



**WEST VALLEY WATER DISTRICT
855 W. BASE LINE ROAD, RIALTO, CA 92376
PH: (909) 875-1804
WWW.WVWD.ORG**

**SPECIAL POLICY REVIEW AND OVERSIGHT COMMITTEE MEETING
AGENDA**

Tuesday, April 14, 2026, 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.

BOARD OF DIRECTORS

**Director Gregory Young, Chair
Director Daniel Jenkins**

Members of the public may attend the meeting in person at 855 W. Base Line Road, Rialto, CA 92376, or you may join the meeting using Zoom by clicking this link: <https://us02web.zoom.us/j/8402937790>. Public comment may be submitted via Zoom, by telephone by calling the following number and access code: Dial: (888) 475-4499, Access Code: 840-293-7790, or via email to administration@wvwd.org.

If you require additional assistance, please contact administration@wvwd.org.

CALL TO ORDER

PUBLIC PARTICIPATION

Any person wishing to speak to the Board of Directors on matters listed or not listed on the agenda, within its jurisdiction, is asked to complete a Speaker Card and submit it to the Board Secretary, if you are attending in person. For anyone joining on Zoom, please wait for the Board President’s instruction to indicate that you would like to speak. Each speaker is limited to three (3) minutes. Under the State of California Brown Act, the Board of Directors is prohibited from discussing or taking action on any item not listed on the posted agenda. Comments related to noticed Public Hearing(s) and Business Matters will be heard during the occurrence of the item.

Public communication is the time for anyone to address the Board on any agenda item or anything under the jurisdiction of the District. Also, please remember that no disruptions from the crowd will be tolerated. If someone disrupts the meeting, they will be removed.

DISCUSSION ITEMS

- 1. Updates to the Policy Review and Oversight Committee
- 2. Minutes for the January 14, 2026, January 21, 2026, February 3. 2026, February 12, 2026, and March 18, 2026, Special Committee Meeting **PG 5**
- 3. Change to Committee Meeting Time **PG 15**
- 4. Board Policies and Procedures - Continued Development of Potential Changes on Additional Items **PG 17**
- 5. Review of Water Service Rules and Regulations Updates **PG 19**

ADJOURN

Please Note:

Material related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the District’s office located at 855 W. Baseline, Rialto, during normal business hours. Also, such documents are available on the District’s website at www.wvwd.org subject to staff’s ability to post the documents before the meeting.

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in the above-agendized public meeting should be directed to the Acting Board Secretary, Kara Johnson, at least 72 hours in advance of the meeting to ensure availability of the requested service or accommodation. Ms. Johnson may be contacted by telephone at (909) 875-1804 ext. 703, or in writing at the West Valley Water District, P.O. Box 920, Rialto, CA 92377-0920.

DECLARATION OF POSTING:

I declare under penalty of perjury, that I am employed by the West Valley Water District and posted the foregoing Agenda at the District Offices on April 9, 2026.

Kara Johnson

Kara Johnson, Acting Board Secretary

Date Posted: April 9, 2026

MINUTES
SPECIAL POLICY REVIEW AND OVERSIGHT
COMMITTEE MEETING
of the
WEST VALLEY WATER DISTRICT
January 14, 2026

I. CALL TO ORDER

Chair Young called the Special Policy Review and Oversight Committee Meeting of the West Valley Water District to order at 5:01 p.m.

Attendee Name	Present	Absent	Late	Arrived
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Daniel Jenkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
John Thiel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Paola Lara	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jeff Ferre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. PUBLIC PARTICIPATION

Chair Young inquired if anyone from the public would like to speak. No requests were received, therefore Chair Young closed the public comment period.

III. DISCUSSION ITEMS

1. Updates to the Policy Review and Oversight Committee.

An update was provided to the Committee that the Water Service Rules and Regulations update was being finalized and will be brought to the Committee in sections for review in the next few months.

2. 2026 Legislative Principles

Manager of Public Outreach and Government Affairs Pantaleon provided the staff report. Staff was directed to present the item at the next Board meeting for approval.

RESULT:	REFERRED TO BOARD
	Next: 02/05/2026 6:00 PM

3. Board Policies and Procedures Manual

The Committee discussed in depth with General Counsel Ferre how to define Executive Committee in the Board Policies and Procedures. Discussion included whether it was a standing committee that would need to abide by the Brown Act, or not, and how it can be defined so it does not become a standing committee. The Committee and General Counsel Ferre came to an agreement that the committee should be redefined and renamed to something other than "Executive Committee." Staff was directed to work with Legal Counsel and Chair Young on drafting the new language.

IV. ADJOURN

Chair Young adjourned the meeting at 5:55 p.m., to be continued to Wednesday, January 21, 2026.

ATTEST:

Kara Johnson, Acting Board Secretary

Minutes were approved on _____ by the Policy Review and Oversight Committee of the West Valley Water District.

MINUTES
CONTINUED SPECIAL POLICY REVIEW AND OVERSIGHT
COMMITTEE MEETING
of the
WEST VALLEY WATER DISTRICT
January 21, 2026

I. CALL TO ORDER

Chair Young called the Continued Special Policy Review and Oversight Committee Meeting of the West Valley Water District to order at 6:01 p.m.

Attendee Name	Present	Absent	Late	Arrived
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Daniel Jenkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
John Thiel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Paola Lara	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. PUBLIC PARTICIPATION

Chair Young inquired if anyone from the public would like to speak. No requests were received, therefore Chair Young closed the public comment period.

III. DISCUSSION ITEMS

1. Updates to the Policy Review and Oversight Committee.

None.

2. 2026 Legislative Principles

This report was not provided due to continued meeting.

3. Board Policies and Procedures Manual

General Manager Thiel and Executive Assistant Lara presented a PowerPoint summarizing each proposed update to the Board Policies and Procedures. The Committee selected their recommendations for each proposed update and requested additional information be brought back.

IV. ADJOURN

Chair Young adjourned the meeting at 8:05 p.m., to be continued on Tuesday, February 3, 2026.

ATTEST:

Kara Johnson, Acting Board Secretary

Minutes were approved on _____ by the Policy Review and Oversight Committee of the West Valley Water District.

MINUTES
CONTINUED SPECIAL POLICY REVIEW AND OVERSIGHT
COMMITTEE MEETING
of the
WEST VALLEY WATER DISTRICT
February 3, 2026

I. CALL TO ORDER

Chair Young called the Continued Special Policy Review and Oversight Committee Meeting of the West Valley Water District to order at 6:21 p.m.

Attendee Name	Present	Absent	Late	Arrived
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Daniel Jenkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
John Thiel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Paola Lara	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jeff Ferre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. PUBLIC PARTICIPATION

Chair Young inquired if anyone from the public would like to speak. No requests were received, therefore Chair Young closed the public comment period.

III. DISCUSSION ITEMS

1. Updates to the Policy Review and Oversight Committee.

None.

2. 2026 Legislative Principles

This report was not provided due to continued meeting.

3. Board Policies and Procedures Manual

The Committee discussed in depth with General Counsel Ferre how to define Executive Committee in the Board Policies and Procedures. General Counsel Ferre provided his opinion on the use of the word “shall” in the language and its implications. After discussion, Legal Counsel Ferre and the Committee came to an understanding on the language to redefine “Executive Committee” to “Officers Meeting with General Manager.” The Committee refined the language for the proposed “Officers Meeting with General Manager.”

General Manager Thiel and Executive Assistant Lara presented a PowerPoint summarizing each proposed update to the Board Policies and Procedures. The Committee selected their recommendations for each proposed update and requested additional information be brought back on what other agencies allow for Board Member mileage reimbursements.

IV. ADJOURN

Chair Young adjourned the meeting at 7:56 p.m., to be continued on Thursday, February 12, 2026.

ATTEST:

Kara Johnson, Acting Board Secretary

Minutes were approved on _____ by the Policy Review and Oversight Committee of the West Valley Water District.

MINUTES
CONTINUED SPECIAL POLICY REVIEW AND OVERSIGHT
COMMITTEE MEETING
of the
WEST VALLEY WATER DISTRICT
February 12, 2026

I. CALL TO ORDER

Chair Young called the Continued Special Policy Review and Oversight Committee Meeting of the West Valley Water District to order at 6:05 p.m.

Attendee Name	Present	Absent	Late	Arrived
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Daniel Jenkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
John Thiel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Paola Lara	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. PUBLIC PARTICIPATION

Chair Young inquired if anyone from the public would like to speak. No requests were received, therefore Chair Young closed the public comment period.

III. DISCUSSION ITEMS

1. Updates to the Policy Review and Oversight Committee.

None.

2. 2026 Legislative Principles

This report was not provided due to continued meeting.

3. Board Policies and Procedures Manual

General Manager Thiel and Executive Assistant Lara presented a PowerPoint summarizing all the proposed edits and options to the Board Policies and Procedures thus far, and also presented information gathered via a survey from local agencies on Board travel/training budgets, mileage reimbursements, and compensation for meetings with the General Manager and designated staff.

The Committee finalized their selections for the proposed edit options and discussed the proposed edits to the section 18.2.a Compensation for Meetings, discussed details and limitations if Board Members were to be paid for meetings with the General Manager or designated staff, and discussed and refined the proposed language for

WVWD

Minutes: 2/12/26

Section 18.7 Monthly Submittal of Expense Reports.

The committee approved moving this item forward to the Board of Directors for review, discussion, and approval.

IV. ADJOURN

Chair Young adjourned the meeting at 7:14 p.m.

ATTEST:

Kara Johnson, Acting Board Secretary

Minutes were approved on _____ by the Policy Review and Oversight Committee of the West Valley Water District.

MINUTES
SPECIAL POLICY REVIEW AND OVERSIGHT
COMMITTEE MEETING
of the
WEST VALLEY WATER DISTRICT
March 18, 2026

I. CALL TO ORDER

Chair Young called the Special Policy Review and Oversight Committee Meeting of the West Valley Water District to order at 6:00 p.m.

Attendee Name	Present	Absent	Late	Arrived
Gregory Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Daniel Jenkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
John Thiel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Linda Jadeski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jose Velasquez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. PUBLIC PARTICIPATION

Chair Young inquired if anyone from the public would like to speak. No requests were received, therefore Chair Young closed the public comment period.

III. DISCUSSION ITEMS

1. Updates to the Policy Review and Oversight Committee.

General Manager Thiel presented an update to the proposed Board Policies and Procedures. The Committee selected their recommendations for each proposed update and requested additional information be brought back.

2. Review of Water Service Rules and Regulations Updates

Assistant General Manager Jadeski presented the staff report and reviewed proposed updates with the committee.

IV. ADJOURN

Chair Young adjourned the meeting at 7:07 p.m.

ATTEST:

Kara Johnson, Acting Board Secretary

Minutes were approved on _____ by the Policy Review and Oversight Committee of the West Valley Water District.



STAFF REPORT

DATE: April 14, 2026
TO: Policy Review and Oversight Committee
FROM: Kara Johnson, Acting Board Secretary
SUBJECT: Change to Committee Meeting Time

STRATEGIC GOAL:

Strategic Goal 3, Objective 3A - Advance Effective Internal and External Communication Processes

Strategic Goal 5, Objective 5E - Define, Develop, and Implement Best Practices

MEETING HISTORY:

N/A

BACKGROUND:

On September 11, 2025, the Policy Review and Oversight Committee updated their regular meeting times from 6:00 p.m. to 5:00 p.m. The Committee would like to update their meeting time once again to the second Thursday of every month at 6:00 p.m.

DISCUSSION:

In September 2025 when the Committee updated their meeting time, it was done via Committee action and certified in the minutes. While researching best practice for updating committee meeting times, staff found that a Resolution approved by the Board, listing all of our standing committees, members, and meeting dates and times would be appropriate. Staff will inform all of the standing committees of this information and prepare said Resolution to be reviewed and approved by the Board of Directors.

FISCAL IMPACT:

None.

REQUESTED ACTION:

Forward a recommendation to the Board of Directors to approve a Resolution certifying standing committee's meeting dates and times.



STAFF REPORT

DATE: April 14, 2026

TO: Policy Review and Oversight Committee

FROM: Paola Lara, Executive Assistant II

SUBJECT: Board Policies and Procedures - Continued Development of Potential Changes on Additional Items

STRATEGIC GOAL:

Strategic Goal 5, Objective 5E - Define, Develop, and Implement Best Practices.

MEETING HISTORY:

N/A

BACKGROUND:

Over the last few months the Policy Review and Oversight Committee and Board of Directors have reviewed the Board Policies and Procedures to update the policies and follow current and best practice. Great progress has been made in many areas. As the discussions developed over time, additional items in need of discussion were identified. These include the extent and process for Board attendance at conferences, training, seminars, etc., and the need for additional language regarding travel policy.

DISCUSSION:

Similar to the previous process, the Committee will work with staff to develop potential alternatives for adding, expanding, or changing certain additional policy statements related to Board conferences, training, seminars, and other events; travel policy language; and related budgets and reporting. Staff will bring supporting information as needed or requested. The Committee will make recommendation on proposed policy changes. Staff will then develop a PowerPoint presentation to facilitate a future Board discussion and final direction and approval of changes.

FISCAL IMPACT:

N/A

REQUESTED ACTION:

Discuss and provide direction to staff.



