracted consultant prior to beginning inspections, as specified in Exhibit C, Section 2007.
- f. Overhead Charge.** An overhead charge as ~~shown~~ specified in Article 2, Section 235 and Exhibit C, Section 2020 shall be applied to all recorded costs for installation of facilities under this article.
- g. Construction Contingency Deposit.** Owner/Developer shall deposit with the District an amount equal to ten percent (10%) ~~percent~~ of the construction cost estimate, for contingency during construction, said construction contingency deposit shall be refunded to the Owner/Developer at time of final inspection, less any necessary charges due to unexpected changes as specified in Exhibit C, Section 2021.



- h. **Investigation Fee.** An investigation fee will apply to all projects regardless of size as specified in Exhibit C, Section 2018.
- i. **Supply Analysis.** In instances where a Water Supply Assessment, hydraulic analysis, or demand study are required by the District or as a condition of approval for a project from a governing agency,

~~Project. The~~ District may select a consultant to perform the study, and the applicant/developer shall be responsible to pay all costs and expenses associated with said study.

**605-607. DEPOSIT.** If it is determined that the District shall construct such facilities, the developer will be required to advance to the District one hundred percent (100%) of the cost of the labor and material necessary to install main lines, valves, service connections, fire hydrants and other appurtenances.

**608. MAIN EXTENSION.** A main extension shall be required whenever useable main is not directly adjacent to the proposed parcel or development requiring water service, or when the adjacent main cannot meet the needs of the proposed development.

~~606.~~  
Main extensions, service connections, and appurtenances shall be constructed by the District or a District pre-approved contractor, to conform with all District specifications, standards, and procedures which are in effect at the time the water plans are received for District approval.

~~607-609. APPLICATION FOR MAIN EXTENSION DEVELOPER INSTALLED SERVICES – WATER SYSTEM INFRASTRUCTURE INSTALLATION AND CONVEYANCE AGREEMENT FOR MAIN EXTENSION.~~ Extensions of water backbone infrastructure to developments or lands shall be made by either the ~~Applicant/Developer~~ or the District as determined solely by the District, as follows:

- a. ~~Application.~~ A ~~Developer Installed Water System Infrastructure Installation and Conveyance~~ Agreement will be executed by the General Manager prior to or after tract or parcel map recordation.
- b. If a ~~Water System Infrastructure Installation and Conveyance Developer-Installed~~ Agreement is executed prior to map recordation permanent connection to District facilities will not be allowed until the tentative tract or parcel map is recorded by the County in which the development is located.
- c. If a ~~Water System Infrastructure Installation and Conveyance Developer-Installed~~ Agreement is executed following map recordation with the County, conveyance of title of the water facilities and connection to the District's distribution system will be allowed if all ~~Water System Infrastructure Installation and Conveyance Developer-Installed~~ Agreement items are satisfied.
- d. If the water backbone infrastructure is to be constructed by the ~~Applicant/Developer~~, they shall submit to the District, Water Improvement

Plans prepared by a qualified professional engineer licensed in the State of California for plan check and approval per the procedures outlined in this rule and regulation and standards outlined in these regulations and in the District's latest "Standards for Domestic Water Facilities" and "Standard Drawings".

- e. Oversizing. The District may require the Developer to oversize a proposed main. The Developer shall enter into an agreement with the District to define cost sharing responsibilities and funding of the system.

If the District requires water facilities to be oversized, the District reserves the

right to require the ~~Applicant-Developer~~ to submit at least three (3) itemized bids for the work from the District's pre-approved contractors. In the event the District is not satisfied with the bids submitted, it reserves the right to require the plans be revised and/or modified and then rebid one (1) additional time. When a final bid is accepted by the District, the ~~Developer-Installed Water System Infrastructure Installation and Conveyance Agreement~~ shall be executed by the General Manager subject to the ~~Applicant-Developer~~ satisfactorily completing all ~~Developer-Installed Agreement~~ action items.

- f. If the District elects to make an extension of the backbone infrastructure, either by request of the ~~Applicant-Developer~~ or sole discretion of the District, the District will proceed with preparation of engineering plans and construction as expeditiously as its work schedule permits. Prior to issuing the specification for design and/or public bidding, the design fees and construction cost estimates for the Developer required facility size plus fifteen percent (15%) ~~percent~~ will be determined by the District and be required to be deposited by the ~~Applicant-Developer~~ with the District prior to advertising the specification for public bidding. The final cost of the work shall be the basis for the determination and calculation of ~~refunds reimbursements~~ due to the District or ~~Applicant-Developer~~. The ~~Applicant-Developer~~ who desires a ~~Developer-Installed Water System Infrastructure Installation and Conveyance Agreement~~ with the District shall pay the following fees and expenses that are due and payable prior to execution of the agreement:

~~1. Applicable application fee noted on the Application for Developer-Installed Agreement/Water Plan Review Technical Information form.~~

21. A plan check fee as specified in Exhibit C, Section 2018 shall be submitted with the application if District personnel perform the plan check. If the plan check is performed by a District contracted professional consultant at the discretion of the District, ~~Applicant the Developer~~ shall be responsible to pay for all costs and expenses incurred by the District including the consultant's plan checking fee. ~~Applicant-Developer~~ shall be required to pay the plan check fee associated with the contracted consultant prior to beginning plan check.

