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4.03.07.08 Late Charge clarified 1/24/06
4.04.06.02 Overdue Notice clarified 1/24/06
Appendix B No. 8 changed to “Late Charge” (to coordinate with 2 items immediately above) 1/24/06
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WVWD Rules and Regulations
Last updated June 2020
Register-v
ARTICLE 1
DISTRICT’S GOALS AND OBJECTIVES

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

1.01 OPERATIONS

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

1.02 PLANNING

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

1.03 EQUITABLE ALLOCATION OF COSTS

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

1.04 CONSERVATION

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

- END OF ARTICLE 1 -
ARTICLE 2
SCOPE OF RULES AND REGULATIONS

2.01 APPLICABILITY

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

2.02 SEVERABILITY

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

- END OF ARTICLE 2 -
ARTICLE 3
DEFINITIONS

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

3.01 **Air-Gap**: Shall mean a physical separation between the free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel. An “approved air-gap” shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel and shall be in no case less than 1 inch (2.54 cm). (Additional reference: ASME A112.1.2-1991 *Air Gaps in Plumbing Systems*)

3.02 **Applicant**: Shall mean any person or entity.

3.03 **Application Rate**: Shall mean the rate at which irrigation water, expressed in inches per hour, is applied to a design area.

3.04 **Approved Backflow Prevention Devices/Assemblies**: Shall mean those devices and/or assemblies listed as approved backflow prevention assemblies by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research.

3.05 **Approved Check Valve**: Shall mean a check valve that is drip-tight in the normal direction of flow when the inlet pressure is at least one (1) psi (pound per square inch) and the outlet pressure is zero. The check valve shall permit no leakage in a direction reverse to the normal flow. The closure element (e.g., clapper or poppet) shall be internally loaded to promote rapid and positive closure. (The face of the closure element and valve seat must be bronze, composition, or other non-corrodible, non-sticking material machined for easy, dependable operation.)

3.06 **Approved Double-Check Detector Check Assembly**: Shall mean an assembly which has previously been approved for use in this service by the District. The main assembly consists of two independently acting, spring-loaded check valves, including tightly closing shut-off valves on each side of the check valve assembly. The bypass line assembly consists of a ¾-inch meter (supplied by the District at the consumer’s expense) in series with a double-check valve. The double-check valve consists of two independently acting, spring-loaded check valves, including tightly closing shut-off valves on each side of the check valve assembly. Each double-check valve assembly shall be equipped with necessary appurtenances for testing. To be approved, these assemblies must be readily accessible for maintenance and testing, be installed a minimum of 12 inches above ground level, such that no part of the valve can be underground or in a vault, and shall provide a minimum clearance of 12 inches between each separate assembly.

3.07 **Approved Double-Check Valve Assembly (DC)**: Shall mean an assembly composed of two independently acting, approved check valves, including tightly closing resilient seated shut-off valves attached at each end of the assembly and fitted with properly located resilient seated test cocks.
3.08 **Approved Reduced Pressure Principle Backflow Prevention Device (RP):** Shall mean an assembly containing two independently acting, approved check valves, together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located resilient seated test cocks and tightly closing resilient seated shut-off valves at each end of the assembly.

3.09 **Approved Reduced Pressure Principle Detector Backflow Prevention Assembly (RPDA):** Shall mean a specially designed assembly composed of a line-size approved reduced pressure principle backflow prevention assembly with a bypass containing a specific water meter and an approved reduced pressure principle backflow prevention assembly. The meter shall register accurately for only very low rates of flow up to 3 gpm and shall show a registration for all rates of flow.

3.10 **Approved Water Supply:** Shall mean the District's water supply, the potability of which is regulated by the California Department of Health Services.

3.11 **Automatic Irrigation System:** Shall mean any landscape irrigation system, automatic controller, valve, and associated equipment required for the programming of effective water application rates.

3.12 **Auxiliary Water Supply:** Shall mean any water supply on, or available to, the premises other than the approved water supply.

3.13 **Backflow:** Shall mean the undesirable reversal of flow of water or mixtures of water and other liquids, gases, or other substances into the distribution pipes of the potable supply of water from any source or sources.

3.14 **Board:** Shall mean the Board of Directors of the Walnut Valley Water District.

3.15 **Commercial Service:** Shall mean the provision of water for use in connection with a premises, other than residential, devoted primarily to operations for profit or non-profit (i.e., churches, community center, governmental, and commercial/retail).

3.16 **Commodity Charge:** Shall mean the charge imposed by the District for all water used, whether such water use is actually metered or estimated.

3.17 **Connection Fee:** Shall mean the charge imposed by the District for the privilege of obtaining water service from the District by means of its water facilities.

3.18 **Construction Water:** Shall mean the provision of water for use in activities relating to the development of property or construction before application for service as a consumer.

3.19 **Consumer:** Shall mean any person supplied or entitled to be supplied with water service by the District for compensation.

3.20 **Contamination:** Shall mean an impairment of the quality of the water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids, waste, etc.
3.21 **Cross-Connection:** Shall mean any unprotected actual or potential connection or structural arrangement between a public or a consumer’s potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices, and other temporary or permanent devices through which or because of which backflow can occur are considered to be cross-connections.

a. The term “direct cross-connection” shall mean a cross-connection which is subject to both back-siphonage and back-pressure.

b. The term “indirect cross-connection” shall mean a cross-connection which is subject to back-siphonage only.

3.22 **Direct Cost:** Shall mean actual or estimated costs incurred by the District for new metered services, main extensions, appurtenances, hydrants, fire services, etc., including but not limited to hardware, material, labor, fittings, paving, meters, pipe, etc. (Direct Cost does not include District Administrative Charge, Acreage Supply Charge, or Reservoir Capacity Charge.)

3.23 **District:** Shall mean the Walnut Valley Water District, Walnut, California.

3.24 **District Administrative Charge:** Shall mean a percentage to be added to the total direct cost of a project charged a consumer or developer as specified in these Rules and Regulations in order to determine the total project cost of service to be charged. This percentage reimburses the District for labor-related charges of time not directly charged, but expended by District administrative and managerial staff, and for other indirect general and administrative costs.

3.25 **District’s Water System:** Shall mean all real estate, fixtures, personal property, appliances, facilities, and appurtenances owned, controlled, operated, or managed by the District in connection with or to facilitate the diversion, development, storage, supply, distribution, sale, furnishing, transmission, measurement, or treatment of water for irrigation, industrial, municipal, domestic, or other beneficial use.

3.26 **Domestic Use:** Shall mean water normally used in and around a consumer’s habitat, relating to use by a family unit or household.

3.27 **Engineer:** Shall mean a qualified registered engineer appointed to act for the District.