STAFF REPORT

DATE: April 14, 2026
TO: Policy Review and Oversight Committee
FROM: Linda Jadeski, Assistant General Manager
SUBJECT: Review of Water Service Rules and Regulations Updates

STRATEGIC GOAL:

Strategic Goals 5 - Sound Planning, Innovation, and Best Practices

Strategic Goal 7 – Realize Health, Safety, and Regulatory Compliance

MEETING HISTORY:

Policy Review and Oversight Committee - 03.18.26

BACKGROUND:

The Water Service Rules and Regulations is the document that outlines processes for District services such as applying for domestic water service, conditions for installation of water facilities, billing information, back-flow and cross-connection requirements, and includes the District's rates and fees for services and charges. Although there have been updates to certain schedules for rates, fees, and deposits, the document has not been revised since 2018.

DISCUSSION:

Over the last year, staff has been working with Operations, Engineering, and Finance to gather their recommended changes, and the document with the recommended changes was reviewed by Legal Counsel. Due to the size of the document and per Committee request, the document will be presented to the Committee in sections. Articles 1 through 13 were reviewed at the March 18, 2026 Special Policy Review and Oversight Committee meeting. This review will be of Articles 14 through 26.

FISCAL IMPACT:

None.

REQUESTED ACTION:

Staff recommends that the Committee review the proposed updates to the Water Service Rules and Regulations Articles 14 through Article 26.

BOARD POLICIES AND PROCEDURES

Proposed Updates

4/14/26

Topics for Discussion:

Topics

- 1) Director Education and Conferences
 - a. Expenses and other considerations
- 2) Travel Policy

State Controller Report Findings Recap

State Controllers Internal Control System Report findings were that the District incurred expenditures that were excessive and questionable, lacked proper approval, and lacked proper documentation.

Per the State's recommendation, we need to:

1. Develop and adhere to a written policy that specifies reasonable reimbursement rates for travel, meals, and lodging for Board of Directors, or adhere to the IRS rates.
2. Ensure all expenses are incurred and necessary.
3. Properly record Board Director expenses to maintain accurate accounting records and transparency to the public.
4. Comply with all applicable laws regarding the use of public resources and ensure that all expenses are district-related.

Director Education and Conferences

Expenses and Considerations

- 1) Per survey taken of surrounding and comparable agencies, Board education and conference budgets range from \$15,000 to \$83,000 (total Board budget).
- 2) Questions and Considerations:
 - 1) Should the Board set internal budget controls for expenses to attend conferences and events? This would promote fiscal transparency and clarity.
 - 2) Should mandatory trainings be budgeted separately?
 - 3) Should the advocacy trips be budgeted separately?
 - 4) How would we account for trips with multiple purposes?

Director Trainings

Mandatory/Recommended Trainings

- 1) AB 1234 Ethics Training – Every Two Years
- 2) Sexual Harassment Training – January following an election year
- 3) Brown Act – Every two years
- 4) SB 827 Fiscal and Financial Training – Every two years.
- 5) CSDA Leadership Academy Governance Training - To qualify for CSDA District of Distinction

All Board Members

Travel Expenses

Advocacy Trips

Our current practice is to attend legislative meetings during conferences and as otherwise needed. Conferences/Advocacy trips include:

- 1) CMUA Capitol Days – Annually
- 2) ACWA Legislative Days – Annually
- 3) CSDA Legislative Days – Annually
- 4) ACWA Spring Sacramento – Every Other Year
- 5) ACWA D.C. – Annually

Considerations for discussion:

- 1) Are there Directors assigned for each trip?
- 2) Who makes the assignments? Full Board, President, External Affairs?
- 3) Advocacy in addition to conferences – at Board direction.

Section 18.3 Lodging, Meals, and Other Expenses

Transportation Current Text	Potential Edit Options
<p>District paid air travel shall be by coach class at the most economical fare available based on the itinerary of the Director. A Director may elect to voluntarily stay longer than necessary to discharge his or her duties as long as there is no additional expense to the District.</p>	<p>Transportation: District paid air travel shall be by coach class at the most economical and reasonable fare available based on the itinerary of the Director. A Director may elect to voluntarily stay longer than necessary to discharge his or her duties as long as there is no additional expense to the District. If additional costs are incurred, the Director will reimburse the District.</p>

Section 18.3 Lodging, Meals, and Other Expenses

Transportation Current Text	Potential Edit Options
<p>In the event a Director is required to rent a vehicle to attend an authorized Outside Meeting, the District shall reimburse the Director for the cost of such rental vehicle, provided that the cost shall not exceed the cost of a midsized vehicle, regularly charged by such rental company for same day rentals. Any contractual agreements between the District and car rental agencies shall be considered first for booking of rental vehicles.</p>	<p>Rental vehicles may be reimbursed to attend an authorized Outside meeting when it is determined that renting a vehicle is reasonable, necessary, and more economical than other forms of transportation.</p> <p>In the event a Director is required to rent a vehicle to attend an authorized Outside Meeting, the District shall reimburse the Director for the cost of such rental vehicle, provided that the cost shall not exceed the cost of a mid-sized vehicle, regularly charged by such rental company for same day rentals. Any contractual agreements between the District and car rental agencies shall be considered first for booking of rental vehicles.</p>

Section 18.3 Lodging, Meals, and Other Expenses

Lodging Current Text

Whenever appropriate, lodging and meals will be prepaid by the District or paid for by District staff. When making prepayment of reservations for travel, meals, lodging or other related expenses, it may be beneficial to the District to include payment for spouses. Each Director shall reimburse the District for any prepayment of costs for his/her spouse except as otherwise set forth in this Policy. Directors shall clearly identify expenses for his/her spouse except as otherwise set forth in this Policy. Directors shall clearly identify expenses for his/her spouse, or may choose to pay for expenses for his/her spouse on a separate ticket or sales slip at the time of purchase.

Section 18.3 Lodging, Meals, and Other Expenses

Lodging Proposed Text

Lodging: Lodging expenses will be reimbursed or paid for when travel on District business requires an overnight stay. Whenever appropriate, lodging and meals will be prepaid by the District or paid for by District staff. Lodging shall be obtained at the most economical rate available for good quality lodging. If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If group rates are not available, travelers must request government rates when available. In the event that group rates or government rates are not available, amounts exceeding the group and/or government rates for the destination are to be substantiated in a memorandum accompanying the expense report. Lodging rates that are equal to or less than group or government rates are presumed to be reasonable and hence reimbursable.

When making prepayment of reservations for travel, meals, lodging or other related expenses, it may be beneficial to the District to include payment for spouses. Each Director shall reimburse the District for any prepayment of costs for his/her spouse except as otherwise set forth in this Policy. Directors shall clearly identify expenses for his/her spouse except as otherwise set forth in this Policy. Directors shall clearly identify expenses for his/her spouse, or may choose to pay for expenses for his/her spouse on a separate ticket or sales slip at the time of purchase.

Section 18.3 Lodging, Meals, and Other Expenses

Meals New Proposed Section

Meals: The District reimbursement rate for Board member meals shall be the actual amount incurred, not to exceed \$125.00 per day. The District does not pay for or reimburse for alcoholic beverages. When the District pays for meals, which are included in a conference/seminar registration packet, outside meals will not be reimbursed. Receipts are required to obtain reimbursement for actual costs.

1. Gift Acceptance: On occasion at different events and/or conferences, a Director may be extended an invitation to a meal function. These meal functions, when not part of the paid conference or event, may be subject to gift disclosure requirements on an individual Form 700 Statement of Economic Interest form if the amount of the dinner exceeds \$50. The meal host (district vendor, consultant) should be asked to provide written documentation that includes an itemization of items consumed.
2. Distribution of Tickets and Passes In compliance with the Fair Political Practices Commission Regulation Section 18944.1, when complimentary tickets or passes are conveyed to a Director to attend an event that normally would have been paid for, the District will complete and file FPPC Form 802 – Ceremonial Role Events and Ticket / Pass Distribution. If the District completes and files a Form 802, individuals are not required to include the information on their annual Form 700.

Section 4.2.e The Board's Relationship with the General Manager

Current Text	Proposed New Text
<p>The General Manager shall advise notify the Board of Directors when he/she is out of the office for an extended period of time.</p>	<p>The General Manager shall notify the President, Vice President, and any other requesting Board Member when he/she is out of the office for one or more work days. All Board Members will be notified when out of the office for three or more consecutive work days.</p>

Section 12.2 Board Censorship Policy Procedure

Current Text	Potential Edit Options
<p>A request for censure of a member of the Board may be submitted to the Secretary to the Board by any member of the Board. The request shall contain the specific charges on which the proposed censure is based. The request for censure shall be considered by the Executive Committee of the Board established by the President of the Board. The Executive Committee shall not include the member making the request or the member who is the subject of the request.</p>	<ul style="list-style-type: none">A. No change.B. President would appoint an Ad-Hoc committee.C. Officers of the Board <p>Note: this section requires further refinements based on the selection.</p> <p>Board Recommendation: B</p>

Note: Section 12, Board Censure Policy, will require additional revisions that will be brought back for consideration.

Section 18.1 Board Member Rights and Privileges

Potential New Section 18.1.p	Potential Text Options
<p>Purpose is to allow a Board Member to request a poll for a special meeting.</p>	<ul style="list-style-type: none">A. No change.B. Every director has a right to request the Board Secretary, General Manager, or Legal Counsel conduct a poll of the Board of Directors to determine if there is a majority of the Board of Directors who wish to call for a special meeting. If there is a majority, said special meeting will be scheduled taking into consideration Board members schedules to be as inclusive as possible for Board member participation. <p>Committee Recommendation: A</p>

Section 9.2 Special Board Meetings

Current Text	Proposed Edit Options
<p>Special meetings of the Board of Directors may be called in accordance with Government Code Section 54956 of the State of California.</p>	<p>Special meetings of the Board of Directors may be called by the presiding officer or a majority of the legislative body in accordance with Government Code Section 54956 of the State of California.</p>

ITEM 4 ATTACHMENT

Questions	East Valley	Monte Vista	Walnut Valley	Cucamonga Valley	Yucaipa	Mesa	Elsinore Valley	Yorba Linda	Three Valleys	San Bernardino Valley	Preliminary Findings
1 Does your agency have a budget for Board attendance at conferences, trainings, events, etc.?	Yes.	Yes	Yes	Yes	Yes but it is not specific to Board members. It is part of our Education/Training budget that also covers staff.	Yes	Yes	Yes	Yes	No, but attendance at conferences/events is relatively low.	Mostly have an annual budget
1a. Is the budget for all Board Members collectively or is there a budget per person?	Collectively for all Board Members	Collectively for all Board Members	Collectively for all Board Members	Collectively for all Board Members	All Board Members AND District Staff	Collectively for all Board Members	Collectively	Collectively	Individually	N/A	Collectively for all Board Members
1b. What is the budget?	\$25,000	\$26,800	\$15,000	\$33,600	Entire District = \$85,119	\$30,000	\$83,000	\$35,120	\$7,500	N/A	\$25,000 - \$33,000
2 For conferences and events such as ACWA, CSDA, and AWWA, are there designated Board Members who can attend? Or can they all attend if they would like?	All Board Members may attend ACWA, ASBSCD, CSDA. Other agencies/group will need further review and possible assignment.	For some meetings GM only submits them to the President and Vice President. All Board Members can usually attend Board conferences/ meetings/ events but on average they have no more than 3 attend at once.	Board members are not designated, they may attend any conference.	All can attend.	They can all attend if they so choose. Typically only 2 ever attend a conference at one time.	They can all attend but not all do. Typically most attend when they are on the Board of Committee of the organization.	All can attend.	All can attend.		There are designees. If additional Board members would like to attend conferences/events they must go to the Board for approval.	Processes vary. Several have some kind of regulation. Either a designee, full board approval needed, or self regulation so not all Board Members attend at once.
3 Are Board compensation or expenditure reports included in Board agendas?	Yes	Yes, as part of the monthly financial reports.	Director expense reports are placed on the agenda.	No.	Yes, they are included as part of the consent agenda each month	Yes.	Board travel reimbursement requests require Board approval.	Yes, a quarterly summary.	Yes, compensation reports are approved by the Board.	Yes.	Yes.
4 Are Board members compensated for meetings with General Manager or staff?	Yes.	Yes	No.	Yes.	Only if it is part of an approved committee/sub group.	Yes. But these meetings are not common, especially of the staff variety.	Yes.	Yes, if desired.		Board president may receive compensation for 2 meetings with GM for agenda matters.	4 provide compensation 1 does not 2 have restrictions
5 Are Board members eligible for mileage reimbursement for Board/Committee meetings?	No.	Yes	No.	No.	No.	Yes but Board Members do not claim mileage for Board or Committee meetings.	No.	Yes, but it has never been requested.		No.	No.
6 What is the per diem?	\$200	\$70	\$100	\$80	Awaiting Information	Awaiting Information	IRS guidelines	\$90	\$125	No set amount. Must be reasonable.	Per diems range from IRS guidelines to \$125.