32. Investigation. Upon receipt of the application, the ~~General Manager-District~~ shall make an investigation and review the

proposed extension. The estimated cost of the extension shall be based on the size and type of pipe approved by the District for general distribution and transmission mains. An Investigation Fee as specified in Exhibit C, [Section 2018](#) shall be submitted with the

application for costs uncured by the District for research necessary for water backbone infrastructure extensions.

- ~~b.g.~~ Ruling. The Board of Directors shall thereupon consider said ~~application agreement~~ and report and, after consideration, shall reject or approve the ~~application agreement~~.
- ~~e.h.~~ Advance Costs. Upon approval of the ~~application agreement~~ and Water Improvement Plans, the owner, or owners, of said lots or parcel shall deposit ~~with the Water District Advance Costs~~ the District fees as outlined in ~~the Billing Letter as specified in~~ Section 604 ~~prior to construction and a deposit as outlined and~~ in Section 605. ~~Payments submitted in protest may be rejected by the District. If it is determined that the District shall construct such facilities.~~
- ~~d.i.~~ District Mains. All water main extensions thus provided for in accordance with these regulations shall be, and remain, the property of the District, upon acceptance by the Board per the Water System Infrastructure Installation and Conveyance Agreement.
- ~~e.j.~~ Dead End Mains. No dead-end ~~pipelines-water mains~~ shall be permitted, except at the discretion of the ~~General Manager~~ District. In cases where circulation lines are necessary, they shall be designed and installed by the District at the expense of the Developer. Consideration may be given the Developer on unusual costs subject to Board approval.
- ~~f.k.~~ Sizing of Mains. All water mains shall be sized in accordance with the current District Master Plan.  
Under certain conditions, the ~~General Manager~~ District may require a larger size ~~pipeline-water main~~ to be installed. Minimum water main size ~~pipeline to be installed is~~ shall be eight (8) inches in diameter.

**608-610. REFUND REIMBURSEMENT AGREEMENT.** Whereby an owner, or owners, of one or more lots or parcels of land desiring or necessitating the extension of one or more mains is unable to obtain a prorated share of the cost of such mains from all the owners whose property is adjacent to these mains, said owners shall be allowed to enter into ~~refund a reimbursement~~ agreements with the District, subject to the approval of the Board. The District shall recover the prorated share of such costs from any other owner fronting and applying for service connections to such mains in the future providing, however, that such ~~agreements~~ shall not be in effect for a period greater than ten (10) years. Said ~~refund reimbursement~~ shall be based on the linear footage of property adjacent to the main extension.

**609.611. EXTENSIONS TO SERVICE ORGANIZED ASSESSMENT OR IMPROVEMENT DISTRICTS.** Whenever proceedings are instituted by petition of property owners, or instituted by action of the Board for making an extension to provide water service to serve property owners within an assessment or improvement district through an extension of

existing facilities of the District, the District will make such extension when approved by the Board. All costs of such extension, including all expenses incidental thereto, shall be paid by the assessment or improvement district. Each new assessment or improvement district extension will be considered independently.

**610-612. REFUND—REIMBURSEMENT TO ASSESSMENT OR IMPROVEMENT DISTRICTS.** Whereby an

assessment district or improvement district finances the cost of one or more main line extensions to provide water to an assessment or improvement district and if the owner of property adjacent to said main line extensions who is not a part of the assessment or improvement district requires service from said main line extensions, the District shall make a frontage charge as ~~set forth~~specified in Article 5, Section 511 of ~~this resolution~~these regulations. Said charges shall be applied to the bond redemption fund of said assessment or improvement district until such time as bonds are redeemed.

**611-613. EXTENSIONS BY DISTRICT.** The District may make extensions to the facilities constructed under this Article without obligation to applicant and refunds will not be made for services connected to said additional extensions.

**612-614. SPECIFICATIONS AND CONSTRUCTION.** The size, type, quality of materials, and location of ~~the pipeline~~water mains and facilities required for the extension shall be ~~as specified by the General Manager and~~ in accordance with the District's standards "Standards for Domestic Water Facilities" and "Standard Drawings".~~and specifications of the District.~~ All pipeline-main extensions shall be installed to the furthest property line of the applicant requesting the extension.



## **ARTICLE 7. SUBDIVISIONS**

**701. APPLICATION.** A ~~person~~ Developer desiring to provide a water system within a tract of land, which ~~he/she/they~~ proposes to subdivide shall make written application to the District.