3.28 **Excavation:** Shall mean any removal of soil or paving necessary for the installation of below ground facilities or objects, or for exploration purposes to determine size and location of existing utilities, structures, and other facilities.

3.29 **Excavator:** Shall mean any person, company, or corporation causing an excavation to take place.

3.30 **Health Agency:** Shall mean, unless otherwise specified, the State of California Department of Health Services Division of Drinking Water and Environmental Management or the Los Angeles County Health Department.
3.31 **Industrial Service:** Shall mean the provision of water to industrial premises where the water is used primarily in manufacturing or processing activities.

3.32 **Infiltration Rate:** Shall mean the rate at which the soil will accept water, expressed in inches per hour, during an irrigation period.

3.33 **Irrigation Design Area:** Shall mean the specific land area designated to be irrigated through on-site facilities when used in reference to landscape sprinkler irrigation systems.

3.34 **Irrigation Service:** Shall mean the provision of water for commercial, agricultural, floracultural, or horticultural use and billed under the potable water commodity rate.

3.35 **Landscape Sprinkler Irrigation System:** Shall mean all equipment and materials required for applying irrigation water to the design area from the service connection, including piping, valves, sprinkler heads, and appurtenances.

3.36 **Main Extension:** Shall mean the extension of water distribution mains beyond existing facilities in accordance with the provisions of the rules applicable to main extensions included herein.

3.37 **Manager:** Shall mean the General Manager of the Walnut Valley Water District, or the person authorized by the Manager or the Board to act for the General Manager.

3.38 **Non-potable Water:** Shall mean that water that has not been treated for human consumption in conformance with the Drinking Water Standards referred to in the definition of potable water.

3.39 **Off-site Facilities:** Shall mean facilities under the control of the District including, but not limited to, water pipelines, reservoirs, pumping stations, valve connections, supply interties, and other appurtenances and property up to the service connection with the consumer’s facilities.

3.40 **On-site Facilities:** Shall mean facilities under the control of the applicant, owner, or consumer including, but not limited to, commercial and industrial building water systems, landscape irrigation systems, and agricultural irrigation systems. The on-site facilities shall be those downstream of the service connection, which shall normally be the downstream end of the meter tailpiece.

3.41 **On-site Recycled Water Supervisor:** Shall mean a qualified person designated by the recycled water customer and approved by the District. This person shall be knowledgeable in the construction and operation of the on-site facilities and in the application of the guidelines, criteria, standards, and rules and regulations for recycled water and shall be responsible for maintaining plans, records, notifying the District of any changes, and overseeing all repairs.

3.42 **Permanent Water Consumer:** Shall mean a potable water user who is supplied with permanent water service.

3.43 **Permanent Water Customer:** Shall mean a recycled water user who is supplied with permanent water service.
3.44 **Permanent Water Service:** Shall mean a provision for permanent use of District water (recycled or potable) by a permanent water consumer.

3.45 **Permanent Water Service Line:** Shall mean the District’s facility between its potable or recycled distribution water mains and the water service connection.

3.46 **Person:** Shall mean an individual, corporation, company, association, partnership, municipality, public utility, or other public body or institution.

3.47 **Pollution:** Shall mean an impairment of the quality of the water to a degree which does not create a hazard to the public health but which does adversely and unreasonably affect the aesthetic qualities of such waters for domestic use.

3.48 **Potable Water:** Shall mean that water furnished to the consumer which does not endanger the lives or health of human beings and conforms to the latest edition of the United States Public Health Service Drinking Water Standards, the California Safe Drinking Water Act, Environmental Protection Agency, or any other applicable standards.

3.49 **Potable Water System:** Shall mean the facilities by which water is conveyed to the District’s consumers for human consumption.

3.50 **Premises:** Shall mean the integral property or area, including improvements thereon, to which water service is, or is to be, provided.

3.51 **Private Fire Protection:** Shall mean the provision of standby quantities and pressures of water as available for fire protection purposes through sprinkler systems and fire hydrants located on private property rather than through public fire hydrants operated by public authorities for general fire protection.

3.52 **Property Owner or Owners:** Shall mean the holder of legal title, contract purchaser, or lessee under a lease with an unexpired term of more than one (1) year jointly with the holder of title.

3.53 **Public Agencies:** Shall be defined as any governmental agency within the State of California and include cities, school districts, the Los Angeles County Department of Public Works, other public water purveyors, and municipally held utilities.

3.54 **Recycled Water:** Shall mean all water as defined in Title 22, Division 4, Chapter 3, of the California Code of Regulations, hereinafter referred to as Title 22, which, as a result of treatment of domestic wastewater, is suitable for a direct beneficial use or a controlled use that otherwise could not occur, such treatment of domestic wastewater having been accomplished in accordance with the criteria, including the level of constituents in combination with the means for assurance of reliability as set forth in Title 22.

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

3.55 **Recycled Water Distribution System:** Shall mean, individually or collectively, any recycled water facility or facilities financed, constructed, and dedicated to the District by an applicant, owner, or consumer, or financed and constructed by the District itself. The District shall determine what facilities are part of a distribution system from time to time as necessary. Recycled water facilities are intended to provide recycled water for uses such as landscape irrigation, agricultural irrigation, and industrial process water. The District's determination in this regard shall be final and conclusive.

3.56 **Recycled Water Service Agreement:** Shall mean a contract between the District and the applicant, owner, or consumer which may have to be executed as a precondition for obtaining a Recycled Water Use Permit.

3.57 **Recycled Water Service Line Charge:** Shall mean a charge imposed by the District as a charge for installation by the District of recycled water meters and service lines.

3.58 **Recycled Water Use Permit:** Shall mean the processed and approved application for and agreement with the District for recycled water service.

3.59 **Record Drawings:** Shall mean drawings that correctly show the completed facilities as constructed or modified.

3.60 **Residential Service:** Shall mean the provision of water to a residence for domestic use.

3.61 **Security Deposit:** Shall mean moneys required upon a determination of the applicant's creditworthiness, or by reason of nonpayment of water charges. (The amount is specified in Appendix B.)

3.62 **Service:** Shall mean water service.

3.63 **Service Lateral:** Shall mean all of the pipe, fittings, and valves necessary to make the connection from the District's main to the consumer's meter.

3.64 **Service Connection:** Shall mean the terminal end of a service connection from the public potable or recycled water system i.e., where the water purveyor may lose jurisdiction and sanitary control of the water at its point of delivery to the consumer's water system.

3.65 **Subservice Installation:** Shall mean a submeter installed by a consumer beyond a District meter for purposes of separating water use for multiple tenants.

3.66 **Surcharge:** Shall mean a charge imposed by the District for the provision of special service not normally provided by the District.

3.67 **Temporary Water Consumer:** Shall mean a potable water user who is supplied with temporary water service.