Rules & Regulations Revisions

Article 14	Public Fire Protection	
	1401 Use of Fire Hydrants	Updated the references to sections in Article 8
	1404 Unauthorized Use of Fire Hydrants and Other Fire Protection Facilities	Revised the language, included reference to SB 394
	1405 Fire Service	Removed the section
	Over all – Title 17 replaced with State Water Resources Board	
Article 15	Private Fire Protection Service	
	1501 Payment of Cost	Removed language.
	1504	Added reference to Exhibit C.
	1506	Revised language, replaced “hcf” with “ccf”
	1508 Water Pressure and Supply	Added language that customer will construct adequate onsite storage facility and pressure pump at their own expense.
	1509 Rules	Added reference to Exhibit C.
	1510 Unauthorized Use of Fire Protection Facilities	Revised language, replaced “District fire hydrants or other” to “private” fire protection facility. Included damages in penalty.
	1511 Private Fire Protection Turn Off Fee	Updated section title. Revised language.
Article 16	Temporary Service and Charges	
	1601 Applicability and Duration of Service	Revised language. Included highlines, that all application shall be approved by the District, and the District’s right to terminate a temporary service without notice.
	1602 Deposits	Removed language.
	1603 Installation and Operation	Revised language.
	1604 Responsibility and Installation	Included reference to Exhibit C.
	1605 Supply for Fire Hydrant	Removed some of the language and added requirements to be complied with during periods for high system demand.
	1606 Rate	Added reference to Exhibit C.
Article 17	The Control of Backflow and Cross-Connections	This section was replaced with the new Cross Connection Control Program approved by the Board in 2025.
Article 18	General Provisions	

Rules & Regulations Revisions

	1801 Tanks	Updated language to include air gap and/or backflow prevention assembly.
Article 19	Complaints and Disputed Bills	Grammatical updates.
Article 20	Schedule of Rates	Updated Exhibit description
Article 21	Schedule of Rates	Updated Exhibit description
Article 22	Annexation for Areas Outside of District Territory	
	2202 Regulations Pertaining to Applications For Water Service For Properties Outside of District Territory And Within An Improvement District	Updated title. Updated “General Manager” to “District”
Article 23	Sewers	Removed article based on Legal’s review.
Article 24	Water Conservation	Renumbered the sections and updated section references. Minor word replacements.
Article 25	Due Process Hearing	Included “business” so specify the counts are for business not calendar days. Minor word additions/replacements.
Article 26	Insurance	Section is being removed and will be included in the District Standards for Domestic Water Service for CIP projects and templates are being created by purchasing for all other scenarios.

ARTICLE 14. PUBLIC FIRE PROTECTION

1401. USE OF FIRE HYDRANTS. Fire hydrants are for use by the District or by organized fire protection agencies pursuant to contract with the District. Other parties desiring to use fire hydrants for any purpose must first obtain written ~~permission~~approval from the District prior to use and shall operate the hydrant in accordance with instructions issued by the District. Unauthorized use of hydrants will be prosecuted according to law.

- a. ~~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. (See as specified in Article 8, Sections 807, 808, 840, 811, and 812., 816, and and 8174).~~

1402. HYDRANT STANDBY CHARGE. A charge, to be determined by contract between the District and organized fire protection agencies, will be imposed for hydrant maintenance unless special arrangements have been made. No charge will be made for water used for public fire protection within the District.

1403. MOVING OF FIRE HYDRANTS. When a fire hydrant has been installed in the location specified by proper authority, the District has fulfilled its obligation. If a property owner or other party desires a change in the size, type, or location of the hydrant, ~~he/she~~ they shall bear all costs of such change without refund. Any change in the location of a fire hydrant must be approved by the District and the appropriate fire agency.

1404. UNAUTHORIZED USE OF HYDRANTS AND OTHER FIRE PROTECTION FACILITIES AND OTHER FIRE PROTECTION FACILITIES.

- a. ~~Unauthorized Use. In accordance with the District's authority under the law, the D~~Unauthorized Use. In accordance with the District's authority under the law, the District may impose a penalty, as specified by SB 394 and in ~~see as specified in~~ Exhibit C, for the unauthorized use of District fire hydrants ~~or other fire protection facilities or other fire protection facilities.~~ The District shall issue a written notice of imposition of such penalty to the person ~~or entity~~ upon whom the penalty is being imposed. The notice shall set forth that payment of the penalty shall be due thirty (30) days from the date of the notice, and the reason for imposing the penalty. The notice advises that the person upon whom the penalty is being imposed may request review of the imposition of penalty by filing a written request for a hearing pursuant to the provisions of Article 25.

- b. Tampering
 - 1. ~~In accordance with the District's authority under the law, T~~the District

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Commented [4]: Please see comments above regarding options for adopting the new fines that are available for water theft from hydrants as set forth in SB 394.

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may impose a fine upon anyone who tampers with a hydrant or other fire protection facility ~~or other fire protection facility~~. Said penalty shall be of an amount sufficient to cover the cost of repairing the hydrant or facility ~~or facility~~, and any associated administrative costs. The District shall issue a written notice of imposition of such penalty, which shall be due thirty

1. (30) days from the date of the notice. The notice shall set forth the reason for imposing the penalty. The notice shall advise that the person or entity upon whom the penalty is being imposed may request review of the imposition of that penalty by filing a written request for a hearing pursuant to the provisions of Article 25.
2. If thirty days have passed from the date the notice of imposition of penalty was given, and the penalty has not been paid and no request for hearing has been filed pursuant to Article 25, the District may refer the matter to the District Attorney for prosecution as a misdemeanor or infraction.
3. If an Article 25 hearing has been requested and held, and either a statement of decision imposing the penalty becomes final, or the Board affirms imposition of the penalty, and no payment is made within thirty (30) days of said decision or order, the District may refer the matter to the District Attorney for prosecution as a misdemeanor or infraction.

~~1405. FIRE SERVICE. A non-compliance backflow prevention assembly fine shall be assessed for each month a backflow prevention assembly remains non-compliant. (See Exhibit C).~~

ARTICLE 15. PRIVATE FIRE PROTECTION SERVICE

1501. PAYMENT OF COST. An applicant for private fire protection service shall pay the total actual cost of installation of the service from the distribution main to the customer's premises, including the cost of an approved backflow prevention assembly. ~~Said service shall become the property of the District, up to the inlet side of the approved backflow prevention assembly.~~

1502. CAPACITY CHARGE. There shall be a capacity charge applied to all private fire services.

1503. MONTHLY RATES. The monthly rates for private fire protection service shall be as ~~shown~~ specified in Exhibit D.

1504. DETECTOR METER CONSUMPTION. Any consumption recorded on the detector meter shall be investigated for illegal use. If illegal use is determined a fine shall be levied ~~as specified in Exhibit C.~~

1505. NO CONNECTION TO OTHER SYSTEM. There shall be no connection between a fire protection system and any other water distribution system on the premises, including the domestic system connection to the District. There shall be no connection between a fire protection system, and another fire protection system unless approved by the District.

1506. USE. There shall be no water used through the fire protection service except to extinguish fires and for the testing of the firefighting equipment. The amount of consumption registered on the detector meter for testing shall be based on the size of the service connection (please see table below.) One (1) unit of water per inch diameter shall be allowed on a monthly basis to meet fire protection system testing needs. If unauthorized consumption is found by the District ~~one or more,~~ fines may be imposed. Customers are required to notify or cause to be notified, the District prior to testing of any fire service facilities.

Allowable Usage for Testing Fire Services

Fire Protection Service Size	Allowable Consumption as registered on Detector Meter (ccf)
2"	2 ccf
3"	3 ccf
4"	4 ccf
6"	6 ccf
8"	8 ccf
10"	10 ccf

12"	12- ref
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1507. VIOLATION. If water is used from a private fire service in violation of these regulations, the District may at its option discontinue service and remove the connection.

1508. 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. If a customer must have a continuous supply of water the customer should construct an adequate onsite storage facility and pressure pump at their own expense.

1509. RULES. The following rules shall apply to fire service connections:

- a. Valve. When a private fire protection service connection is installed, the valve governing same shall be closed and sealed, and remain so until a written order is received from the owner of the premises to have the water turned on.
- b. Detector Meter. All private fire protection services connected to the District's mains shall be equipped with an approved Double Check Detector Backflow Prevention Assembly (DCDA), located so as to be readily accessible to District personnel.
- c. Non-Compliance Fee. A fee will be charged for all backflow prevention assembly not in compliance as specified in Exhibit C.

1510. UNAUTHORIZED USE OF FIRE PROTECTION FACILITIES.

- a. Unauthorized Use. The District may impose a penalty for the unauthorized use of District fire hydrants or other private fire protection facilities. (See (As specified in Exhibit C, Section 2025)). The District shall issue a written notice of imposition of such penalty to the person or entity upon whom the penalty is being imposed. The notice shall set forth that payment of the penalty shall be due thirty (30) days from the date of the notice, and the reason for imposing the penalty. The notice shall be served to the customer and shall advise that the person or entity upon whom the penalty is being imposed may request review of the imposition of the penalty by filing a written request for a hearing pursuant to the provisions of Article 25.
- b. Tampering.
 1. The District may impose a fine upon anyone who tampers with a hydrant or other private fire protection facility. Said penalty shall be of an amount sufficient to cover the cost of repairing the hydrant or

facility, any damages, and any associated ~~administrative~~ costs. The District shall issue a written notice of imposition of such penalty, which shall be due thirty (30) days from the date of the notice. The notice shall set forth the reason for imposing the penalty. The notice shall be served on the customer by registered or certified mail, and shall advise that the person or entity upon whom the penalty is being imposed may request review of the imposition of that penalty by filing a written request for a hearing pursuant to the provisions of Article 25.

2. If thirty (30) days have passed from the date the notice of imposition of penalty was given, and the penalty has not been paid and no request for hearing has been filed pursuant to Article 25, the District may refer the matter to the District Attorney for prosecution as a misdemeanor or infraction.
3. If an Article 25 hearing has been requested and held, and either a statement of decision imposing the penalty becomes final, or the Board affirms imposition of the penalty, and no payment is made within thirty (30) days of said decision or order, the District may refer the matter to the District Attorney for prosecution as a misdemeanor or infraction.

1511. PRIVATE FIRE PROTECTION TURN ON-OFF FEE.—A fee will be charged ~~for~~ turn off ~~of~~ private fire protection systems for emergency and/or ~~repair~~planned repairs of said system. (~~See~~As specified in Exhibit C, Section 2005).

1512. DISTRICT RESPONSIBILITY. The District's responsibility ends at the connection between the branch pipeline and the ninety degree (90°) elbow preceding the backflow device for the fire service.

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ARTICLE 15A. RESIDENTIAL FIRE SPRINKLER SYSTEM

Commented [5]: Question to legal: Is there a way to incorporate article 15A into Article 15?

1501A. RESIDENTIAL FIRE SPRINKLER SYSTEM. The term “Residential Fire Sprinkler System” shall mean a fire sprinkler system required by California Residential Code, Title 24, Part 2.5 which is incorporated as part of the Customer Service Line.

1502A. CONNECTION REQUIREMENTS. A single Permanent Service Connection shall provide water service for both the domestic water and Residential Fire Sprinkler portions of the Customer Service Line. The customer will provide the District with the required domestic water and Residential Fire Sprinkler water demands and minimum pressures at the time of application for service. The District shall size the single Permanent Service Connection to meet the foregoing demands and pressure requested.

For purposes of this Article 15A, each initially capitalized term set forth herein shall have the following meaning:

- a. The term “Service Connection” shall mean ~~the~~ District’s facilities including, pipe, fittings, meter, meter box and check valve or backflow prevention assembly and gate valve, extending from the District’s domestic water main to the outlet of the gate valve downstream of the meter, check valve or backflow prevention assembly.
- b. The term “Permanent Service Connection” shall mean a service connection that is intended to provide continuous domestic water service.
- c. The term “Customer Service Line” shall mean a customer’s facilities including pipe, fittings and appurtenances extending from the outlet of the gate valve downstream of the District’s meter, check valve or backflow prevention assembly.

1503A. NO LIABILITY OF DISTRICT.

- a. The District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and merely agrees to furnish such quantities and pressures as are available in its general distribution system. The ~~service~~ is subject to shutdowns and variations required by the operation of the District’s distribution system. California law provides that the District is immune from liability for personal injury or property damage which may result from the presence or absence of water for the extinguishment of a fire or for any other purpose including, but not limited to the pressure or absence of water. In a fire sprinkler system located in or about any

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property or structure, such immunity shall apply regardless of whether any absence of water is the result of a malfunction in any system or from the termination of water service due to a delinquent water bill.

b. All Residential Fire Sprinkler Systems are required by California Residential Code, Title 24, Part 2.5. The customer is responsible for any residential fire sprinkler system on the customer's property or premises, including, but not limited to, operations, maintenance, and standard inspection to ensure that any such system functions properly. The customer acknowledges that there is the potential for hazardous conditions which may be created by potentially having fire protection service discontinued as a result of service interruption or termination and that any such injury or damage is the responsibility of the customer and not the District. Customer acknowledges that District will provide a single Service Connection to customer's property identified in this application ("Property"). In the event District discontinues water service to the Property for any reason set forth in District's rules and regulations ("Regulations"), including, but not limited to, failure to make payment when due, District may, in accordance with the Regulations, discontinue water service to the Property. If District discontinues water service to the Property, there is no water service for the residential sprinkler system. Customer, during customer's ownership of the Property, assumes all risk of loss and damage to the Property, including the residential unit located on the Property or injury to persons arising out of the termination of such water service and hereby waives all claims in respect thereof against District, including losses arising from or in connection with the loss of residential fire sprinkler protection. In addition to the foregoing, customer, during customer's ownership of the Property, assumes all risk of loss or damage to personal and real property due to backflow from the fire sprinkler system portion of the Customer Service Line into the domestic portion of the Customer Service Line for any reason whatsoever, including without limitation, any water quality exceedances. Customer acknowledges that District shall have no obligation nor responsibility with respect to the design, construction, testing (including inspection to ensure that such system is operational), operation, maintenance, repair or replacement of the residential fire sprinkler system on customer's Property which shall be customer's responsibility and customer shall bear all risk of loss or damage thereto and/or thereby, by whatever cause inflicted which shall be customer's responsibility.

a-c. The District may discontinue water service in accordance with the District's Rules and Regulations. The District shall not be liable for any damage, which may result from said discontinuance of service.