- a. An ~~Applicant~~ Developer who desires to have Water Improvement Plans reviewed and approved by the District and subsequently enter into a ~~Developer-Installed~~ Water System Infrastructure Installation and Conveyance Agreement shall complete the Application for Water System Infrastructure Installation and Conveyance ~~Developer-Installed Agreement~~ and shall pay the following fees and expenses that are due and payable prior to execution of the agreement:
  1. Applicable application fee noted on the Application for ~~Developer-Installed~~ Water System Infrastructure Installation and Conveyance Agreement/Water Plan Review Technical Information form.
  2. A plan check fee as specified in Exhibit C, Section 2018, shall be submitted with the application if District personnel perform the plan check. If the plan check is performed by a District contracted professional consultant at the discretion of the District, ~~Applicant~~ Developer shall be responsible to pay for all costs and expenses incurred by the District including the consultant's plan checking fee. Applicant shall be required to pay the plan check fee associated with the contracted consultant prior to beginning plan check.
  3. Investigation. Upon receipt of the application, the ~~General Manager~~ District shall make an investigation and review the proposed subdivision. An Investigation Fee as specified in Exhibit C shall be submitted with the application for costs uncured by the District for research necessary for water backbone infrastructure extensions.
- b. Ruling. The ~~General Manager~~ District shall thereupon consider said application and report and, after consideration, shall reject or approve the application.
- c. Advance Costs. Upon approval of the application and Water Improvement Plans, the owner, or owners, of said lots or parcel shall deposit with the

Water District, Advance Costs as outlined in Section 604 prior to construction and a deposit as ~~outlined-specified~~ in Section 605, ~~if~~ it is determined that the District shall construct such facilities.

**702. CONNECTIONS.** The developer shall, ~~at his/her cost,~~ provide all connections to structures constructed by them as herein provided, at their cost.

**703. INSTALLATION OF WATER SYSTEM.** Costs of all new mains, valves, service connections, fire hydrants, etc., required to meet acceptable state, county, city, fire underwriters' code and District "Standards for Domestic Water Facilities" which benefit a specific subdivision, must be paid for by the developer or property owner. The sub divider may solicit his/her own bids for the work to be accomplished by contracting with one of the District's pre-approved contractors provided that the developer adheres to the District's requirements and at the discretion of the ~~General Manager~~District.

**704. ~~REFUND—REIMBURSEMENT~~ AGREEMENT.** No ~~refund—reimbursement~~ agreements for construction of water facilities in new subdivisions will be entered into. If a portion of said facility is constructed in a location where an adjoining property owner will receive benefit from that portion of the facilities, the developer or property owner may enter into a refund agreement with the District for the portion that benefits the adjoining property owner. If one or more main extensions are required to sufficiently serve a new subdivision and the developer or property owner is unable to obtain a prorated share of the cost of such mains from all the owners whose property is adjacent to these mains, said developer or property owner shall be allowed to enter into refund agreements with the District, subject to the approval of the Board. The District shall recover the prorated share of such costs from any other owner fronting and applying for service connection to such mains in the future; providing, however, that such agreements shall not be in effect for a period greater than ten (10) years. Said refund shall be based on the linear footage of property adjacent to a main extension.

**705. PROPERTY OF DISTRICT.** All facilities constructed under this Article shall become the property of the District.

**706. ~~SPECIAL CONDITION~~ STORAGE FACILITIES.** Any storage facilities that may be required for a particular project shall require ~~special Board consideration~~District approval.

At the discretion of the ~~Board~~District, ~~an acreage—a~~ charge may be levied on any subdivision or housing as a capital charge for proportionate costs of existing District facilities.

**707. SPECIFICATIONS AND CONSTRUCTION.** The size, type, and quality of materials and location of the ~~pipelines—water main~~ shall be as specified by the ~~General Manager~~District and in accordance with the District's "Standards for Domestic Water Facilities;" and "Standard Drawings". All services and ~~pipelines—water mains will—shall~~ be installed by the Developer or District after all charges are paid. The District may use its own personnel or select a contractor from the District's pre-approved contractor list to

install all services and ~~pipelines~~main lines. The Developer shall use a District pre-approved contractor to install all services and ~~pipelines~~water mains.

**708. SETTING OF METERS.** Except under special conditions, water meters shall be set as soon as possible after installation of water ~~lines~~mains and services.

**709. DIRECT CONNECTIONS.** There shall be no direct connections to the District's water system. Each service, whether temporary or permanent, shall have a meter and an approved backflow prevention assembly where applicable, as required by the ~~General Manager~~District as specified in. ~~(See Article 10, Section 1001).~~

## **ARTICLE 8. GENERAL USE REGULATIONS**

**801. NUMBER OF SERVICES PER PREMISE.** The applicant may apply for as many services ~~as may be reasonably required, and~~ as approved by the District, for ~~his/her~~ their premises, provided that the ~~pipeline-water main~~ system for each service be independent of the others and that they not be interconnected. (~~See~~ As specified in Article 8, Sections 807, 808, 809, 810 and 811).

**802. WATER WASTE.** No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises, the District may discontinue service with appropriate notice to the customer. (~~See~~ As specified in Article 24).

**803. RESPONSIBILITY FOR EQUIPMENT ON THE CUSTOMER'S PREMISES.** All District facilities installed by the District on private property for the purpose of rendering water service shall remain the property of the District and may be maintained, repaired or replaced by the District without consent or interference of the owner or occupant of the property. Property owners shall not construct, build, or place any structures or impediments over said facilities without District approval. The property owner shall use reasonable care in the protection of the facilities. No payment shall be made by the District for placing or maintaining said facilities on private property. All facilities located on private property shall be in an easement or dedicated right-of-way.