3.68 **Temporary Water Customer:** Shall mean a recycled water user who is supplied with temporary water service.
3.69 **Temporary Water Service:** Shall mean a provision for short-term use of District water, either potable or recycled, for temporary needs such as seasonal sales or minor construction.

3.70 **Total Project Cost:** Shall mean all costs related to new construction for individual metered services, water main extensions, appurtenances, hydrants, fire services, District Administrative Charge, Acreage Supply Charge, Reservoir Capacity Charge, etc.

3.71 **Ultra-Low-Flush Toilets:** Shall mean toilets for which water use does not exceed 1.6 gallons per flush.

3.72 **Unauthorized Discharge:** Shall mean any release of any water that violates the provisions of these Rules and Regulations or of any and all applicable Federal, State, or local statutes, regulations, ordinances, contracts, or other requirements.

3.73 **Unpolluted Water:** Shall mean water to which no unwholesome constituent has been added, either intentionally or accidentally.

3.74 **Wastewater Constituents and Characteristics:** Shall mean the individual chemical, physical, bacteriological, and radiological parameter, including volume and flow rate, and such other parameters that serve to define, classify, or measure the quality and quantity of wastewater.

3.75 **Water Service Connection:** Shall mean the point of connection of the customer’s or consumer’s water line with the water service line of the District, which shall normally be the downstream end of the water meter setter tailpiece.

3.76 **Water Supplier:** The District.

3.77 **Water User:** Any person obtaining water from the District’s water supply system.

- END OF ARTICLE 3 -
ARTICLE 4
RULES APPLICABLE TO EXISTING CONSUMERS

4.01 DESCRIPTION OF SERVICE

4.01.01 Quantities: The District will use its best efforts to supply water dependably and safely in adequate quantities and pressures to meet the reasonable needs and requirements of consumers but does not guarantee any specific pressures or flows.

4.01.02 Pressures: The District reserves the right to modify the pressure supplied to a region or individual service. The District’s goal is to maintain normal operating pressure of not less than 40 pounds per square inch or more than 125 pounds per square inch at the service connection. Except during periods of hourly maximum demand, the pressure goal at the time of peak seasonal loads is to be not less than 30 pounds per square inch. During periods of hourly minimum demand, the pressure goal is to be not more than 150 pounds per square inch. However, there exist some isolated areas where pressure normally drops below 40 pounds per square inch or exceeds 125 pounds per square inch. Generally, variations in pressure under normal operation will not exceed 50 percent of the average operating pressure. (The average operating pressure will be determined by computing the arithmetical average of at least 24 consecutive hourly pressure readings.)

4.01.03 Potable Water Quality: Whenever furnished for human consumption or for domestic use, the District will endeavor to provide water that is wholesome, potable, in no way harmful or dangerous to health, and, insofar as practicable, free from objectionable odors, taste, color, and turbidity.

4.01.04 Recycled Water Quality: Generally, recycled water supplied by the District will meet all applicable standards set forth in Title 22, Division 4, California Code of Regulations. The District will endeavor to maintain the quality of the water received from sources outside the control of the District; however, the District cannot guarantee recycled water quality.

4.01.05 Other Limitations: The District shall not be liable for any damage resulting from inadequate capacity, defective plumbing, broken or faulty service lines or water mains, or damage resulting from any condition of the quality of the water itself, or any substance that may be mixed with or be in any water as delivered to any consumer or any conditions beyond the control of the District, or otherwise.

4.01.06 Responsibility for Loss or Damage: Consumers shall accept such conditions of pressure, quality, and service as are provided by the District system and hold the District harmless from any loss or damage to consumer resulting from the District’s failure to meet the service goals.
stated within this article, due to low or high pressure conditions, any interruptions in service, or any change in pressure.

4.02 CONDITIONS OF SERVICE AND RIGHTS OF THE DISTRICT AND CONSUMERS

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

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

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

4.02.04 Continuity of Service:

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

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

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

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

4.02.04.03 **Apportionment of Supply During Times of Shortage:** During times when the District determines that a water supply shortage or threatened water shortage exists and it appears the demand for water consumption exceeds or threatens to exceed the District's available allocation, the District's Board may implement the water supply shortage stages established in the District's water conservation ordinance by Resolution and public announcement. In the absence of direction from the Board or such authorities, the District will apportion the supply in the manner that appears most equitable under circumstances then prevailing and with due regard to public health and safety in accordance with State Law. [Updated 6/22/09]

4.02.04.04 **Loss or Damage:** The District will not be liable for any damage or loss resulting from an emergency, scheduled interruption of water service, or from any act of the District in connection with the repair or replacement of District facilities required by such emergency or interruption.

4.02.05 **Ownership of Facilities on Consumer’s Premises:** The service lateral, copper setter, meter, hand valve, and meter box located within public right-of-way or wholly or partially upon a consumer’s premises are the property of the District. No rent or other charge will be paid by the District where the District-owned service facilities are located on a consumer’s premises.

4.02.06 **District Access to Consumer’s Premises:** The District shall at all reasonable hours have access to meters, service connections, and other property owned by the District which may be located on consumer’s premises for purposes of installation, maintenance, operation, removal of the property, or termination of service. The consumer’s system shall be open for inspection at all reasonable times to authorized representatives of the District. Any inspection work or recommendations made by the District or its agents in connection with plumbing or appliances, cross-connections, or any use of water on the consumer’s premises, either as a result of a complaint or otherwise, may be subject to a charge dependent upon the service rendered.

4.02.07 **District’s Responsibilities for Damage or Loss to Consumer:** The District will not be responsible for any loss or damage caused by any negligence or wrongful act of a consumer or of a consumer’s authorized representative in operating or using any or all appliances, facilities, or equipment owned or furnished by the District.

4.02.08 **Consumer’s Responsibilities for District Property:** Upon an appropriate finding by the District, the consumer may be held responsible, for any and all damage to District meters and other property resulting
from removal, damage, or misuse of District property and will be responsible for the use or operation of appliances and facilities on consumer’s premises, including, but not limited to, damage caused by steam, hot water, or chemicals. [Updated 6/19/07]

4.02.09 **Resale of Water:** Except by special written agreement with the District, no consumer shall resell or deliver any water received from the District to a property other than that specified in the application for service. When property provided with a service connection is subdivided, the service connection shall be considered as belonging to the lot or parcel of land which it directly enters. Except by special permission of the District’s Board, a service connection shall not be used to supply water to any parcel of land other than the parcel on which the service connection is located and for which all relevant connection fees have been paid, including, but not limited to, Reservoir Capacity Charge and Acreage Supply Charge.

4.02.10 **Access to District Consumer Records by Public Agencies:** The District shall make available a copy of any District consumer record not exempt from disclosure in accordance with the Public Records Act as follows:

4.02.10.01 **Disclosure of Water Usage Data to Public Agencies:** The District will, pursuant to Government Code Section 6254.16, provide water usage data for its consumers upon the completion and filing of the Public Agency Request for Consumer Information form (Appendix J) by an officer or employee of another governmental agency when necessary for the performance of its official duties.