Customer shall assume the defense of, indemnify and hold harmless District from and against all actions, causes of action, damages, demands, liabilities, costs (including, but not limited to reasonable attorneys' fees), claims, losses and expenses of every type and description (collectively, "Costs") to which it may be

subjected or put, by reason of, or resulting from: (i) the design, construction, testing (including inspection to ensure that such system is operational), operation, maintenance, repair and replacement of the residential fire sprinkler system located on the Property; (ii) the performance of or failure to perform of the residential fire sprinkler system located on the Property during customer's ownership of the Property; (iii) backflow from the fire sprinkler system portion of the Customer Service Line into the domestic portion of the Customer Service Line for any reason whatsoever, including without limitation, any water quality exceedances during customer's ownership of the Property; and (iv) any death, injury, property damage, accident or casualty caused or claimed to be caused by the discontinuance of water service to the Property for any reason set forth in District's Regulations, including, but not limited to, failure to make payment when due, including any Costs arising from or in connection with the loss of the use of the residential fire sprinkler system on the Property during customer's ownership of the Property. District shall make all decisions with respect to its representation in any legal proceeding concerning this Section. Customer hereby waives all claims and demands against District for any such Costs.

ARTICLE 16. TEMPORARY SERVICE AND CHARGES

1601. APPLICABILITY AND DURATION OF SERVICE. Applicable to all temporary ~~services~~services, including highlines and hydrant connections, of a non-permanent nature for construction or other purposes. All temporary service connections shall be reviewed and approved by the District. Service shall be disconnected and terminated within six (6) months after installation. Extension of use shall require renewal of the permit and inspection of the backflow protection device. The District reserves the right to terminate a temporary service connection at any time without notice to the customer.

1602. DEPOSITS.

- a. Meter, Reduced Pressure Principle Backflow Prevention Assembly (RP) & Service Deposit. The applicant shall deposit in advance the estimated cost of installing and removing the facilities required to furnish said service exclusive of the cost of salvageable material, as determined by the District. Upon discontinuance of service the actual cost shall be determined and an adjustment made as an additional charge, refund, or credit. If service is supplied through a fire hydrant, the applicant will be charged as specified in accordance with Exhibit C and Exhibit D).

~~Should the meter, RP, and other facilities be damaged, stolen or lost, the deposit shall be forfeited in whole or in part. (See Article 16, Section 1604 and Exhibit C).~~

1603. INSTALLATION AND OPERATION. The ~~District~~customer shall ~~provide~~install all facilities ~~for temporary service to the customer connection. The customer at their expense~~ and shall operate the facility in accordance with ~~the District policy~~these rules and ~~approval~~regulations.

1604. RESPONSIBILITY AND INSTALLATION. All hydrant meters and RPs, will be secured to the hydrant by the District. The District reserves the right to allow the customer to secure the meter with their own protection devices but accessibility must be maintained for District personnel. The customer shall use all possible care to prevent damage to any loaned facilities of the District, which are involved in furnishing the temporary service. Should the meter or other facilities be damaged, lost or stolen, the cost of replacement or making the necessary repairs shall be the responsibility of the customer and shall be deducted from the Deposit: as specified in Exhibit C, Section 2003. Requests to relocate a hydrant meter will be granted within two (2) business days. Relocation and backflow prevention assembly testing fees apply.

1605. SUPPLY FROM FIRE HYDRANT. An applicant for temporary use of water from a fire hydrant must secure an application from the District and pay the required deposits.

~~The applicant shall provide himself with a hydrant wrench necessary to operate such hydrant, and pay for the water used in accordance with the meter readings, at the rates prescribed~~ During periods of high system demand, the District at its sole discretion may only issue out 3-inch hydrant meters, require hydrant meters to be throttled down to 200 gallons per minute, and direct customer to either reduce or cease use for a period of time as identified by the District.

1606. RATE. Rates and charges for temporary water service shall be furnished ~~at the rates prescribed by the District~~ as specified in Exhibit C.

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ARTICLE 17. THE CONTROL OF BACKFLOW AND CROSS CONNECTIONS

1701. PURPOSE

~~(1) The District is responsible for protecting its water supply from contamination by implementation of a Cross Connection control program. The purpose of the Cross Connection control program is (1) to protect the District's water supply against actual or potential Cross Connection by isolating within the premise contamination that may occur because of some undiscovered or unauthorized Cross Connection on the premises; (2) to eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption; (3) to eliminate Cross Connections between drinking water systems and sources of contamination; and (4) to prevent the occurrence of Cross Connections in the future.~~

Commented [6]: Per Joanne: Title 17 California's Code of Regulations on cross-connection has become inoperative starting 10/1/2024. Board approved the new cross-connection control program ordinance so title 17 was replaced with the new language.

1702. AUTHORITY

~~Article 17 is intended to satisfy the requirements set forth in the District's operating permit issued by the State Water Resources Control Board, Health and Safety Code Sections 116275(9), 116555(a), Title 17 of the California Code of Regulations Sections 7583-7605, and Water Code Section 31027.~~

1703. DEFINITIONS

The following words and phrases shall have the following meanings:

- ~~a. "Auxiliary Water Supply" is any water supply other than that received from a public water system.~~
- ~~b. "Air-gap Separation" is a physical break between the supply line and a receiving vessel.~~
- ~~c. "Cross Connection" is an unprotected actual or potential connection between a potable water system used to supply water for drinking purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome, and potable. By pass arrangements, jumper connections, removable sections, swivel or changeover devices, or other devices through which backflow could occur, shall be considered to be cross-connections.~~
- ~~d. "Double Check Valve Assembly" is an assembly of at least two independently acting check valves including tightly closing shut off valves on each side of the check valve assembly and test cocks available for testing the water tightness of each check valve.~~
- ~~e. "Reduced Pressure Principle Backflow Prevention Device" is a backflow preventer incorporating not less than two check valves, an automatically operated differential~~

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~~relief valve located between the two check valves, a tightly closing shut-off valve on each side of the check valve assembly, and equipped with necessary test cocks for testing.~~

~~f. "Water User" is any person obtaining water from public water supply.~~

1704. WATER SYSTEM SURVEY

- ~~a. The District shall review all requests for new services to determine if backflow protection is needed. Plans and specifications must be submitted to the District upon request for review of possible Cross-Connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention device is necessary to protect the public water system, the required "lead free" device must be installed before service will be rendered.~~
- ~~b. The District may require an on-premise inspection to any new or existing site to evaluate Cross-Connection hazards. The District will send a written notice requesting an inspection appointment to each affected Water User. Any Water User that cannot, or will not, allow an on-premise inspection of their piping system shall be required to install a "lead free" backflow prevention device as deemed necessary by the District.~~
- ~~e. The District may require a re-inspection at its discretion for Cross-Connection hazards of any premise to which it serves water. The District will contact the water user to request an inspection. Any Water User that cannot, or will not, allow an on-premise inspection of their piping system shall be required to install a "lead free" backflow prevention device as deemed necessary by the District.~~
- ~~d. The District will notify the Water User in writing of the water system survey findings, listing corrective action to be taken, if any. A period of 30 days will be given to complete all corrective action required, including the installation of a new or upgraded backflow prevention devices if required. The District, at its sole discretion, may grant a time extension to perform for the corrective action. If the corrective action is not completed within the allotted time period, the District may terminate or suspend water service to the affected Water User until the required corrective actions are taken and non-compliance fees are paid in full.~~

1705. WATER USER NOTIFICATION FOR TESTING AND MAINTENANCE

- ~~a. The District will send written notification to each affected Water User when it is time to test the backflow prevention device installed on their service connection. This written notification shall give the Water User 30 days to complete the required testing and submit the necessary backflow test~~

~~certification to the District.~~

- ~~b. After the allotted 30 day period, a second written notice will be sent to each Water User who failed to provide an acceptable backflow test certification for their backflow prevention device. The second notice will allow the Water User an additional 30 day period to have their backflow prevention device tested and an acceptable test certification submitted to the District, or allow the Water User to request termination of service. If the Water User fails to supply the District with either an acceptable test certification or a Request for Termination of Service within the two 30 day period, the District may suspend or terminate water service to the Water User until the required test is completed.~~
- ~~c. Should the backflow prevention device not pass the backflow test, the District will terminate or suspend water service to the affected Water User until the subject device is repaired, retested and shown to be operating properly.~~

1706. GENERAL PROVISIONS

- ~~a. Whenever backflow protection has been found necessary (including but not limited to commercial properties, landscape nurseries, manufacturing facilities, hospitals, nursing homes and facilities including any and all property having fire sprinkler systems or private fire hydrants), the District will require the Water User to install a District approved backflow prevention device at the Water User's sole expense for continued services or before new service will be rendered. These costs shall include all labor and material necessary to construct or modify the service connection connecting to the District's water main, install the backflow device itself, construct or modify any piping work to be completed on the Water User's side of the backflow device, and the removal of any interfering vaults.~~
- ~~b. Wherever backflow protection has been found necessary on a water supply line entering a Water User's premises, then any and all water supply lines from the District's mains entering such premises, buildings, or structures shall be protected by a District approved "lead free" backflow prevention device. The Water User shall only install "lead free" backflow prevention devices that have been approved by the District.~~
- ~~c. Each service connection from the District water system to premises having an Auxiliary Water Supply shall be protected against backflow of water from the premises into the District's water system unless the Auxiliary Water Supply is accepted as an additional source by the District, and is approved by the public health agency having jurisdiction.~~
- ~~d. Backflow prevention devices shall be installed on the service connection to any~~

~~premises having (a) internal Cross-Connections that cannot be permanently corrected and controlled to the satisfaction of the District, or (b) intricate plumbing and piping arrangements, or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross-connections exist.~~

- ~~e. Any property having two or more services supplying water from different water distribution mains to the same building, structure, or premises through which an interstreet main flow may occur, shall have at least a standard check valve on each water service to be located adjacent to and on the property side of the respective meters. Such check valves shall not be considered adequate if backflow protection is deemed necessary to protect the District's mains from pollution or contamination in such case the installation of a District-approved backflow devices at such service connections shall be required.~~
- ~~f. Backflow prevention devices shall be installed in accordance with the District's standard drawings which may be updated periodically by the District. The standard drawings also delineate the limit of the District and Water User's responsibility for maintaining the backflow service connection.~~
- ~~g. The District will notify affected Water Users by mail when annual testing of their device is required and supply users with the necessary documentation regarding backflow prevention device information. The affected Water User shall retain a certified tester from the list of the District approved backflow prevention assembly testers to perform the required test(s). All annual tests must be submitted to the District electronically via website data entry.~~

~~**1707. BACKFLOW DEVICE REMOVAL** The Water User, or their agent, shall obtain approval from the District before removing, relocating, or replacing a backflow prevention device. Such approval will be granted at the District's sole discretion.~~

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- ~~a. **Removal:** The use of a device may be discontinued and the device removed from service upon presentation of sufficient evidence to the District to verify that a hazard no longer exists, or is not likely to be created in the future.~~
- ~~b. **Relocation:** The District, at its sole discretion, may allow the relocation of a backflow prevention device, so long as the new location will continue to provide the required protection and meet the District's installation requirements. A retest of the relocated backflow prevention assembly will be required following the relocation of the device.~~

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- c. ~~Repair: A device may be removed for repair, provided the water use is either discontinued until the repair is completed and the repaired device is reinstalled and returned to service, or the service connection is equipped with another backflow protection approved by the District. A passing/satisfactory retest will be required following every repair of the device.~~

- d. ~~Replacement: A device may be removed and replaced provided the water use is discontinued until the replacement device is installed. All replacement devices must be approved by the District, commensurate with the degree of hazard involved, and be "lead free." All backflow prevention device replacements, including service piping, shall be constructed up to the current District standards.~~

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1708. WATER SERVICE TERMINATION~~When the District encounters water uses that represent a clear and immediate hazard to the potable water supply that cannot be immediately abated, the District shall institute the procedure for discontinuing the District water service.~~

- a. ~~The District will terminate service to a Water User's premise after 2 written notices have been sent specifying the corrective action needed and the time period in which it must be completed. If no action is taken within the allowed period of time, water service may be terminated. Conditions or water uses fall into this category that create a basis for water service termination shall include, but are not limited to the following items:~~
 - 1. ~~Refusal to install or upgrade to a required "lead free" backflow prevention device.~~
 - 2. ~~Refusal to test a backflow prevention device.~~
 - 3. ~~Refusal to repair a failing backflow prevention device.~~
 - 4. ~~Refusal to replace a failing backflow prevention device.~~