**804. DAMAGE AND TAMPERING TO WATER SYSTEM FACILITIES.** The customer shall be liable for, and water service will be discontinued for damage to the District's water distribution, transmission and storage facilities including all service facilities, when such damage is from causes originating on the premises by an act of the customer or his/her tenants, agents, employees, contractors, licensees or permittee, including the breaking or destruction of locks or seals by the customer, or others, on or near a meter; and, any damage to a meter that may result from hot water or steam back up from a boiler or heater on the customer's premises. Prior to the District continuing water service, the customer shall pay for all repairs and/or replacement of the damaged facilities including service and/or meter plus all other applicable charges, which shall include legal, administration and overhead.

- a. Anyone creating damage to any portion of the District's facilities shall be liable for the repair or replacement of the damaged facilities plus any and all administration charges and overhead. The ~~General Manager~~ District shall use every legal means available for collection of said damages.

**805. GROUNDWIRE ATTACHMENTS.** ~~All individuals or business organizations are forbidden to attach~~ The District will not allow any ground wire or wires to be attached to

any plumbing, which is or may be connected to a ~~service connection or main belonging to the District~~District owned facility. The District will hold the customer liable for any damage to its property ~~occasioned~~caused by such ground wire attachments.

**806. CONTROL VALVE ON THE CUSTOMER'S PROPERTY.** The customer shall ~~provide use~~ a control valve on his/her side of the service installation ~~as close to the meter location as practicable~~ to control the flow of water to the piping on his/her premises. The customer shall not use the service curb stop to turn water on/off ~~and/or off~~ for his/her convenience. Control valve shall be installed by District at the time the meter is set. This control valve shall be maintained by the customer at his/her expense.

**807. CROSS CONNECTIONS.** The customer must comply with Title 17 Administrative Code of Regulations, State of California and Federal laws governing the separation of dual water systems and/or installations of backflow prevention assemblies to protect the public water supply from the danger of cross connections or backflow.

The District accepts the provisions of Title 17 ~~of the Administrative Code~~ Code of Regulations, State of California, as minimum District standards for cross connection control. Upon inspection, where potential health hazards necessitate backflow protection, the District shall require a backflow prevention assembly, which in its determination is designed to protect the District's potable water supply.

**808. BACKFLOW.** When the customer is engaged in the handling of dangerous or corrosive liquids, industrial or process waters, the District may require the customer to eliminate certain plumbing or piping connections as an additional precaution and as a protection to the backflow prevention assembly.

~~If a customer allows contaminated water to enter into the District's water system, he/she~~ The customer shall be held liable for all damages to the water system including all required cleaning ~~and~~ and flushing of the system. ~~As well as the~~ disinfections and testing of the water, if contaminated water is allowed to enter into the District's water system. The ~~said~~ customer shall also be held liable for all health problems the contaminated water may create for District Personnel, customers and /or the general public.

For premises where the point of use of the water is at an elevation thirty (30) feet or higher above the meter location, the District shall require an approved device be installed at the meter to prevent potential backflow from the premises.

The District reserves the right to ingress/egress (enter/exit) the customer's property at any time during customer's operating hours for inspection of all plumbing for potential cross connections or need for backflow prevention. If potential cross connections or a need for backflow protection exists, water service shall be discontinued at once and shall not be restored until all potential cross connections are eliminated or backflow protection is installed.

When a customer's operation requires District Water Quality Personnel to inspect the premises, either by prior agreement and/or necessity due to the nature of the business, the



customer shall be charged the District's prevailing labor, equipment, and overhead fees.

Following is a list of examples of different types of premises and/or water use, which will require the installation of backflow prevention. The location, model and type of backflow prevention shall be approved by the District. This list provides examples only and the need for the installation of backflow prevention on any water service shall be at the sole

discretion of the District and/or as required by Title 17, California's ~~Administrative Code~~Code of Regulations.

- a. Premises handling and/or storing toxic chemicals, pollutants, or substances that may have a potential hazard to health shall be required to have backflow protection.
- b. Buildings of three (3) or higher floor levels shall be required to have backflow protection.
- c. Public swimming pools or spas shall be required to have backflow protection. "Public" being: apartments, home owner associations, condominiums, city parks, trailer parks, mobile home parks health clubs or any other business public or private that have swimming pools or spas or health clubs.
- d. Multiple rental buildings that are master metered shall have backflow protection.
- e. ~~Premises—Industrial and commercial premises~~ that are served by two or more water services shall have each service connection protected by backflow protection.
- f. Schools shall be required to have backflow protection.
- g. Solar Heating Systems of a heat exchanger type that utilizes a re-circulating pump shall be required to have a ~~Reduced—reduced Pressure—pressure Principle—principle Backflow—backflow~~ prevention assembly.
- h. Dairies, poultry farms, agriculture, or any other farm or hobby-type operation where fecal bacteria have potential to contaminate the public water supply or operations injecting chemicals into on-site water lines, the public water system shall be protected by ~~a minimum of an air gap—Reduced—Pressure Principal Backflow—prevention assembly.~~
- i. Coolers with re-circulating pumps shall be required to install a ~~Reduced reduced Pressure—pressure Principal—principal Backflow—backflow~~ prevention assembly.
- j. Premises requiring backflow protection for fire service shall also be required to protect the domestic water service with backflow protection.
- k. Premises requiring fire service will be protected with a minimum of a ~~Double double check/detector Check/ Detector Check—check Backflow—backflow~~

preventer.