4.02.10.02 **Form of Request:** The request for a copy of District consumer records must be in writing and must describe, with reasonable particularity, a record readily identifiable by District personnel.

4.02.10.03 **District Determination of Compliance:** The District, within ten (10) days of actual receipt of a proper request, shall determine whether to comply with the request and will notify the person making the request of such determination and the reasons therefore.

4.02.10.04 **Extension of Time for Determination:** In unusual circumstances, as specified below, the time for determination of District compliance may be extended for a period not to exceed ten (10) working days, by written notice from the Manager to the person making the request, setting forth the reasons for the extension and the date on which a determination will be mailed. Unusual circumstances are:
a) The need to search District facilities or other locations that are separate from the main office.

b) The need to search for, collect, and examine a voluminous amount of separate and distinct records demanded in a single request.

4.02.10.05 **No Compilation or Extraction:** The District will provide, unless impracticable to do so, an exact copy of the record requested. The District is not obligated to create a compilation or extract of its records in response to a request.

4.02.10.06 **Fee:** By Resolution No. 5-02-420, the District has established charges for reproduction of District public records (see Section III-D of Appendix J).

4.03 **RATES AND CHARGES**

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

4.03.01 **Potable Water Retail Rates:** Retail charges consist of two types of charges – a monthly base rate and a commodity rate charge. The monthly base rate is determined by the size of a consumer’s meter and is fixed irrespective of the quantity of water registered through the meter. The commodity charge applies to all water passing through the meter and is assessed at the commodity rate. The amount currently set for the base and commodity rates is contained in Appendix A of these Rules and Regulations.

4.03.02 **Potable Water Wholesale Rate:** Wholesale charges, which shall apply to those water deliveries determined by the General Manager to be wholesale deliveries at his or her discretion, consist of two types of charges – a monthly base rate and a commodity rate charge. The monthly base rate is determined by the size of the meter and is fixed irrespective of the quantity of water passing through the meter. The commodity charge applies to all water passing through the meter and is assessed at the commodity rate. The amount currently set for the base and commodity rate is contained in Appendix A of these Rules and Regulations.

4.03.03 **Potable Water Irrigation Rate:** No irrigation rate is available.

4.03.04 **Construction Rate:** Water for construction purposes may be obtained by licensed contractors from District facilities on a metered or unmetered basis as determined by the District. Special rates, hook-up charges, advance payments, and conditions apply to water obtained for construction purposes as set forth in Appendix A and as specified in the District’s Permit To Use District Facilities, which can be obtained upon
written application by the contractor on the approved permit form, a copy of which is included as Appendix D.

4.03.05  **Recycled Water Rates:** Recycled water charges consist of two charges – a monthly base rate and a commodity rate charge. The monthly base rate is determined by the size of the customer’s meter and is fixed irrespective of the quantity of water registered through the meter. The commodity charge applies to all recycled water passing through the meter and is assessed at the recycled water commodity rate. The amounts currently set for the base and commodity rates are contained in Appendix A of these Rules and Regulations.

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

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

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

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

4.03.07 **Miscellaneous Charges:** In order to recover the costs associated with late payments, disconnections, and/or damages sustained by the District, the specified items listed below are charged to consumers, the cost of which is determined by the Board and set forth in Appendix B.

4.03.07.01 **Reconnection Charge:** If a consumer requests resumption or continuance of service after a Notice of Termination has been issued for nonpayment, the nonpayment which led to the notice of disconnection shall be deemed to be evidence of non-creditworthiness of the consumer. The consumer may then be required to make a security deposit in an amount determined by the Board and set forth in Appendix B and pay a reconnection charge, in accordance with Appendix B, even if no physical disconnect occurred, in addition to any past due charges or meeting any other conditions set forth by the District. (Updated 3/17/08)

4.03.07.02 **Returned Check Charge:** When a consumer’s check in payment of water service or other charges is returned as non-negotiable, or where an electronically processed payment under the District’s Automatic Bill Payment program is rejected due to insufficient funds, the District shall issue a Notice of Termination. The District shall indicate on the Notice the reason for issuing the Notice of Termination. In addition, the District will charge the consumer’s account a Returned Check Charge as specified in Appendix B. The actual disconnection may take place without further notice if the water service charges, together with the returned check charge, are not paid in cash or other certified funds on or before the date specified on the Notice of Termination.

4.03.07.03 **Meter Test Charge:** The District shall endeavor to keep the meters in good condition and registering accurately. Any consumer may request that his/her meter be examined and tested to determine if it is correctly recording water delivered through it. Said request shall be made in writing, submitted to the District, signed by the consumer,
and shall be accompanied by a deposit of the charge set forth in Appendix B. If such examination and test reveal that quantities of water recorded by the meter fall outside of a range between 97 percent and 103 percent of the actual quantities of water passed through the meter during the test, then the cost of such test shall be paid by the District and the consumer’s deposit returned. If the meter is found to be registering at or within the parameters set (3 percent of accuracy), then the actual cost of such test shall be paid by the consumer and the deposit will be forfeited. All other tests and examinations of meters when authorized by the District shall be performed at District expense. Any adjustment to water bills shall be made in accordance with Article 4.04.08.

4.03.07.04 **Pulled Meter Charge**: If a consumer’s service has been disconnected and the meter is in the process of or has been removed from the premises, then the consumer shall pay at the District’s offices a Pulled Meter Charge, as specified in Appendix B, along with any other charges before the service and meter can be reconnected.

4.03.07.05 **Property Damage**: If a consumer, new applicant or developer is found to be responsible for any damage done to District property, such damages shall be reimbursed to the District at cost plus District Administrative Burden. If responsibility for such damage cannot be determined, charges for such damage may be billed to the current consumer or property owner. [Updated 6/19/07]

4.03.07.06 **Unauthorized Water Use Charge**: Any person making an unauthorized use of water from or through any District facility will be assessed an Unauthorized Water Use Charge as specified in Appendix B. Cost of any water taken, if approximate use can be determined, will also be collected using the current construction water rate.

4.03.07.07 **District Administrative Burden**: For any services not included in the rates and charges specified in Appendix A, the District may assess a charge for Administrative Burden at the sole discretion and in an amount determined by the General Manager.