- b. ~~The District will make reasonable effort to contact and advise the Water User of record of the intent to terminate water service and terminate water supply and lock service valve. The water service will remain inactive until the District has approved correction of violations. Conditions or water uses fall into this category that create a basis for water service termination shall include, but are not to limited to the following items:~~
 - 1. ~~Direct or indirect connection between the public water system and a sewer~~

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~~line.~~

- ~~2. Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants.~~
- ~~3. Unprotected direct or indirect connection between the public water system and an Auxiliary Water System.~~
- ~~4. A situation which presents an immediate health hazard to the public water system public health.~~

~~**1709. RATE** The Water user and/or owner will be charged a monthly fee per assembly on their utility bill beginning the following month in accordance with the District. See exhibit G.~~

ARTICLE 17. THE CONTROL OF BACKFLOW AND CROSS-CONNECTIONS

1701. PURPOSE. ~~The District is responsible for protecting its water supply from contamination by implementation of a Cross-Connection control program. The purpose of the Cross-Connection control program is (1) to protect the District's water supply against actual or potential Cross-Connection by isolating within the premise contamination that may occur because of some undiscovered or unauthorized Cross-Connection on the premises; (2) to eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption; (3) to eliminate Cross-Connections between drinking water systems and sources of contamination; (4) to prevent the occurrence of Cross-Connections in the future; and (5) to provide basic educational information on backflow prevention to build awareness within our community.~~

1702. AUTHORITY. ~~The Cross-Connection Control Policy Handbook (CCCPH) is intended to satisfy the requirements set forth in the District's operating permit issued by the State Water Resources Control Board. The CCCPH and its standards apply to all California Public Water Systems as defined in California's Health and Safety Code (CHSC, section 116275(h)). Through the adoption of the CCCPH, the SWRCB is exercising its authority under California's Safe Drinking Water Act (SDWA).~~

1703. DEFINITIONS

~~The following definitions apply to the terms used in the CCCPH:~~

- ~~a. "Air-gap separation" or "AG" means a physical vertical separation of at least two (2) times the effective pipe diameter between the free-flowing discharge~~

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end of a potable water supply pipeline and the flood level of an open or non-pressurized receiving vessel, and in no case less than one (1) inch.

- b. “Approved water supply” means a water source that has been approved by the SWRCB for domestic use in a public water system and designated as such in a domestic water supply permit issued pursuant to section 116525 of the CHSC.
- c. “Auxiliary water supply” means a source of water, other than an approved water supply, that is either used or equipped, or can be equipped, to be used as a water supply and is located on the premises of, or available to, a water user.
- d. “Backflow” means an undesired or unintended reversal of flow of water and/or other liquids, gases, or other substances into a public water system’s distribution system or approved water supply.
- e. “Backflow prevention assembly” or “BPA” means a mechanical assembly designed and constructed to prevent backflow, such that while in-line it can be maintained and its ability to prevent backflow, as designed, can be field tested, inspected and evaluated.
- f. “Backflow prevention assembly tester” means a person who is certified as a backflow prevention assembly tester.
- g. “Community water system” means a public water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 year-long residents of the area served by the system.
- h. “Cross-connection” means any actual or potential connection or structural arrangement between a public water system, including a piping system connected to the public water system and located on the premises of a water user or available to the water user, and any source or distribution system containing liquid, gas, or other substances not from an approved water supply.
- i. “Cross-connection Control Specialist” means a person who is certified as a cross-connection control specialist.
- j. “Distribution system” means any combination of pipes, tanks, pumps, etc., which delivers drinking water from a source or treatment facility to the consumer and includes: (1) disinfection facilities for which no Giardia or virus reduction is required; and (2) the composite of all distribution systems of a public water system.

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k. “Double check detector backflow prevention assembly” or “DCDA” means a double check valve backflow prevention assembly that includes a bypass with a water meter and double check backflow prevention assembly, with the bypass’s water meter accurately registering flow rates up to two gallons per minute and visually showing a registration for all rates of flow. This type of assembly may only be used to isolate low hazard cross-connections.

l. “Double check detector backflow prevention assembly – type II” or “DCDA-II” means a double check valve backflow prevention assembly that includes a bypass around the second check, with the bypass having a single check valve and a water meter accurately registering flow rates up to two gallons per minute and visually showing a registration for all rates of flow. This type of assembly may only be used to isolate low hazard cross-connections.

m. “Double check valve backflow prevention assembly” or “DC” means an assembly consisting of two independently-acting internally-loaded check valves, with tightly closing shut-off valves located at each end of the assembly (upstream and downstream of the two check valves) and fitted with test cocks that enable accurate field testing of the assembly. This type of assembly may only be used to isolate low hazard cross-connections.

n. “Hazard Assessment” means an evaluation of a user premises designed to evaluate the types and degrees of hazard at a user’s premises.

o. “High hazard cross-connection” means a cross-connection that poses a threat to the potability or safety of the public water supply. Materials entering the public water supply through a high hazard cross-connection are contaminants or health hazards.

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p. “Low hazard cross-connection” means a cross-connection that has been found to not pose a threat to the potability or safety of the public water supply but may adversely affect the aesthetic quality of the potable water supply. Materials entering the public water supply through a low hazard cross-connection are pollutants or non-health hazards.

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q. “Noncommunity water system” means a public water system that is not a community water system.

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r. “Nontransient noncommunity water system” means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over six months per year.

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s. “Premises containment” means protection of a public water system’s distribution system from backflow from a user’s premises through the

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installation of one or more air gaps or BPAs, installed as close as practical to the user's service connection, in a manner that isolates the water user's water supply from the public water system's distribution system.

t. **"Pressure vacuum breaker backsiphonage prevention assembly" or "PVB"** means an assembly with an independently-acting internally-loaded check valve and an independently-acting loaded air inlet valve located on the discharge side of the check valve; with test cocks and tightly closing shutoff valves located at each end of the assembly that enable accurate field testing of the assembly. This type of assembly may only be used for protection from back siphonage and is not to be used to protect from backpressure.

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u. **"Public water system" or "PWS"** means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly services at least 25 individuals daily at least 60 days out of the year. A public water system includes the following: (1) any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system; (2) any collection or pretreatment storage facilities not under control of the operator that are used primarily in connection with the system; and (3) any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.

v. **"Recycled Water"** is a wastewater which as a result of treatment is suitable for uses other than potable use.

w. **"Reduced pressure principle backflow prevention assembly" or "RP"** means an assembly with two independently acting internally-loaded check valves, with a hydraulically operating mechanically independent differential-pressure relief valve located between the check valves and below the upstream check valve. The assembly shall have shut-off valves located upstream and downstream of the two check-valves, and test cocks to enable accurate field testing of the assembly.

x. **"Reduced pressure principle detector backflow prevention assembly" or "RPDA"** means a reduced pressure principle backflow prevention assembly that includes a bypass with a water meter and reduced pressure principle backflow prevention assembly, with the bypass's water meter accurately registering flow rates up to two gallons per minute and visually showing a registration for all rates of flow.

y. **"Reduced pressure principle detector backflow prevention assembly – type II" or "RPDA-II"** means a reduced pressure principle backflow prevention assembly that includes a bypass around the second check, with the bypass

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having a single check valve and a water meter accurately registering flow rates up to two gallons per minute and visually showing a registration for all rates of flow.

z. "Spill-resistant pressure vacuum breaker backsiphonage prevention assembly" or "SVB" means an assembly with an independently-acting internally-loaded check valve and an independently-acting loaded air inlet valve located on the discharge side of the check valve; with shutoff valves at each end and a test cock and bleed/vent port, to enable accurate field testing of the assembly. This type of assembly may only be used for protection from backsiphonage and is not to be used to protect from backpressure.

aa. "State Water Resources Control Board" or SWRCB means the SWRCB or the local primacy agency having been delegated the authority to enforce the requirements of the CCCPH by the State Water Resources Control Board.

bb. "Transient noncommunity water system" means a noncommunity water system that does not regularly serve at least 25 of the same persons over six months per year.

cc. "User premises" means the property under the ownership or control of a water user and is served, or is readily capable of being served, with water via a service connection with a public water system.

dd. "User's service connection" means either the point where a water user's piping is connected to a water system or the point in a water system where the approved water supply can be protected from backflow using an air gap or backflow prevention assembly.

ee. "User Supervisor" means a person designated by a water user to oversee a water use site and responsible for the avoidance of cross-connections.

ff. "Water supplier" means a person who owns or operates a public water system.

gg. "Water user" means a person or entity who is authorized by the PWS to receive water.

1704. FEES. The Board of Directors may, by resolution, establish fees or charges assessed under this Ordinance to ensure that the costs reasonably borne by the District are collected from the Water User.

1705. ENTRY AND INSPECTION. All Water Users' systems and premises shall be

readily accessible inspection at all reasonable times to authorized representatives of the District to enable the District to ascertain the existence of cross-connections or other structural or sanitary hazards, including violations of the cross-connection rules and regulations in this Ordinance.

1706. HAZARD ASSESSMENTS

1. To evaluate the potential for backflow into the District's distribution system, the District shall complete an initial hazard assessment of all service connections including single-family residences (approximately 25,000 total connections) within the service area.
2. The District shall review all requests for new services to determine if backflow protection is needed. Plans and specifications must be submitted to the District upon request for review of possible Cross-Connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention device is necessary to protect the public water system, the required "lead free" device must be installed before service will be rendered.
3. The District may require an on-premise inspection to any new or existing site to evaluate Cross-Connection hazards. The District will send a written notice requesting an inspection appointment to each affected Water User. Any Water User that cannot, or will not, allow an on-premise inspection of their piping system shall be required to install a "lead free" backflow prevention device as deemed necessary by the District.
4. The District may require a re-inspection at its discretion for Cross-Connection hazards of any premise to which it serves water. The District will contact the water user to request an inspection. Any Water User that cannot, or will not, allow an on-premise inspection of their piping system shall be required to install a "lead free" backflow prevention device as deemed necessary by the District.
5. The District will notify the Water User in writing of the water system survey findings, listing corrective action to be taken, if any. A period of 30 days will be given to complete all corrective action required, including the installation of new or upgraded backflow prevention devices if required. The District, at its sole discretion, may grant a time extension to perform for the corrective action. If the corrective action is not completed within the allotted time, the District may terminate or suspend water service to the affected Water User until the required corrective actions are taken and non-compliance fees are paid in full.
6. After the initial hazard assessment described above, the District must conduct a hazard assessment under the following criteria:

- a. If a user premises changes account holder, excluding single family residences;
- b. If a user premises is newly or re-connected to the District;
- c. If evidence exists of changes in the activities or materials on a user's premises;
- d. If backflow from a user's premises occurs;
- e. Periodically, every ten years or as needed as stated above.
- f. If the SWRCB requests a hazard assessment of a user's premises; and
- g. If the PWS concludes an existing hazard assessment may no longer be accurately represent the degree of hazard.

7. Fire protection systems shall be protected by no less than DC protection. If a fire protection system is not protected, the District must ensure protection is installed within ten years of adoption of the CCCPH.

- a. A high hazard cross-connection fire protection system, including but not limited to fire protection systems that may utilize chemical addition or an auxiliary water supply, must have no less than RP protection.
- b. For existing fire protection systems that do not meet the above requirements or cannot install DC protection within ten years of adoption of the CCCPH, the District may propose:
 - i. An alternate date; or
 - ii. An alternative method of backflow protection that provides at least the same level of protection to public health.

8. Site surveys and hazard assessments will be conducted by staff ANSI certified Cross-Connection Control Specialists. All surveys and assessments will be uploaded into the Backflow Management Database.

9. The District maintains a pre-qualified list of certified testers and specialists. In order to be on the list, a contractor must (1) demonstrate competency by passing a hands-on exam conducted by District staff, (2) possess valid tester and/or specialist certification by a certifying organization, accredited by the American National Standards Institute (ANSI) in accordance with ISO/IEC 17024, and (3) provide field test kit or gage equipment accuracy verification record to the District. Provisions for revocation from the list include but not limited to, falsifying information or providing negligent recommendations inconsistent with industry-standard cross-connection control guidelines.

1707. WATER USER NOTIFICATION FOR TESTING AND MAINTENANCE. The District uses a backflow management data system to maintain records for hazard assessments, backflow testing and maintenance.