- l. Premises handling raw sewage shall protect the domestic water system with an ~~Air-Gap-gap Separation~~separation. If, by the approval of the District and the State Department of Health Services, a ~~Reduced-reduced Pressure pressure~~ ~~Principal-principal Backflow-backflow~~ prevention assembly is utilized instead of an ~~Air-Gap-gap Separation~~, District ~~Water-Quality Personnel~~staff shall conduct a sanitary inspection of the customer's premises a minimum of once per year. The customer shall be billed for this annual inspection. Water use shall be for administrative use only and not for any process and/or cleaning operation.
- m. Premises requiring backflow protection for other than fire service or raw sewage shall have the minimum of a ~~r~~Reduced Pressure-pressure (R.P.) ~~Backflow-backflow~~ preventer.
- n. Premises having a pond, tank or other water storage facility shall have backflow prevention assembly. If a customer makes a connection to the District's water system in violation of this section, he/she shall be subject to a fine as ~~shown-specified~~ in Exhibit C.
- o. There shall be no connection made to a fire hydrant without the installation of a meter and a backflow prevention assembly approved by the District.
- e-p. Premises having any pumping device or assembly connected to the water system shall have an approved backflow prevention assembly.

**809. PRESSURE RELIEF VALVES.** As a protection to the customer's plumbing system, a suitable pressure relief valve must be installed and maintained by the customer (at ~~his/hers~~their expense) when check valves or other protective devices are used. Relief valves shall be installed between the check valves and the water heater or boiler per California Plumbing Code.

**809-810. PRESSURE REGULATORS.** Where static water pressures exceed eighty (80) psi, an approved pressure regulator shall be required at the building point of connection per California Plumbing Code and must be installed and maintained by the customer at his/her expense.

**810-811. BACKFLOW PREVENTION ASSEMBLY.** Whenever backflow prevention has been found necessary by the District on a water supply line entering a customer's premises 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, regardless of the use of the additional water supply lines. (In compliance with Title 17 and Title 24, ~~of the Administrative Code, State of California's Code of Regulations~~.) Backflow prevention assemblies must be installed as near the service as possible and shall be accessible for

testing and inspection by the District. Plans for installation of backflow prevention assemblies must be approved by the District prior to installation.

**811-812. INSPECTION.** The approved backflow prevention assemblies shall be inspected and tested annually, or more frequently if determined to be necessary, by the District or a contractor approved by the District. The devices shall be inspected, serviced, overhauled, or replaced whenever they are found defective and all costs of inspection, repairs, and maintenance plus overhead shall be borne by the customer. (In compliance with Title 17 and Title 24, ~~of the Administrative Code, State of California's~~ Code of Regulations.)

The District shall make inspections of new and existing customer premises for cross connections. (In compliance with Title 17, ~~of the Administrative Code, State of California's Code of Regulations.~~) The District's potable water system shall be protected by a ~~Reduced-reduced Pressure-pressure Principal-principal Backflow-backflow~~ prevention assembly when entry to premises is restricted. Water service shall be discontinued until the backflow prevention assembly is installed or the inspection restriction is removed.

**812-813. DISCONTINUED SERVICE.** The service of water to any premise may be immediately discontinued by the District if any defect is found in the backflow prevention assembly, a required backflow assembly is missing, or if it is found that unprotected cross connections exist. Service shall not be restored until such defects are corrected.

**813-814. SUPPLY FOR BOILERS, ELEVATORS, PUMPS.** ~~No person shall draw water~~Water shall not be drawn from the District's ~~mains, pipes or water pumps water system~~ for supplying ~~water to~~ boilers, elevators, water pumps or fire pumps. The customer shall provide a tank, at their own expense, of sufficient capacity to afford an adequate supply for their application. The tank shall be installed as a buffer between the District's water system and the customer's system into which the service pipes shall be discharged above the tank's maximum water level.

**814-815. INTERRUPTIONS IN SERVICE.** The District shall not be liable for damage, which may result from an interruption in water service ~~from a cause beyond the control of the District~~. If a customer requires a continuous supply of water without possible interruption, the customer shall provide an onsite water storage supply.

**815-816. INGRESS AND EGRESS.** Representatives from the District shall have the right of ingress and egress (enter/exit) to the customer's premises at reasonable hours for any purpose reasonably connected with the furnishing of water service or inspection for potential cross connections or backflow hazards. Refusal of entry shall result in discontinuance of water service.