4.03.07.08 **Late Charge**: If payment for a bill rendered is not made on or before the date specified for such payment on the billing period invoice, an Overdue Notice for nonpayment will be issued indicating the possibility of a disconnection of water service. A Late Charge, as specified in Appendix B, will be added to any outstanding charges subsequent to preparation of the Overdue Notice and prior to preparation
of the Notice of Termination specified in Section 4.03.07.09. [Updated 1/24/06]

4.03.07.09  **Notice of Termination Charge:** If no payment has been received in response to an Overdue Notice at least forty-eight hours prior to the actual date of disconnection as set forth in the Overdue Notice (and as otherwise provided in Section 4.04.06.04 for residential premises occupied by tenants and/or occupants other than the owner or customer of record), the District will make a reasonable, good-faith effort to contact the consumer by a Notice of Termination at the premises in the manner provided in Section 4.04.06.04. A Notice of Termination Charge will be charged and added to the consumer’s bill for such service as specified in Appendix B.

4.03.07.10  **Unauthorized Meter Turn-On Charge:** Once a meter lock-off has been performed for any reason, it may only be unlocked by District personnel. Unauthorized meter turn-ons shall be assessed an Unauthorized Meter Turn-On Charge as specified in Appendix B. Any additional costs incurred by the District to prevent unauthorized use shall be added to any outstanding charges payable by the responsible consumer.

4.04  **BILLING PROCEDURES**

4.04.01  **Joint Service:** No joint service is allowed. An individual party will be solely liable for payment of bills.

4.04.02  **Re-establishment of Credit:** A consumer whose service has been disconnected for nonpayment of bills will be required to pay any unpaid balance due the District for the premises for which service is to be restored. He/she may additionally be required to make a security deposit, in an amount specified in Appendix B, for the service in question and pay a reconnection charge, also as specified in Appendix B, before service is restored.

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

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

4.04.05 Rendering and Payment of Bills: Bills for service will be rendered each consumer on a monthly basis unless otherwise provided for in the rate schedules. Bills for service are due and payable upon presentation and become overdue twenty (20) days from the date of the invoice. Payment may be made at the District office or to any representative of the District authorized to make collections. However, it is the consumer’s responsibility to assure that payments are received at the District office in a timely manner. Partial payments are not authorized unless prior approval has been received from the District. Collection of closing bills may be made at the time of presentation. Bills will be computed as follows:

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

4.04.05.02 An opening bill for metered service will be rendered, and the base rate will be prorated if the service quantities supplied exceed the following schedule:

<table>
<thead>
<tr>
<th>Consumer Classification</th>
<th>Minimum Use 100 Cu. Ft.</th>
<th>Minimum Days of Service Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>Commercial</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>Industrial</td>
<td>10</td>
<td>-0-</td>
</tr>
</tbody>
</table>

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

4.04.05.04 Each meter on a consumer’s premises will normally be billed separately. The readings of two or more meters will not be combined except where the combination of meter readings is specifically provided for in the applicable rate
schedule or where the District’s operating convenience or necessity may require the use of more than one meter or a battery of meters. In the latter case, the monthly minimum or readiness-to-serve charge will be determined from the monthly minimum or readiness-to-serve charges of the applicable rate schedule on the basis of a meter size equivalent in discharge area to the total combined discharge areas of such meters.

4.04.05.05 District billings shall be paid in legal tender of the United States of America. Notwithstanding the foregoing, the District shall have the right to refuse any payment of such billings in coin.

4.04.06 **Overdue Bills:** The following rules apply to consumers whose bills remain unpaid for more than twenty (20) days following the invoice date:

4.04.06.01 **Small Balance Accounts:** If less than a minimum bill remains unpaid on any billing, it shall be carried over and added to the next billing period as specified in Appendix B.

4.04.06.02 **Overdue Notice:** If payment for a bill rendered is not made on or before the twentieth (20th) day following the invoice date, an Overdue Notice of nonpayment will be mailed to the water service consumer approximately fifteen (15) days prior to the possible disconnection date identified in the Overdue Notice. A Late Charge, as specified in Appendix B, shall be assessed and added to the outstanding balance subsequent to generation of the Overdue Notice and prior to preparation of the Notice of Termination specified in Section 4.03.07.09. Upon receipt of the Overdue Notice of nonpayment and up to two (2) working days prior to the date set for disconnection, the consumer may request an amortization payment plan pursuant to Article 4.04.09. [Updated 1/24/06]

4.04.06.03 **Contents of Overdue Notice:** The Overdue Notice shall contain the following information:

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

4.04.06.04 **Notice of Termination:** Forty-eight hours prior to the scheduled disconnection date set forth in the Overdue
Notice, the District shall make a reasonable, good-faith effort to contact an adult of the residence by telephone or in person (whenever possible) and provide them with the information set forth in Article 4.04.06.03 b, c, f, and g. Notwithstanding the foregoing, the District will make a reasonable good-faith effort to provide a ten-day notice prior to the scheduled disconnection date for residential premises occupied by tenants and/or occupants other than the owner or customer of record.

4.04.06.05 **Turn-Off Deadline:**

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

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

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

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

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

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

4.04.06.09 **Assessment for Unpaid Charges:** Unpaid charges for water or other services provided to any parcel of land within the District shall become an assessment against that parcel once such unpaid charges are twenty-one (21) or more days delinquent. Such assessments against a parcel of land shall constitute a lien against that property, which lien may be recorded against the property in an effort to collect the delinquent account.

4.04.07 **Disputed Bills (Appeals Procedure):** The procedure to be used to contest the accuracy of water or non-water charges upon receipt of a bill for water service is as follows [Updated 4/30/04 & 6/19/07]:

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

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

a) If water charges are determined to be incorrect, a corrected invoice will be provided and payment of the revised charges will be due within ten (10) days of the invoice date for revised charges. If the revised charges remain unpaid for more than ten (10) days, water service will be disconnected, subject to right of appeal to the Board, on the next regular working day following the period allowed for payment. Water service will only be restored upon full payment of all outstanding water charges, penalties, and any and all applicable reconnection charges.

b) If the water charges in question are determined to be correct, the water charges are due and payable at the time the decision of the District representative is rendered.

c) At the time the decision of the appointed representative is rendered, the consumer will be advised of the right to further appeal before the District’s Board.
d) If the decision of the District representative is not to the satisfaction of the consumer, the consumer may submit a written request for a hearing before the District’s Board at the next regular meeting.

e) Water service may not be terminated until the investigation is completed and the consumer has been notified of the District’s decision.

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

a) If the Board finds the water charges in question are incorrect, the consumer will be invoiced for the revised charges and payment of the invoice is due within ten (10) days from the date of said invoice. If the revised charges remain unpaid after the prescribed period of time, water service will be disconnected on the next regular working day following the period allowed for payment or date set by the Board. Service will be restored only after outstanding water charges and any and all applicable reconnection charges are paid in full.

b) If the water charges in question are determined to be correct, the water charges are due and payable at the time the decision of the Board is rendered.

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

d) The Board’s decision is final and binding.