1. The District will notify affected Water Users by mail when annual testing of their device is required and supply users with the necessary documentation regarding backflow prevention device information. This written notification shall give the Water User 30 days to complete the required testing and submit the necessary backflow test certification to the District.
 - a. If the device fails, untestable or needs to be replaced, the tester must notify the Water User and the District within three days.
 - b. The repair or replacement and re-test must be completed and returned to the District within fifteen (15) days from the date the device failed.
 - c. Non-testable backflows will need to be replaced.
 - d. Any backflow test forms received after the due date; the test form becomes invalid. This is to ensure the test form has not been compromised to meet the due date.
2. The notification will include a list of District certified backflow testers. The affected Water User shall retain a certified tester from the list of the District approved backflow prevention assembly testers to perform the required test(s).
3. Each backflow tester must be AWWA Backflow Prevention Assembly (BPA) Tester certified. Their field test kit or gage equipment must be verified for accuracy and certified. BPA field test results must be completed neatly, accurately and true. Field test forms will be provided by the District and included with the annual notification. All annual tests must be submitted to the District via email (backflow@wvwd.org).
 - a. The District is required to report any tester that falsifies test forms to all regulatory agencies.
 - b. The District reserves the right to conduct an audit on a BPA Tester at any time regarding their testing procedures.
4. After the allotted 30-day period, a second written notice will be sent to each Water User who failed to provide an acceptable backflow test certification for their backflow prevention device. The second notice will allow the Water User an additional 30-day period to have their backflow prevention device tested and an acceptable test certification submitted to the District or allow the Water User to request termination of service. If the Water User fails to supply the District with either an acceptable test certification or a Request for Termination of Service within the two (2) 30-day periods, the District will issue a Final Shutoff notice and the District may suspend or terminate water service to the Water User until the required test is completed. If the District must suspend or terminate water service, fines will be assessed to the Water User's account.

5. Should the backflow prevention device not pass the backflow test, the District will terminate or suspend water service to the affected Water User until the subject device is repaired, retested and shown to be operating properly. Non-testable backflows will need to be replaced.

1708. GENERAL PROVISIONS

a. Whenever backflow protection has been found necessary (including but not limited to commercial properties, landscape nurseries, manufacturing facilities, hospitals, nursing homes, multi-family units, and facilities including any and all property having fire sprinkler systems or private fire hydrants), the District will require the Water User to install a District-approved backflow prevention device at the Water User's sole expense for continued services or before new service will be rendered. These costs shall include all labor and material necessary to construct or modify the service connection connecting to the District's water main, install the backflow device itself, construct or modify any piping work to be completed on the Water User's side of the backflow device, and the removal of any interfering vaults. The District, at its sole discretion, may require a level of protection that is greater than required by the CCCPH or any other State rule or regulation.

a.b. Wherever backflow protection has been found necessary on a water supply line entering a Water User's premises, then any and all water supply lines from the District's mains entering such premises, buildings, or structures shall be protected by a District-approved "lead free" backflow prevention device. The Water User shall only install "lead free" backflow prevention devices that have been approved by the District.

b.c. Each service connection from the District water system to premises having an Auxiliary Water Supply shall be protected against backflow of water from the premises into the District's water system unless the Auxiliary Water Supply is accepted as an additional source by the District and is approved by the public health agency having jurisdiction.

e.d. Backflow prevention devices shall be installed on the service connection to any premises having (a) internal Cross-Connections that cannot be permanently corrected and controlled to the satisfaction of the District, or (b) intricate plumbing and piping arrangements, or where entry to all portions of

the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross-connections exist.

~~e.e.~~ Any property having two or more services supplying water from different water distribution mains to the same building, structure, or premises through which an interstreet main flow may occur, shall have at least a standard check valve on each water service to be located adjacent to and on the property side of the respective meters. Such check valves shall not be considered adequate if backflow protection is deemed necessary to protect the District's mains from pollution or contamination in such case the installation of a District-approved backflow devices at such service connections shall be required.

~~e.f.~~ Backflow prevention devices shall be installed in accordance with the District's standard drawings, which may be updated periodically by the District. The standard drawings also delineate the limit of the District and Water User's responsibility for maintaining the backflow service connection.

g. Installation criteria are needed to ensure that a backflow prevention assembly can operate correctly, and that the required testing can be performed to reliably protect the distribution system at all times. An assembly that is below grade or in an inaccessible location may not allow the tester to correctly perform the field test. The District will allow existing double check valve assemblies to remain in place if they can pass a field test and be repaired. Double check valve backflow prevention assemblies that cannot be repaired or newly installed assemblies will be required to be installed above grade. This allows flexibility for operating cost increases.

1709. BACKFLOW DEVICE REMOVAL The Water User, or their agent, shall obtain approval from the District before removing, relocating, or replacing a backflow prevention device. Such approval will be granted at the District's sole discretion.

1. Removal: The use of a device may be discontinued and the device removed from service upon presentation of sufficient evidence to the District to verify that a hazard no longer exists or is not likely to be created in the future.

2. Relocation: The District, at its sole discretion, may allow the relocation of a

backflow prevention device, so long as the new location continues to provide the required protection and meet the District's installation requirements. A retest of the relocated backflow prevention assembly will be required following the relocation of the device.

3. Repair: A device may be removed for repair, provided the water use is either discontinued until the repair is completed and the repaired device is reinstalled and returned to service, or the service connection is equipped with another backflow protection approved by the District. A passing/satisfactory retest will be required following every repair of the device.
4. Replacement: A device may be removed and replaced provided the water use is discontinued until the replacement device is installed. All replacement devices must be approved by the District, commensurate with the degree of hazard involved, and be "lead free." All backflow prevention device replacements, including service piping, shall be constructed up to the current District standards.

1710. WATER SERVICE TERMINATION. When the District encounters water uses that represent a clear and immediate hazard to the potable water supply that cannot be immediately abated, the District shall institute the procedure for discontinuing the District water service.

1. The District will terminate service to a Water User's premises after two (2) written notices have been sent specifying the corrective action needed and the time period in which it must be completed. If no action is taken within the allowed period of time, water service may be terminated. Conditions or water users fall into this category that creates a basis for water service termination shall include, but are not limited to the following items:
 - a. Refusal to install or upgrade to a required "lead free" backflow prevention device.
 - b. Refusal to test a backflow prevention device.
 - c. Refusal to repair a failing backflow prevention device.
 - d. Refusal to replace a failing backflow prevention device.
2. The District will make a reasonable effort to contact and advise the Water User of record of the intent to terminate water service and terminate water supply and

lock service valve. The water service will remain inactive until the District has approved correction of violations. Conditions or water users fall into this category that create a basis for water service termination shall include, but are not to limited to the following items:

- a. Direct or indirect connection between the public water system and a sewer line.
- b. Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants.
- c. Unprotected direct or indirect connection between the public water system and an Auxiliary Water System.
- d. A situation which presents an immediate health hazard to the public water system public health.

1711. BACKFLOW INCIDENT RESPONSE AND REPORTING. The Water User, or their agent, shall obtain approval from the District before removing, relocating, or replacing a backflow prevention device. Such approval will be granted at the District's sole discretion.

1. If a backflow incident or an unprotected cross-connection is observed at the BPA or prior to the user premises during field testing, the certified backflow tester must notify the District as soon as possible, within 24 hours.
2. Other possible indicators of backflow include customer complaints of odor, discoloration of the water, or direct physical harm from the contact with the water, drops in operating pressure, drops in disinfectant residual, or total coliform and heterotrophic plate counts detections. Each water quality complaint shall be investigated.
3. The District will immediately investigate and discontinue service to the user premises if a backflow incident is confirmed. Water service must not be restored to that user premises until the District receives confirmation of a passing BPA field test form from a certified backflow prevention assembly tester and the assembly is protecting the District.
4. The District will document the findings of the backflow incident and notify the SWRCB and local health agencies of any known or suspected incident of backflow within 24 hours of the determination. If required by the SWRCB, the District must issue a Tier 1 public notification pursuant to CCR, Title 22, Section 64463.1.
5. If required by the SWRCB, the District must submit, by a date specified by

the SWRCB, a written incident report describing the details and affected area of the backflow incident, the actions taken by the District in response to the backflow incident, and the follow-up actions to prevent future backflow incidents. The written report must contain, at a minimum, the information requested on the Backflow Incident Reporting Form.

1712. ENTITY COORDINATION. Whenever there is an issue with a fire service, the Cross-Connection Specialist notifies the business owner to alert the local fire department of a fire watch if the fire service has to be down for more than four (4) hours. In addition, law enforcement is notified of any backflow vandalism or theft by either the business owner or contractor, or by the Cross-Connection Control Specialist for District property. Other local entities may include but are not limited to plumbing, permitting, health officials, maintenance, public and private entities.

1713. RECORDKEEPING. The District shall maintain the records consistent with its approved Cross-Connection Control Plan and the CCCPH.

ARTICLE 18. GENERAL PROVISIONS

1801. TANKS. When an abnormally large quantity of water is desired for filling a tank or for other purposes, arrangements must be made with the District prior to taking such water. Permission to take water in unusual quantities will be given only if it can be safely delivered through the District's facilities and if other consumers are not inconvenienced thereby. District Facilities must be protected by an Air Gap air gap and/or backflow prevention assembly.

1802. RESPONSIBILITY FOR EQUIPMENT. The customer shall at his/her own risk and expense furnish, install, and keep in good and safe condition all equipment that may be required for receiving, controlling, applying and utilizing water. The District shall not be responsible for any loss or damage caused by the improper installation of such equipment; nor the negligence, or wrongful act of the customer or of any of its permittees in installing, maintaining, operating or interfering with such equipment. The District shall not be responsible for damage to property caused by faucets, valves, and other equipment that are open when water is turned on at the meter, either originally or when turned on after temporary shutdown.

1803. BOOSTER DEVICE. The District hereby reserves the right to approve the use of any booster pump to a service on the customer's side of the meter and the use of any other method whereby the customer's share of available water through the main to which the meter is attached is increased beyond the amount of which would otherwise normally be delivered through such meter.

ARTICLE 19. COMPLAINTS AND DISPUTED BILLS

1901. GENERAL. Should the customer have a complaint with regard to water service, or dispute the correctness of a bill for water service, ~~he/she~~ they should contact the District office prior to the bill becoming delinquent to endeavor to arrive at an understanding.

1902. COMPLAINTS. Any written, formal complaint shall be submitted to the General Manager. Should a customer be unable to have his/her complaint satisfied by the District's General Manager or Staff, ~~he/she~~ they may either submit ~~his/her~~ their complaint in writing with a full and detailed explanation to the District's Board of Directors for settlement, or ~~he/she~~ they may appear in person before the Board at its regular meeting to seek a solution. In any event, action by the Board shall not be delayed more than to the time of the next regular meeting for the receipt of special reports on the complaint, unless further delay is freely and willingly agreed to by the customer. The decision of the Board shall be final.

1903. CLAIMS. All claims will need to be submitted to the Human Resources Department.

ARTICLE 20. SCHEDULE OF RATES

See Exhibit C - DEPOSITS, FEES, AND NON-RECURRING RATES WATER SERVICE REGULATIONS

ARTICLE 21. SCHEDULE OF RATES

[See Exhibit D - MONTHLY SERVICE AND CONSUMPTION CHARGES WATER SERVICE REGULATIONS](#)

ARTICLE 22. ANNEXATION FOR AREAS OUTSIDE OF DISTRICT TERRITORY

2201. THIS ARTICLE IS NOT EXCLUSIVE. Except as provided in this Article, water service outside of District's territory shall be provided pursuant to the provisions of Resolution No. 387, as amended, constituting the District's water service regulations and schedule of rates and charges.

2202. REGULATIONS PERTAINING TO APPLICATIONS FOR WATER SERVICE FOR PROPERTIES OUTSIDE OF DISTRICT TERRITORY AND ~~WITHIN AN IMPROVEMENT DISTRICT #4~~

Applicants for water service for properties located outside District Territory shall submit to the District the following:

- a. The District's regular application for water service and evidence of compliance with any requirements thereof.
- b. A petition for annexation of the properties to be served to the District.
- c. The terms and conditions of such annexation are as follows:
 1. The payment of the cost of processing the annexation.
 2. A deposit of money in an amount determined by the ~~General Manager~~District to be used in payment of the costs of processing the annexation, including, but not limited to, Local Agency Formation Commission costs, engineering services, and administrative costs. Any unused portion of the deposit shall be refunded to the applicant, and if the deposit is inadequate, the applicant shall pay any additional sum required.
 3. During the period of time required for the processing of the annexation, the District shall provide the water service applied for, subject to the District's regulations and rates, except that the water rates shall be one and one-half (1 ½) times the regular rate for such service.
 4. Upon annexation of the properties to be provided water service, the District's regular water rates will then apply.
 5. In the event, without fault of the applicant, the annexation proceedings fail, the District shall nevertheless continue water service to the properties of the applicant, but the applicable water rate shall be one and one-half (1 ½) times the regular rate for such water service.

ARTICLE 23. This Section Intentionally Left Blank, SE

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2301. APPLICATION. In an effort to prevent groundwater degradation from septic tank subsurface disposal systems, all new developments within the service area of the West Valley Water District shall connect all lots and/or parcels to a community sewer system, as a condition of water service.

2302. LARGE LOTS OR PARCELS. New developments with a density of less than one single family dwelling unit per one half acre may be exempt from Section 2301 subject to review and determination by the Board of Directors.

2303. DRY SEWERS. In the absence of a requirement from a local sewerage agency to install a sewer system and where it is not currently feasible, as determined by the District, to connect a new development with a density of more than one single family dwelling unit per one half acre to a community sewer system, dry sewers shall be installed, as a condition of water service.

- a. The dry sewers shall meet all District and other local sewerage agencies' requirements.
- b. The dry sewers include lateral lines to within five (5) feet of the inlet pipe to the septic tank to be installed on each lot or parcel.
- c. Plugs and seals shall be placed on the dry sewers to prevent unauthorized connection.