**816-817. WATER PRESSURE AND SUPPLY.** The District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and merely agrees to furnish such quantities and pressures as are available in its general distribution system. In the event of a shortage of water, of which the Board shall be the sole judge of, out-of-District customers shall have services discontinued before the rationing of water in the District takes effect. If a customer requires a continuous supply of water without possible interruption, the customer shall provide an adequate onsite water storage supply.

**817-818. RESPONSE TO A NO WATER CALL.** The customer will be charged a fee to respond to a no water call when the customer's valves are off but operable.

**818-819. SECOND RESPONSE TO A LEAK CALL.** The customer will be charged a second response to a leak fee when the leak was previously determined to be customer's

responsibility and it is the same leak.



## **ARTICLE 11. BILLING/PAYMENT OF BILLS**

**1101. BILLING PERIOD.** The regular billing period shall be monthly.

**1102. METER READING.** Meters shall be read as nearly as possible on the same day of each billing period. Billing periods are approximately thirty (30) days monthly.

### **1103. OPENING AND CLOSING BILLS.**

- a. Opening Service: The meter shall be read and the water turned on. First bill shall be for the actual amount of water consumed plus the pro-rated amount of the monthly service charge.
- b. Closing Service: The meter shall be read the next business day. The closing bill shall be for the actual amount of water consumed plus the pro-rated amount of the monthly service charge for the total period for which service is rendered.

**1104. WATER CHARGES.** Water charges are due and payable at the office of the District as of the date billed. Bills for metered water service shall be rendered at the end of each billing period.

**1105. PAYMENT OF BILLS.** Bills for water service are payable as of the date billed. Payment must be made by the due date printed on the bill, ~~(which shall be at least twenty-one (21) days from the date billed).~~ Unpaid bills become delinquent on the day following the due date. Failure to receive the bill does not relieve the customer of liability.

**1106. FINAL BILL.** Upon termination of the account, customers shall receive a final bill. Any unpaid bill is subject to collections and/ or lien.

**1107. BILLING OF METERS.** Bills will be rendered for each meter installation ~~except where District has, for its own convenience, installed two or more meters in place of one. Where such installations are made, the meter readings will be combined for billing purposes.~~

**1108. BILLING PARTY.** The applicant for service must sign an application in which he/she guarantees payment of future water bills. Bills will be mailed to the billing party at the billing address as indicated on the application for water service.

**1109. UNAUTHORIZED CONSUMPTION.** When unauthorized consumption occurs, the meter will be locked off. The responsible party will be liable for the water delivered from the date of the last billed meter reading, (if the meter is found to be inoperative, the quantity of consumption will be estimated). In addition, a tampering fee will be assessed. In order to

re-establish the service, all fees related to unauthorized consumption must be paid. ~~See as specified in Exhibit D.~~

## **ARTICLE 12. DISCONTINUANCE OF SERVICE**

**1201. ~~DISCONNECTION SHUT OFF FOR NON-PAYMENT.~~** ~~The District may discontinue service for nonpayment of water service charges. Before discontinuing service, the District shall issue a written notice of discontinuance of service forty-eight (48) hours prior to shut off as required by the State to the customer, setting forth the date service shall be discontinued and the reason for discontinuing service. The notice shall advise the customer that he/she may request review of the notice of discontinuance of service by filing a written request for a hearing pursuant to the due process provisions of Article 25.~~

**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)875-1804.

### **II. Shut Off of Residential Water Service for Non-Payment:**

**A. Rendering and Payment of Bills:** Bills for water service will be rendered to each consumer on a monthly basis unless otherwise provided for in the rate schedules. Bills for service are due and payable 21 days after the date of the bill. Bills become overdue and subject to shut off if not paid within sixty (60) days from the billing due date of the bill. Payment may be made at the office or to any representative authorized to make collections. However, it is the consumer'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:**

1. Reminder Notice: If payment for a bill rendered is not made on or before the billing due date of the bill, a notice of overdue payment (the "Reminder Notice") will be mailed to the water service consumer. If payment for a bill

rendered is not made on or after the twenty-eight (28<sup>th</sup>) day from the billing due date of the bill, a late fee will be applied to the consumer's account. 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 consumer's address is not the address of the property to which the service is provided, the Reminder Notice must also be sent to the address of the property served, addressed to "Occupant." The Reminder Notice must contain the following:

- a) Consumer'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;

2. Notice of Delinquency: If payment for a bill rendered is not made on or before the forty-ninth (49<sup>th</sup>) day from the billing due date of the bill, a notice of overdue payment (the "Notice of Delinquency") will be mailed to the water service consumer approximately at least fourteen (14) days prior to the possible discontinuation of service date in the Notice of Delinquency. If the consumer's address is not the address of the property to which the service is provided, the Reminder Notice must also be sent to the address of the property served, addressed to "Occupant." The Notice of Delinquency must contain the following:

- a) Consumer'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 consumer can request a deferred, amortized, reduced or alternative payment schedule (see Section III, below).