4.04.08 **Adjustment of Bills for Meter Error:** The consumer may request an adjustment of his/her bill on the basis of meter error. Such a request must be made in writing, and the rules set forth in Article 4.03.07.03, Meter Test Charge, will apply. The District will, within one (1) week, proceed to test the consumer’s meter; the meter will be tested in an “as-found” condition in order to determine the average meter error. If the average meter error is found to exceed 3 percent, that is if quantities of water recorded by the meter are outside of a range between 97 percent and 103 percent of the actual quantities of water passed through the meter during the test, the following billing adjustments will be made:

4.04.08.01 **Fast Meters:** The District will refund to the consumer the amount of the overcharge based on corrected meter readings for the period the meter was in use and
determined to be incorrect, but not to exceed a period of six (6) months.

4.04.08.02 **Slow Meters:** The District may bill the consumer, at its option, for the amount of the undercharge based upon corrected meter readings for the period the meter was in service and determined to be incorrect, but not to exceed a period of four (4) months.

4.04.08.03 **Non-Registering Meters:** The District may bill the consumer according to an estimate of water consumed while the meter was not registering, but not exceeding a period of four (4) months. This estimate will be based on the consumer's prior use during the same season of the previous year if conditions were unchanged during the year, or on a reasonable comparison of consumption of other similar consumers during the same period.

4.04.09 **Amortization of Unpaid Balance [Updated 4/30/04]:**

4.04.09.01 **Financial Hardship:** Any consumer who is unable to pay for water service within the normal payment period and is willing to enter into an amortization agreement, or who otherwise requests extension of the payment period of a bill the consumer asserts to be beyond the consumer's financial means to pay in full during the normal payment period, may request, in writing, amortization of the unpaid balance over a period not to exceed twelve (12) months.

4.04.09.02 **Certification by Physician:** Where a licensed physician certifies that the termination of service will be life-threatening to the consumer, and the consumer is unable to pay for the service within the normal payment period and is willing to enter into an amortization agreement, then the consumer may request, in writing, a twelve (12) month amortization payment plan.

4.04.09.03 **Consideration and Approval of Amortization Payment Plan:** The District will consider all circumstances surrounding any request for an amortization payment plan and will make a determination as to whether amortization is warranted. Requests for amortization of unpaid amounts over periods of six (6) months or less shall be determined by the District's Review Manager and requests for amortization of unpaid amounts over periods greater than six (6) months, to the maximum of twelve (12) months shall be determined by the District’s General Manager or his or her designee.

4.04.09.04 **Amortization Payment Plan:** Upon confirmation of the physician’s certification concerning the life-threatening
condition, review by the District of the consumer's ability to pay, review by the District of any other pertinent information under Article 4.04.09.03 and District approval of the requested amortization, an appropriate amortization plan will be entered into between the District and the consumer. The consumer will be charged an administrative fee, as set forth in Appendix B, representing the cost to the District of initiating and administering the plan, and the plan shall include a charge for interest of 10 percent (10%) per annum or the maximum rate allowable by law, whichever is lower, on the unpaid balance.

4.04.09.05 **Compliance with Plan:** The consumer must comply with the amortization plan and remain current as charges accrue in each subsequent billing period. The consumer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to an amortization plan. Failure to comply with the terms of an amortization plan will result in a Notice of Termination pursuant to Article 4.04.06.04. [Updated 4/30/04]

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

### TURN-ON AND TURN-OFF PROCEDURES AND CHARGES

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

4.05.02 **Turn-Off by the District:** The District may disconnect a consumer's service for various reasons as listed below. Such involuntary disconnections are effected by turning off and locking the meter, thereby stopping the water service. The consumer shall be notified of the disconnection in person or by placing a disconnection notice on the premises served by the disconnected meter. Reasons for involuntary disconnection include, but are not limited to, the following:

4.05.02.01 **Nonpayment of Bills:** A service may be disconnected for periodic nonpayment of bills. Before a service is disconnected, the consumer will be notified by an Overdue Notice as delineated under Article 4.04.06. A service may be disconnected for nonpayment of bills of a consumer whether or not the payment delinquency is associated with
water service at that service connection or at any other water service connection of that same consumer.

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

4.05.02.03 **Waste of Water:** In order to protect itself against serious and negligent waste or misuse of water, the District may disconnect service if such wasteful practices are not remedied within five (5) days after notice to such effect has been given to the consumer.

4.05.02.04 **Unsafe or Hazardous Conditions:** The District may disconnect a service without notice if unsafe or hazardous conditions are found to exist on the consumer's premises. The District will immediately notify the consumer of the reasons and the necessary corrections required before reconnection. Such unsafe or hazardous conditions may exist due to defective appliances or equipment that may be detrimental to either the consumer, the District, or to the District’s other consumers.

4.05.02.05 **Fraudulent Use of Service:** When the District has discovered that a consumer has obtained service by fraudulent means, or has diverted the water service for unauthorized use, the service to that consumer may be disconnected without notice. The District will not restore service to said consumer until that consumer has complied with all Rules and Regulations of the District and the District has been reimbursed for the full amount of the service rendered plus all the costs incurred by the District by reason of the fraudulent use.

4.05.02.06 **Improper Cross-Connection Protection:** The District may disconnect a service if it finds improper cross-connection protection is being provided at connections requiring specific protection as set forth in Article 8.15.

4.05.02.07 **Removal of a Service Connection:** The District may act to remove a service connection if:
   a) The service connection has remained inactive for a period of more than one year
   b) The service connection has been purposely damaged or tampered with
   c) The service connection poses a health and safety risk
   d) The service connection is being used contrary to its original purpose
4.05.03 **Restoration of Service:** In order to resume or continue service that has been disconnected by the District for those reasons set forth in Article 4.05.02.01, the consumer must pay a security deposit and a Reconnection Charge as set forth under Article 4.03.07.01. The District will endeavor to make such reconnections as soon as practicable as a convenience to the consumer. The District shall make the reconnection no later than the end of the next regular working day following the consumer's request and payment of any applicable reconnection charges pursuant to Article 4.03.07.01. *(Updated 3/17/08)*

4.05.04 **Refund of Security Deposit:** The District shall refund to the consumer the amount held as a security deposit pursuant to Articles 6.02.04.01 and 6.02.04.02. However, during the life of the consumer's account, the District may require any consumer, regardless of whether he or she was previously found to be creditworthy, to post a security deposit as specified in Appendix B, any time there are three assessed late charges within any consecutive six-month period. *(Updated 2/21/12)*

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

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

4.06.01 **Charges for a Smaller Meter:** If the desired meter size is the next smaller size meter than the current size, the owner will not be charged for a new regular connection for the desired meter size as set forth in Article 6.05; however, the owner will be charged a Meter Exchange Charge as specified in Appendix B.