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Commented [7]: Is this within Districts authority?

Commented [7R2]: Joanne, Rocky? Can you answer Q?

Commented [7R3]: I can't. WVWD is not a city. Don't know if we have the enforcement authority. Might be a Q for legal.

Commented [7R4]: WVWD does not have the authority to impose the requirements in Article 23. This Article should be deleted in its entirety. This Article could perhaps be re-styled to make it an "encouragement" to comply with applicable sewer requirements, but that would likely just confuse developers and/or lead to challenges. If such groundwater degradation is a possibility in an area, the best approach would be to inform the applicable land use agency (county or city) so they can condition their development approval on addressing this concern.

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ARTICLE 24. WATER CONSERVATION

2401. PURPOSEPurpose. The purpose of this Article is to provide water conservation measures in order to minimize the effect(s) of a water shortage on the citizens of, visitors to, and the economic well-being of the communities we serve and, by means of this Article, to adopt provisions that will significantly reduce the wasteful and inefficient consumption of water, thereby extending the available water resources required for the domestic, sanitation, and fire protection needs of the citizens of, and visitors to, the communities we serve while reducing the hardship on the District and the general public to the greatest extent possible.

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2402. APPLICATIONApplication. The provisions of this Article shall apply to all customers and property within the service area of the District and shall also apply to all property and facilities owned, maintained, operated, or otherwise under the jurisdiction of the District.

- a. Exception. The prohibited uses of water provided for by this Ordinance are not applicable to that use of water necessary for public health and safety, system maintenance or capital improvements, or for essential government services such as police, fire, and similar emergency services.

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2403. POLICYPolicy. Due to the fact that we are located in a semi-arid region and our groundwater is of limited supply and in an overdraft condition and because of these conditions prevailing in the District and areas elsewhere from which the District obtains its water supplies, the general welfare requires that the water resources available to the District be put to the maximum beneficial use to the extent to which they are capable and that the wasteful, inefficient, or unreasonable use, or method of use of our previous, limited, and finite water resources be prevented.

As such, the conservation of such waters is to be exercised with a view to the reasonable and beneficial and efficient use thereof in the interests of the people of the District and for the public welfare.

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Therefore, the District establishes the following goals, objectives, policies, and four-stage water conservation plan pertaining to the conservation and use of water:

~~2401~~2404. GOALS

- a. The conservation of water.

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- b. The efficient use and distribution of available water supplies.
- c. Adequate and sufficient potable water supply and availability for the greatest public benefit, with particular regard to human consumption, sanitation, and fire protection.
- d. Maintain high quality customer service.
- e. Ensure fiscal soundness.
- f. Protect environmental quality.
- g. Meet water quality regulations.
- h. To reduce water consumption in accordance with State law, including, but not limited to the State [Water Resources Control](#) Board Regulations.

24022405. OBJECTIVES

- a. To conserve all available water supplies.
- b. To achieve an overall water use reduction.
- c. To reduce the volume of wastewater.
- d. To continuously increase consumer awareness about the need for and benefits of water conservation.
- e. To reduce or eliminate wasteful and inefficient uses of water.
- f. To assure an adequate supply of potable water sufficient to meet the essential private and public needs of the District's growing population and economy of those communities in which we serve.
- g. To assure that all new developments and existing dwellings which are remodeled or added to are equipped with water-conserving devices, fixtures, and appliances.
- h. To increase the use of native or water-conserving plant species for landscaping purposes.
- i. The term "base year" shall be set by the Board of Directors in compliance with State law:

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1. The base year, if the customer occupied the subject real property for the entire year. If the customer did not occupy the subject real property for the entire year of the established base year, the base year for that customer would be the first twelve (12) months the customer occupied the subject real property in or after the established base year.
2. If the customer has not occupied the subject real property for a twelve (12) month period on the adoption of this Ordinance, then the District will use the consumption history for the period of time the customer has occupied the subject real property.
3. If the customer has no consumption history for the subject real property then the District will determine goals for that customer based on the averaging of other real properties with similar service types and meter sizes within the same meter reading route (as determined by the District) for the months without consumption history. The customer shall have a ten (10) day period after the customer receives the goals to appeal that determination to the General Manager (as defined herein), in writing. If the customer fails to appeal the determination within the ten (10) day period the goals shall be final. Upon receipt of a timely appeal, the General Manager shall schedule a hearing at which the General Manager or his/her designated representative shall act as the hearing officer. The hearing shall be at least ten (10) days following receipt of the appeal, and the District shall mail written notice of the hearing to the customer at least ten (10) days before the date of said hearing. The determination of the hearing officer with respect to the goals shall be final.

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24032406. POLICIES

- a. As a condition of water service, all new structures shall be equipped with high efficiency toilets (1.28 gallons per flush max) as per Section 17921.3 of the California Health and Safety Code, and with low-flow showers and faucets as per Title 24, Part 6, Article 1, T20-1406F of the California Administrative Code, in addition to the insulating of all hot water lines according to California Energy Commission Rules. "New Structures" shall mean buildings obtaining occupancy permits after the effective date of this Ordinance.

As a condition of continued water service, existing structures not so equipped, which require building permits to remodel or expand, shall be retrofitted with toilet tank dams resulting in 1.28-gallon flushes unless the toilets are to be replaced, in which case the new toilets shall be low-flush (1.28gpf), as stated above, and low-flow showers and faucets. Certification of compliance with this Ordinance shall be forwarded to the District.

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- b. The use of lawns shall be minimized in new commercial, hotel, condominium, and high- density housing and shall be subject to District review and conditioning of projects.
 - 1. The use of native or water-conserving trees, shrubs, lawns, grass, ground cover, vines, and other plant species for landscape planting or replanting purposes is required and shall be approved by the District. (A list of such plants can be obtained at the District office.)

c. Large water users, as determined by the District, shall submit a water conservation plan to the District and promote implementation of same as a condition to continued service.

d. Water demand, use, and mitigation shall be addressed in every Environmental Impact Report- and/or Water Supply Assessment.

de. The District shall:

- 1. Cooperate with other local water purveyors, appropriate state and other responsible agencies in facilitating a continuous program to increase consumer awareness about the need for and benefits of water conservation.
- 2. Encourage large water users to implement water recycling and reuse processes.
- 3. Make water conservation as reliable a method of reducing water demands as water supply projects are in meeting such demands.

24042407. STAGE I - NORMAL CONDITION

Normal supply and distribution capacity is available. All policies shown in Section 2403 and the following water conservation measures shall apply:

- a. Recommendations for use of water.
 - 1. Limit all outdoor watering to occur between the hours of 6:00 p.m. and 8:00 a.m. Drip irrigation and hand watering while gardening are exempt from this recommendation. Water being used during repair or maintenance of watering system is exempt from this section.
 - 2. Water conservation should be practiced within the home or business.
 - 3. All eating establishments, including but not limited to, restaurants,

hotels, cafes, cafeterias, bars or other public places where food and drink are served and/or purchased are requested not to serve water to their customers, unless specifically requested by the customer.

4. Operators of hotels and motels are requested to provide guests with the option of choosing to not have towels and linens laundered daily. The hotels and motels shall prominently display notice of this option in each guestroom using clear and easily understood language.
- b. The following uses of water are hereafter considered non-essential to the public health, safety and welfare and, if allowed, would constitute the wasting of water and is hereby prohibited, pursuant to Water Code Section 350 et seq., Water Code Section 71640 et. Seq. and the common law:
1. There shall be no application of water to sidewalks, walkways, driveways, parking areas, patios, porches, verandas, tennis courts, or other paved, concrete, or other hard surface areas, except that flammable or other similarly dangerous or unhealthy substances may be washed from said areas by direct hose flushing for the benefit of public health or safety.
 2. No water shall be used to clean, fill, operate, or maintain levels in decorative fountains unless such water is part of a recirculating system.
 3. No person shall permit water to leak from any facility, improvement or plumbing fixture on his/her/its premises; said leak shall be repaired in a timely manner.
 34. Washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment are prohibited unless done with a hand-held bucket or hand-held hose equipped with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use. This section does not apply to the washing of the above-listed vehicles or mobile equipment when conducted at a commercial car wash utilizing recirculating systems.
 - a. Such washings are exempted from these regulations when the health, safety, and welfare of the public is contingent upon frequent vehicle cleaning such as garbage trucks and vehicles used to transport food and perishables.
 45. Use of water for outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas,

private and public walkways, roadways, parking lots, or structures is prohibited.

56. The use of sprinklers for any type of irrigation during high winds, which divert a significant amount of water from the intended landscaping, is prohibited.
67. Drought tolerant landscaping with drip irrigation systems should be utilized on public street medians. The irrigation of potable water of ornamental turf on public street medians is prohibited. The term "median" shall mean the strip of land between street lanes.
78. The irrigation with potable water of landscape outside of newly constructed homes and buildings shall be consistent with regulations or other requirements establishments by the California Buildings Standards Commission, as those regulations may be modified from time to time.
89. Irrigating landscaping, including, but not limited to, turf and ornamental landscapes during measurable precipitation in excess of one quarter inch (1/4), and within forty-eight (48) hours following such precipitation is prohibited.

24052408. STAGE II - WATER ALERT

The District may not be able to meet all water demands of all customers, or the State of California has adopted regulations requiring the District to implement requirements and actions of a Stage II water alert as outlined herein this section 24052408, regardless of the District's local water supply; therefore, the following water conservation measures shall apply:

- a. All policies and prohibitions listed as specified in Sections 24032406 and 24042407.
- b. All customers are required to reduce up to twenty percent (20%) of their water consumption over the base year consumption, as adopted by the Board.
- c. District will screen all new applications for water service installations and will limit water use before occupancy to that essential use for construction and testing of landscape plumbing. Limited landscaping for new development shall be allowed as approved by the District.
- d. Limit all landscape irrigation to up to four (4) days per week for no more than ten (10) minutes per station per day. This provision does not apply to any

landscape that has water-efficient devices that are operated properly. Water-efficient devices are drip irrigation systems and operational weather-based irrigation controllers. The term “week” is defined as Sunday through Saturday.

- e. Repair all leaks within seventy-two (72) hours of notification by the District unless other arrangements are made with the ~~General Manager of the District (“General Manager”)~~.
- f. Water use for compaction, dust control, and other types of construction shall be by permit only and will be limited to conditions of the permit or may be prohibited as determined by the ~~General Manager or his/her designee~~District.

2406

2409. STAGE III – WATER WARNING

The District may not be able to meet all water demands of all customers, or the State of California has adopted regulations requiring the District to implement requirements and actions of a Stage III water warning as outlined herein this Section ~~2406~~2409, regardless of the District’s local water supply; therefore, the following water conservation measures shall apply:

- a. All policies and prohibitions ~~listed as specified~~ in Sections ~~2403, 2404~~2406, 2407 and ~~2405-2408~~.
- a-b. All customers are required to reduce up to twenty-five (25%) of their water consumption over the base year consumption, as adopted by the Board.
- b-c. Limit all landscape irrigation one (1) to three (3) days per week, as adopted by the Board, for no more than ten (10) minutes per station per day. Drip systems that are operated efficiently are exempt from these regulations.
- e-d. Repair all leaks within forty-eight (48) hours of notification by the District unless other arrangements are made with the ~~General Manager~~District.
- d-e. All agricultural water users shall irrigate only at times approved by the District.
- e-f. Swimming pools, ornamental pools, fountains, water displays, hot tubs, spas and artificial lakes shall not be filled or refilled after being drained. Exceptions may be granted by calling the District for reasons including, but not limited to, public health and safety or to repair leaks. If any of these water features are drained, the customer shall notify the District immediately prior to refilling.

f.g. All eating establishments, including, but not limited to, restaurants, hotels, cafes, cafeterias, bars or other public places where food or drink are served and/or purchased are prohibited from serving water to their customers except when specifically requested by the customer.

24072410. STAGE IV - WATER EMERGENCY

The District is experiencing a major failure of supply or distribution, or the State of California has adopted regulations requiring the District to implement requirements and actions of a Stage IV water emergency as outlined herein this section ~~2409~~2410, regardless of the District's local water supply; therefore, the following water conservation measures shall apply:

- a. All policies and prohibitions ~~shown as specified~~ in Sections ~~2403, 2404, 2405~~2406, 2407, 2408 and ~~2406~~2409.
- b. All customers are required to reduce water consumption by thirty percent (30%) to fifty percent (50%) over the base year consumption, as adopted by the Board.
- c. No water shall be used for construction purposes. All construction meters shall be locked off or removed.
- d. Commercial nurseries shall water only between the hours of 11:00 p.m. and 6:00 a.m. and only with hand-held devices or with drip irrigation systems.
- e. There shall be no watering of any lawn or landscaped area.
- f. The use of water shall be limited to essential household, commercial, manufacturing, or processing uses only, except where other uses may be allowed by permit.
- g. All agricultural water users shall irrigate only at times approved by the District.

24082411. DETERMINATION AND DECLARATION OF WATER CONDITIONS

The General Manager, or his/her designee, shall access all available water supply data and shall make a report of his/her findings to the Board at the next Regular meeting or at a Special meeting called for that purpose. The Board may at that time determine and declare which of the four (4) previously discussed conditions the District's water supply is in and the extent of water conservation required to prudently plan for and supply water to the District's customers.