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

3. Unable to Contact Consumer: If the District is not able to contact the consumer 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.
4. Late Charge: A Late Charge, as specified in the District's schedule of fees and charges, shall be assessed and added to the outstanding balance on the consumer's account if the amount owing on that account is not paid before the twenty-eight (28<sup>th</sup>) day from billing due date of the bill.
5. Shut-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 Notice of Delinquency. Postmarks are not acceptable.
6. 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 consumer in person and leave a notice of termination of water service at the premises. Water service will be shut off 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 Notice of Delinquency; or if a Notice Delinquency had not been previously provided, no sooner than the sixtieth (60<sup>th</sup>) day after the billing due date of the bill 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.
7. Returned Check Tendered as Payment for Water Service Shut Off for Nonpayment:
  - a) If the check tendered and accepted as payment which resulted in restoring service to an account that had been shut off for nonpayment is returned as non-negotiable, the District may shut off said water service upon at least three (3) calendar days' written notice. The consumer's account may only be reinstated by receipt of outstanding charges in the form of cash or certified funds. Once the consumer'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 consumer.
  - b) If at any time during the one year period described above, the

consumer's account is again shut off for nonpayment, the District may require the consumer to pay cash or certified funds to have that water service restored.

C. Conditions Prohibiting Shut Off: The District shall not shut off residential water service if all of the following conditions are met:

1. Health Conditions – The consumer or tenant of the consumer submits certification of a primary care provider that shut off 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 consumer demonstrates he or she is financially unable to pay for water service within the water system's normal billing cycle. The consumer is deemed "financially unable to pay" if any member of the consumer'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 consumer 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 consumer 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 Shut Off of Service: The burden of proving compliance with the conditions described in Subdivision (C), above, is on the consumer. In order to allow the District sufficient time to process any request for assistance by a consumer, the consumer 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 shut off 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 consumer 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 consumer of the alternative payment arrangement, and terms thereof, under Section III, below, in which the District will allow the consumer to participate. If the District has requested additional information, the consumer 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 consumer in writing that the consumer does not meet the conditions under Subdivision (C), above, or notify the consumer in writing of the alternative payment arrangement, and terms thereof, under Section III, below, in which the District will allow the consumer to participate. Consumers 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 consumer failed to meet those conditions; or (ii) the date of the impending service shut off, as specified in the Notice of Delinquency.

- E. Special Rules for Low Income Consumers: Consumers 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 consumer 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 consumer demonstrates either of those circumstances, then the following apply:

Turn On Fees: If service has been shut off and is to be turned on, then any turn on fees during the District's normal operating hours cannot exceed \$50, and turn on fees during non-operational hours cannot exceed \$150. Those fees cannot exceed the actual cost of turn on 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.

- 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 shut off 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 shut off.

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 shut off 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 consumer 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 consumer 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; or (iii) ; temporary deferral of payment under Subdivision (C), 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 consumer and taking into consideration the consumer's financial situation and District's payment needs.

A. Amortization: Any consumer 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 consumer shall pay the unpaid balance, 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 consumer. The unpaid balance, shall be divided by the number of months in the amortization period and that amount shall be added each month to the consumer's ongoing monthly bills for water service.

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

B. Alternative Payment Schedule: Any consumer 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 consumer shall pay the unpaid balance, 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 consumer.

2. Schedule: After consulting with the consumer and considering the consumer's financial limitations, the General Manager or his or her designee shall develop an alternative payment schedule to be agreed upon with the consumer. 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 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 consumer.

3. Compliance with Plan: The consumer must comply with the agreed upon payment schedule and remain current as charges accrue in each subsequent billing period. The consumer 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 consumer fails to comply with the terms of the agreed upon schedule for sixty (60) calendar days or more, or fails to pay the consumer's current service charges for sixty (60) calendar days or more, the District may shut off water service to the consumer's property at least five (5) business days after posting at the consumer's residence a final notice of its intent to shut off service.

C. Temporary Deferral of Payment: Any consumer 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 consumer.

1. Repayment Period: The consumer shall pay the unpaid balance by the deferral date (the "Deferred Payment Date") determined by the General Manager or his or her designee. The Deferral 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 consumer.

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 consumer 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 consumer.

A. Initial Appeal: Within ten (10) days of receipt of the bill for water service, the consumer 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 consumer's appeal and any resulting investigation is pending, the District cannot shut off water service to the consumer.

B. Overdue Notice Appeal: In addition to the appeal rights provided under Subsection A, above, any consumer 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 consumer 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

consumer's appeal and any resulting investigation is pending, the District cannot shut off water service to the consumer.

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 consumer 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 consumer 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 shut off, on the next regular working day after expiration of that sixty (60) calendar day period; provided that the District shall provide the consumer 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 turn on 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 consumer 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 consumer and District agree to a later date.

(b) For an initial appeal under Subdivision A, above, if the consumer 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 shutting off service to the consumer's property.

(c) For an Overdue Notice appeal under Subdivision B, above, if the consumer does not timely appeal to the Board of Directors, then water service to the subject property may be shut off on written or telephonic notice to the consumer 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 consumer 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 consumer, 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 consumer 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 shut off, on the next regular working day after expiration of that sixty (60) calendar day period; provided that the District shall provide the consumer with the Notice of Delinquency 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 shutting off service to the consumer's property.