4.06.02 **Charges for a Larger Meter:** If the desired meter size is larger than the current size, the owner shall pay the full current charges for a new regular service connection for the desired meter size as set forth in Article 6.05, less any credit on the removed meter. In addition, the owner must also pay the current Reservoir Capacity Charge, Acreage Supply Charge, and Water Supply Charge as set forth in Articles 6.06, 6.07, and 6.08. Such charges that have been paid previously by the owner or predecessors will be credited against the amount due under current charges.

4.06.03 **Charges for Change in Meter Location:** If a consumer desires a change in location of the meter, such change may be effected with the mutual agreement of the District and the property owner, and the owner/consumer shall pay for the actual costs incurred by the District. Lateral meter relocations of less than two (2) feet can generally be executed without re-tapping the water main; however, lateral meter
relocations greater than two (2) feet require re-tapping the water main and abandoning the original service line and tap.

4.06.04 **Change in Land Use:** Any consumer/property owner must inform the District of any change in the character, size, or use of the property or buildings other than that for which the service connection was originally intended. Such changes include, but are not limited to, a residential property reclassified or used as commercial or industrial, or a commercial property reclassified or used as industrial. Upon such a change, the owner shall pay the current Reservoir Capacity Charge, Acreage Supply Charge, and Water Supply Charge as set forth in Articles 6.06, 6.07, and 6.08, less credit for such charges previously paid by the owner or predecessors. In all cases, the General Manager shall determine the property’s zoning classification or intended use. Subject to an appeal to the Board, such determination by the General Manager will be final.

4.06.05 **Inclusion of Additional Land Area:** Any consumer/property owner shall notify the District of any additional land area or adjacent lots not served at the time of original commencement of service that are to be served from the existing service connection. In such cases, the District will assess current Reservoir Capacity Charge, Acreage Supply Charge, and Water Supply Charge for the additional land area as set forth in Articles 6.06, 6.07, and 6.08.

4.07 **WATER CONSERVATION**

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

4.07.01 **Water Use Efficiency Requirements:** In an effort to avoid serious and negligent waste of water, the District has instituted the following permanent water use efficiency requirements. Violations of this section may be considered an unauthorized use of water and subject to penalties established in Article 4.03.07.06 and/or Article 4.05.02.03. [Updated 6/22/09]

4.07.01.01 **Limit on Watering Duration:** Watering or irrigating of lawn, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than fifteen (15) minutes watering per day per station. This subsection does not apply to landscape irrigation systems that exclusively use very low-flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour and weather based controllers or stream rotor sprinklers that meet a 70% efficiency standard.
4.07.01.02 **No Excessive Water Flow or Runoff:** Watering or irrigating of any lawn, landscape, or other vegetated area in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch is prohibited.

4.07.01.03 **No Washing Down Hard or Paved Surfaces:** Washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards, and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off device, a low-volume, high-pressure cleaning machine equipped to recycle any water used, or a low-volume high-pressure water broom.

4.07.01.04 **Obligation to Fix Leaks, Breaks or Malfunctions:** Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the water user’s plumbing or distribution system for any period of time after such escape of water should have reasonably been discovered and corrected and in no event more than seven (7) days after receiving written notice from the District is prohibited.

4.07.01.05 **Limits on Washing Vehicles:** Using water to wash or clean a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not is prohibited, except by use of a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing water shut-off nozzle or device. This subsection does not apply to any commercial car washing facility.

4.07.01.06 **Recirculating Water Required for Water Fountains and Decorative Water Features:** Operating a water fountain or other decorative water feature that does not use recirculated water is prohibited.

4.07.01.07 **No Installation of Single Pass Cooling Systems:** Installation of single pass cooling systems is prohibited in buildings requesting new water service.

4.07.01.08 **No Installation of Non-recirculating Water Systems in Commercial Car Wash and Laundry Systems:** Installation of non-recirculating water systems is prohibited in new commercial conveyor car wash and new commercial laundry systems.
4.07.01.09 **Negligent Waste of Water:** At the discretion of the General Manager, the District reserves the right to determine negligent waste or misuse of water supplies. Such waste of water supplies is prohibited, constitutes an unauthorized use of water and is subject to imposition of penalties pursuant to these Rules and Regulations.

4.07.02 **Water-Saving Devices:** Each consumer of the District is urged to install devices to reduce the quantity of water needed to flush toilets, reduce the flow rate of shower heads, reduce the amount of water used for turf irrigation, or any other reduction which may be required to comply with any regulations promulgated by State or local authorities.

4.07.03 **Alternate Sources:** Whenever economically feasible, recycled water shall be used to the fullest extent possible.

4.07.04 **Water-Saving Practices:** Each consumer in the District is urged to implement other water-saving and reuse practices and procedures which are feasible.

4.07.05 **Dual Meters:** To facilitate potential water conservation measures and provide for expansion of recycled water use, all new commercial/industrial sites shall be required to install separate meters for potable water use and landscape irrigation. This requirement shall also apply to any commercial/industrial sites undergoing a change of use or inclusion of additional land area, as defined in Section 4.06. For purposes of this requirement, change of use shall include, but not be limited to, tenant improvements or other expansion constituting a substantial change in the character, size, or use of the property, as determined by the General Manager or designee on a case-by-case basis.

**PRIVATE FIRE PROTECTION SERVICE**

4.08.01 **Private Fire Protection Service:** Shall be installed and paid for in total by the owner or developer. The specifications for such service shall be established by the District and shall provide for the installation of an approved aboveground double detector check valve, including bypass meter, in accordance with District Standard 20A. Installation of a detector check valve may not necessarily preclude the addition of a backflow prevention device where deemed necessary by the District.

4.08.02 **Unauthorized Use:** The use, or attempted use, of water through any hydrant, sprinkler head, hose rack, or any other device for any purpose other than directly in connection with fire protection purposes, without the prior written consent of the District in each case, shall be cause for immediate disconnection of the service. The District may make no further deliveries of water through such service nor will the District continue to maintain such service until a suitable meter of the type and size approved by the District is installed through which may be registered all water flowing to said service. The cost and expense of the installation of such meters shall be borne by the consumer and shall be paid in advance to
the District based upon the estimate by the District of the cost of such installation. If the actual installation cost is more than that estimated by the District, the consumer shall forthwith, upon demand, pay such excess; and, in the event the cost is less than that estimated by the District, the District will refund the excess to the consumer.