Thereafter, the Board may order that the appropriate stage of water conservation be implemented or terminated in accordance with the applicable provision of ~~this Ordinance~~these Regulations. The declaration of any stage shall be made by public announcement and notice shall be published once in a local newspaper of general circulation. The stage designated shall become effective immediately upon announcement.

~~2409~~2412. DURATION OF DECLARATION

The declaration of any stage of water supply conditions shall remain in effect until such time as another stage is declared.

~~2410~~2413. AUTHORITY - MISDEMEANOR

This Article is adopted pursuant to Sections 375 and 376 of the California Water Code. Any second or subsequent violation of this policy after notice as specified in Section 2411 1(a) is a misdemeanor. (California Water Code Section 377).

~~2411~~2414. ENFORCEMENT

- a. Violations. In addition to the remedy of criminal prosecution available to the District as described above, violation of this Ordinance may result in the imposition of surcharges and restriction and/or termination of water service as set forth below:
 - 1. First Violation – Notice of Non-Compliance – a written warning accompanied by a copy of this Ordinance, delivered by U.S. Mail and/or hung on customer's door.
 - 2. Second Violation – Warning of Penalties – a written warning notice of future imposition of penalties that could be placed on the customer's water bill.
 - 3. Third Violation (within one (1) year) - a surcharge of ~~\$one hundred dollars (\$100.00-)~~.
 - 4. Fourth Violation (within one (1) year of the first violation) – a surcharge of ~~\$three hundred dollars (\$300.00-)~~, and installation of flow restricting device in the meter for a minimum of ninety-six (96) hours. Said restricted flow shall meet minimum County Health Department's standards, if any have been established. If said ninety-six (96) hour period ends on a weekend or holiday, full service will be

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restored during the next business day.

5. Fifth Violation (within one (1) year of the first violation) – a surcharge of ~~five hundred dollars (\$500.00;)~~ and termination of service for such period as the Board determines to be appropriate under the circumstances, following a hearing regarding said issue. Written notice of the hearing shall be mailed to the customer at least ten (10) days before the hearing.
- b. Surcharges, Additional Charges. Any surcharge hereunder shall be in addition to the basic water rates and other charges of the District for the account and shall appear on and be payable with the billing statement for the period during which the violation occurred; non-payment shall be subject to the same remedies available to the District as for non-payment of basic water rates.

In addition to any surcharge, a customer violating ~~this Ordinance~~these regulations shall be responsible for payment of the District's charges for installing and/or removing any flow restricting device and for disconnecting and/or reconnecting service per the District's Schedule of Charges then in effect. Such charges shall be paid prior to the removal of the flow restrictor or reconnection of service, whichever the case may be.

- c. Non-liability for Damage. The customer or resident who violates ~~this Ordinance~~these regulations thereby assumes responsibility for injury to the customer and/or other residents/occupants receiving service, including emotional distress and/or damage to the customer's private water system and/or to other real or personal property owned by the customer or by a third party resulting from the installation and operation of a flow restricting device or from termination of service; said customer shall thereby be deemed to have: (a) waived any claim for injury or for damage to the customer's property which the customer may otherwise have against the District; and (b) agreed to indemnify, defend, and hold the District harmless from claims by third parties for injury or property damage arising or claimed to arise out of the District's installation and/or operation of a flow restricting device or termination of water service.
- d. Exemptions. No exemption shall be granted to any person for any reason in the absence of a showing by said person that ~~he/she/it~~they has achieved the maximum practical reduction in water consumption in his/her residential, commercial, industrial, or governmental water consumption as the case may be.

The ~~General Manager, or his/her designee~~District, may grant exemptions

("exceptions" to ~~this Ordinance~~these Regulations) for uses of water otherwise prohibited by the regulations. Water customers who feel that they need an adjustment in the prohibitions as they relate to him/her will fill out a simple application form for an exemption stating the justification and circumstances. If the exemption is not granted, customer may appeal in writing as stated in Section 2414.1.

1. Inconvenience or the potential for damage to ~~landscaping~~landscape shall not be considered for exemption from any section of this Ordinance.

2415. APPEALS

- a. Procedures. The General Manager, or his/her designated enforcement officer, shall determine when violations have occurred and shall issue to the customer a notice of violation ("Notice of Violation") by mailing same and/or hanging same on the customer's door at least ten (10) days before taking enforcement action. Said notice shall describe the action to be taken (notice of first violation shall simply be accompanied by a copy of this Ordinance) and shall be mailed or delivered at least ten (10) days before the proposed action is scheduled to be taken.

A customer may appeal the Notice of Violation by filing a written notice of appeal with the District no later than the close of business on the day before the date scheduled for enforcement action. Any Notice of Violation not timely appealed shall be final. Upon receipt of a timely appeal, a hearing on the appeal by the Board shall be scheduled at the Board's next Regular meeting or at a Special meeting scheduled for that hearing; in either, the hearing shall be at least ten (10) days following receipt of the appeal, and the District shall mail written notice of the hearing to the customer at least ten (10) days before the date of said hearing.

- b. Interim Measures. Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the General Manager or the enforcement officer, if one has been designated, may take appropriate steps to prevent the unauthorized use of water as appropriate to the nature and extent of the violation and the current declared water condition.

2413~~2416~~. IMPLEMENTATION BY GENERAL MANAGER

The General Manager or designated representative is hereby authorized and directed to implement the provisions of ~~this Ordinance~~these Regulations. Guidelines regarding implementation procedures may be approved and/or modified from time to time by resolution by the Board.

~~2414~~**2417. CEQA EXEMPTION**

The adoption of ~~this Ordinance~~these Regulations, and the actions taken hereunder, are exempt from the provisions of the California Environmental Quality Act of 1970 in that they constitute a project undertaken as immediate action necessary to prevent or mitigate an emergency pursuant to Section 15071 of the State EIR Guidelines.

2418. DURATION OF ORDINANCE STAGES

~~This Ordinance~~These Regulations shall remain in effect until the Board finds that the threatened emergency and threatened water shortage no longer exists. The provisions of this Ordinance shall prevail and control in the event of any inconsistency with any other rules and regulations of the District.

~~2416~~**2419. SEVERABILITY**

If any section, subsection, sentence, clause, or phrase of ~~this Ordinance~~these Regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of ~~this Ordinance~~the Regulations. The Board hereby declares that it would have passed ~~this Ordinance~~these Regulations and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be unconstitutional or invalid.

~~2417~~**2420. EFFECTIVE DATE, PUBLISHING AND POSTING**

~~This Ordinance~~These Regulations shall be effective immediately upon adoption. Within ten (10) days of adoption, a copy of ~~this Ordinance~~these Regulations shall be ~~published one time in a local newspaper and~~ posted in the lobby of the District Office.

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ARTICLE 25. DUE PROCESS HEARING

2501. REQUEST FOR HEARING. Persons or entities, who have received notice of imposition of fines or penalties, or of discontinuance of service, may request a hearing. The District must receive the request for hearing within fifteen (15) business days of service of the notice of assessment of a fine or penalty, or notice of discontinuance of service. The request for hearing shall set forth in detail all facts supporting the request. After a timely request for hearing for has been received by the District, no attempts at collection shall be undertaken, nor shall service be discontinued, until either the statement of decision becomes final, or if the statement of decision is timely appealed, the Board's order on appeal is adopted.

2502. NOTICE OF HEARING. Within ten (10) business days of the District's receipt of the request for hearing, the ~~General Manager~~District will provide written notice ~~to the person making the request~~ of the date, time and place of the hearing. The hearing date shall be within thirty (30) Business days of the mailing of the notice of hearing, unless the parties agree to a later date.

2503. HEARING. The General Manager ~~shall hear the matter~~, or a designee appointed by the General Manager, ~~shall hear the matter~~. At the hearing, the person or entity requesting the hearing shall have an opportunity to respond to the allegations set forth in the notice of discontinuance of service by presenting written or oral evidence.

2504. STATEMENT OF DECISION. Within ten (10) days of the hearing, the General Manager or designee, shall prepare a written statement of decision, and the facts upon which the decision is based. The statement of decision shall be served by personal delivery or registered or certified mail ~~to the customer~~. The statement of decision shall become final on the 16th business day after service ~~on the person requesting the hearing~~, unless an appeal and request for hearing is filed with the Board of Directors on or before the 15th business day.

2505. REQUEST FOR APPEAL. Any person or entity who has had a hearing may appeal a decision to impose fines or penalties or to discontinue service, by filing a written request for hearing with the Board of Directors before the date the statement of decision becomes final. The request for hearing shall set forth in detail all the issues in dispute and all facts supporting the request.

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2506. NOTICE OF APPEAL HEARING. No later than thirty (30) business days after receipt of the request for hearing, the Board of Directors shall set the matter for a hearing and shall send a written notice of said hearing to the appellant, by personal delivery or registered or certified mail. The Board of Directors shall hold the hearing within thirty (30) business days of service of the notice of hearing, unless the parties agree to a later date. If the matter is not heard within the required time, due to acts or omissions of the appellant,

the General Manager's statement of decision shall become final.

2507. ORDER ON APPEAL. After the hearing, the Board of Directors shall issue an order affirming, modifying or reversing the General Manager's decision. The Board shall set forth its determination and order in writing, and shall send the determination and order ~~to the customer,~~ by personal delivery, or registered or certified mail within thirty (30) business days of the hearing. The order of the ~~board~~Board shall be final upon its adoption.

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ARTICLE 26. INSURANCE REQUIREMENTS PROFESSIONAL SERVICES

~~2601. **MINIMUM INSURANCE REQUIREMENTS.** Contractor/Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries or death to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractor/Consultant, his agents, representatives, employees or sub-contractors.~~

~~2602. **COVERAGE.** Coverage shall be at least as broad as the following:~~

- ~~a. **Commercial General Liability (CGL)** Insurance Services Office (ISO) Commercial General Liability Coverage (Occurrence Form CG 00 01) including products and completed operations, property damage, bodily injury, personal and advertising injury with limit of at least two million dollars (\$2,000,000) per occurrence or the full per occurrence limits of the policies available, whichever is greater. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (coverage as broad as the ISO CG 25 03, or ISO CG 25 04 endorsement provided to the District) or the general aggregate limit shall be twice the required occurrence limit.~~
- ~~b. **Automobile Liability** (if necessary) Insurance Services Office (ISO) Business Auto Coverage (Form CA 00 01), covering Symbol 1 (any auto) or if Contractor/Consultant has no owned autos, Symbol 8 (hired) and 9 (non-owned) with limit of one million dollars (\$1,000,000) for bodily injury and property damage each accident.~~
- ~~c. **Workers' Compensation Insurance** as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease. **Waiver of Subrogation:** The Insurer(s) named above agree to waive all rights of subrogation against the District, its elected or appointed officers, officials, agents, authorized volunteers and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for the Agency; but this provision applies regardless of whether or not the District has received a waiver of subrogation from the insurer.
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- ~~d. **Professional Liability** (Also known as Errors & Omission *Technology Exposure) Insurance appropriate to the Contractor/Consultant profession, with limits no less than \$1,000,000 per occurrence or claim, and \$2,000,000 policy aggregate.~~
- ~~e. **Cyber Liability Insurance (Technology Professional Liability Errors**~~

~~and Omissions), with limits not less than \$2,000,000 per occurrence or claim, and \$2,000,000 aggregate or the full per occurrence limits of the policies available, whichever is greater. Coverage shall be sufficiently broad to respond to the duties and obligations as is undertaken by Vendor in this Agreement and shall include, but not limited to infringement of copyright, trademark, trade dress, invasion of privacy violations, information theft, damage to or destruction of electronic information, release of private information, alteration of electronic information, extortion and network security. The policy shall provide coverage for breach response costs as well as regulatory fines and penalties as well as credit monitoring expenses with limits sufficient to respond to these obligations.~~

~~**2603. OTHER REQUIRED PROVISIONS.** The general liability policy must contain, or be endorsed to contain, the following provisions:~~

- ~~a. **Additional Insured Status:** The District, its directors, officers, employees, and authorized volunteers are to be given insured status (at least as broad as ISO Form CG 20 10 10 01), with respect to liability arising out of work or operations performed by or on behalf of the Contractor/Consultant including materials, parts or equipment furnished in connection with such work or operations.~~
- ~~b. **Primary Coverage:** For any claims related to this project, the Contractor/Consultant's insurance coverage shall be primary at least as broad as ISO CG 20 01 04 13 as respects to the District, its directors, officers, employees and authorized volunteers. Any insurance or self-insurance maintained by the District its directors, officers, employees and authorized volunteers shall be excess of the Contractor/Consultant's insurance and shall not contribute with it.~~

~~**2604. NOTICE OF CANCELLATION.** Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the District.~~

~~**2605. ACCEPTABILITY OF INSURERS.** Insurance is to be placed with insurers having a current A.M. Best rating of no less than A: VII or as otherwise approved by the District.~~

~~**2606. VERIFICATION OF COVERAGE.** Contractor/Consultant shall furnish the District with certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the District before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor/Consultant's obligation to provide them. The District reserves the right to require~~

complete, certified copies of all required insurance policies, including policy Declaration pages and Endorsement pages.

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