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

d) Water service to any consumer shall not be shut off at any time during which the consumer'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 shut off due to non-payment, the consumer must pay a security deposit and a Turn On Fee established by the District, subject to the limitation set forth in Section II(E)(1), above. The District will endeavor to make such turn on as soon as practicable as a convenience to the consumer. The District shall make the reconnection no later than the end of the next regular working day following the consumer's request and payment of any applicable Turn On Fee.

**1202. DELINQUENT CHARGE.** A delinquency charge shall be made and collected prior to renewing or continuing service.

**1203. UNSAFE APPARATUS OR SERVICE DETRIMENTAL TO OTHERS.** (Compliance with Title 17 and Title 24 of the Administration Code, State of California)

- a. If an unsafe or hazardous condition, as determined by the District, is found to exist on the customer's premises, or if the use of water thereon by apparatus, appliances, equipment or otherwise is found to be detrimental or damaging to the District or its customers, the service will be shut off without advance notice. In such event, the District shall notify the customer immediately of the reasons for the discontinuance and the corrective action to be taken by the customer before service will be restored.
- b. The District does not assume liability for inspecting apparatus or hazardous conditions on the customer's premises. However, the District does reserve the right of inspection if there is reason to believe that an unsafe apparatus may be in use or a hazardous condition may exist.

**1204. NON-COMPLIANCE WITH REGULATIONS.** The District may, unless otherwise provided herein, discontinue water service to a customer for noncompliance with this or any other resolution, ordinance, or regulation related to water service. A penalty may be imposed (Exhibit C).

- a.        If such noncompliance affects matters of health and safety, and conditions warrant, the District shall discontinue water service immediately.

**1205. CROSS CONNECTIONS.** Water service may be refused or discontinued to any premises where there exists a cross connection.

**1206. FRAUD OR ABUSE.** Service may be discontinued if necessary to protect the District against fraud or abuse.

**1207. UPON VACATING PREMISES.** Customers desiring to discontinue service should so notify the Water District at least one (1) business day prior to vacating the premises. Unless discontinue of service is requested, the customer shall be liable for charges whether or not any water is used.

**1208. RE-CONNECTION CHARGES.** To have water service renewed after disconnection, all delinquent charges must be paid in full and a re-connection fee shall be charged.

**1209. CUSTOMER TURNING ON SERVICE.** Any customer turning his/her own service back on after District has turned off shall be charged for a cut lock and tampering with District property and shall be held responsible for any damage to District property. Tampering with District property is a misdemeanor and is punishable by law.

All charges, fees, and/or fines must be paid prior to renewing or continuing service.

## **ARTICLE 13. COLLECTION OF UNPAID BILLS**

**1301. LIABILITY FOR WATER USED.** The property owner remains responsible for all charges owed to the District whether or not the property owner actually lives on the premises and signs the application for water service. The property owner shall also be held responsible for discontinuance of service and/or establishing new service for tenants.

**1302. LIENS FOR UNPAID BILLS.** All unpaid bills shall be made a lien against property for which service was requested pursuant to these Regulations and California Water Code Section 31701.5, et seq. Prior to causing a lien to be filed against such property, the District shall notify the holder of title to land whenever delinquent and unpaid charges for water and/or other services which remain delinquent and unpaid and which could become a lien on such property.

**1303. REPORT OF DELINQUENT AND UNPAID CHARGES.** A report of delinquent and unpaid charges for water and other services which remain unpaid and delinquent for sixty (60) days or more on July 1st shall be prepared and submitted to the Board for consideration as tax liens. The unpaid and delinquent charges listed in said report for each parcel of property shall be fixed at the amount listed in said report. The report shall be adopted and approved as amended by the Board.

**1304. ADOPTION AND FILING OF REPORT.** The Finance Department shall file with the County Auditor and Board of Supervisors within the Counties of San Bernardino and Riverside of each year and in the manner specified by the County Auditor and Board of Supervisors of each county a copy of the report with a statement endorsed thereon over the signature of the secretary, that such a report has been adopted and approved by the Board of Directors.

**1305. COLLECTION OF DELINQUENT AND UNPAID CHARGES.** The County Assessor for the Counties of San Bernardino and Riverside shall include the amount of charges on bills for taxes levied against their respective lots and parcels of land, and, thereafter, the amount of such unpaid and delinquent charges shall be collected at the same time and in the same manner by the same person as, together with and not separately from, the general taxes, if any, for the District or the Counties of San Bernardino and Riverside and shall be delinquent at the same time and thereafter be subject to the same delinquency penalties.

**1306. REFUSAL OR NEGLECT TO PAY DEBT.** Any amount due is a debt to the District, and any person or corporation failing, neglecting, or refusing to pay this debt may be subject to a civil action in a court of competent jurisdiction for the amount due.

**1307. SUIT.** All unpaid rates and charges and penalties herein provided may be collected by lawsuit.

**1308. COSTS.** Defendant shall pay all costs of suit in any judgement rendered in favor of the District.