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

4.09 **UNLAWFUL ACTS**

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

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

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

<table>
<thead>
<tr>
<th>Type</th>
<th>Fire Hydrant</th>
<th>Blow-Off</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial</td>
<td>10,000 gallons per minute</td>
<td>3000 GPM</td>
</tr>
<tr>
<td>Commercial</td>
<td>5,000 gallons per minute</td>
<td>2000 GPM</td>
</tr>
<tr>
<td>Residential</td>
<td>2,500 gallons per minute</td>
<td>1500 GPM</td>
</tr>
</tbody>
</table>

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

- END OF ARTICLE 4 -
ARTICLE 5
RULES APPLICABLE TO TEMPORARY CONNECTIONS

5.01  ESTABLISHMENT OF TEMPORARY WATER SERVICE

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

5.01.01  **Advances:** The applicant must advance to the District the estimated net cost of installing and removing the facilities necessary to furnish the service.

5.01.02  **Deposits/Establishment of Credit:** The applicant must deposit a sum of money equal to the estimated bill when the duration of service is to be for a period of one month or less, subject to adjustment or refund according to the actual bill at termination of service.

5.01.03  **Water Service for Civic Activities:** Upon application, water metering devices and water service will be provided at no cost to recognized charitable and civic organizations, subject to the following conditions:

5.01.03.01  The applicant must be a tax-exempt, charitable organization or civic group organized and operating within the boundaries of the District.

5.01.03.02  The applicant shall agree to hold harmless and indemnify the District from any and all claims or actions arising out of the provision of water service and facilities.

5.01.03.03  The temporary use by the applicant shall be for a period not to exceed fourteen (14) calendar days during any calendar year.

5.01.03.04  The actual cost of labor, materials, and commodity charges shall not exceed $50. All amounts in excess of $50 shall be billed to the applicant and paid in accordance with the current District Rules and Regulations for water service.

5.02  RATES, CHARGES AND CONDITIONS OF SERVICE

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

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

5.04 WATER FOR CONSTRUCTION NEEDS

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

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

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

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

- END OF ARTICLE 5 -
ARTICLE 6
RULES APPLICABLE TO INDIVIDUAL APPLICANTS
FOR WATER SERVICE

6.01 APPLICANT

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

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

6.02 APPLICATION FOR SERVICE

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

6.02.01 Contents (in the case of owner occupied):

1. Date and place of application
2. Location of premises to be served
3. Date applicant will be ready for service
4. Agreement to abide by District Rules and Regulations
5. Address to which bills are to be mailed or delivered
6. Home and office telephone numbers
7. Social Security Number
8. Driver’s License Number (California preferred)
9. Acknowledgment of District’s security deposit requirements if service is subject to turnoff for reason of nonpayment of any billing rendered
10. Such other information as the District may reasonably require

NOTE: If circumstances are such that the Consumer Service Supervisor deems it in the best interests of all concerned to mail the application for service to the consumer, the application must be completed in detail, signed by the applicant, and returned, along with a photocopy of the applicant’s current valid driver’s license within fourteen (14) working days. Failure to return the application and a photocopy of the driver’s license within this
period will subject the service to disconnection and applicable reconnection charges without further notice.

6.02.02 **Rental Property:** Applications for water service to rental property shall be required to have such service provided on account of the property owner or, alternatively, upon co-application by the property owner and the tenant. Applicants who are not property owners may not be provided service until the property owner has applied for service in his/her name, or as co-applicant with the tenant. The District will hold the property owner ultimately responsible for payment, which includes enforcement of any lien rights the District may have. A signed Owner/Tenant Service Affidavit, on a form to be provided by the District, and attached thereto (Appendix G), along with proof of identification or verification of valid signature, must be provided to the District prior to activation of the water service.

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

6.02.04 **Establishment of Credit:** The District may require applicants for service to provide it with information sufficient to enable the District to determine the creditworthiness of the applicant. Upon determining the applicant's creditworthiness, the District may require the applicant to deposit with the District such sums of money as determined by the Board from time to time as specified in Appendix B, as a condition for obtaining service. A security deposit required for a new water service connection applicant shall be determined by the Board as specified in Appendix B, according to the consumer's classification and meter size. *(Updated 3/17/08)*

6.02.04.01 **Single Family Residential Consumers and Multiple-Unit Residential Consumers in Dwelling Units with Individual Meters:** The District shall refund to a residential consumer the amount held as a security deposit if the consumer’s account for the previous twelve months is free of any overdue notices or late charges. The security deposit refunds will be credited to the consumer's account. No interest will be paid on deposits. *(Updated 2/21/12)*

The District shall refund all residential consumer security deposits at the termination of water service. The refunded security deposit shall first be applied toward the unpaid balances on any account held by the consumer with the District before the remaining sum, if any, is refunded to the consumer. No interest will be paid on deposits. *(Updated 2/21/12)*
6.02.04.02 **Commercial, Industrial, Multiple-Unit Consumers with Master Meters:** The District shall refund each security deposit to a commercial, industrial or multiple-unit consumer at the termination of water service. The refunded security deposit shall first be applied toward the unpaid balances on any account held by the consumer with the District before the remaining sum, if any, is refunded to the consumer. No interest will be paid on deposits. *(Updated 2/21/12)*

During the life of a consumer's account, the District may require any consumer, regardless of whether he or she was previously found to be creditworthy, to post a security deposit as specified in Appendix B any time there are three (3) assessed late charges within any consecutive six-month period. *(Updated 3/17/08)*

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

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

6.03 **NEW CONSUMER APPLICATION ADMINISTRATIVE CHARGE**

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

6.04 **REFUSAL TO SERVE**

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

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

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

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

6.04.01.04 Where service has been discontinued for fraudulent use, the District will not serve an applicant until it has determined that all conditions of fraudulent use or practice have been corrected.
6.04.01.05 The applicant is not the owner in fee of the premises that will be provided with service where a prior tenant has left an unpaid balance for water charges. This condition for refusal to serve may be waived if the applicant elects to pay any outstanding water charges at the premises.

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

6.05 **WATER SERVICE CONNECTIONS**

For those premises that do not have an existing service connection, the applicant will be charged for the installation and material costs for a service connection in accordance with Appendix B. In addition, the applicant must pay the Reservoir Capacity Charge and the Acreage Supply Charge as set forth in Articles 6.06 and 6.07. If such a connection requires an extension of the District’s mains, the applicant must also pay the costs of main extension as set forth in Article 6.08. In all cases, the applicant shall contribute for any existing mains and public fire hydrants as set forth in Article 6.08. In instances where such additional charges are due, credit will be allowed for any such previous payments made by either the applicant, owner, or their predecessors. In order to ensure the ability of the District to collect these increased charges where applicable, the size of any such meter service and/or the area it serves, the property’s zoning classification, or actual use shall be determined by the General Manager. Such determination by the General Manager will be final.

6.05.01 **Size:** The District reserves the right to determine the size of the service connection, the service pipe, the water meter, and the type and size of any backflow preventer or other appurtenances required for the installation.

6.05.02 **Location:** Service will be installed at locations designated by the applicant, but only at curb and/or property lines of the property to be served abutting upon a public street, highway, alley, lane, or road (other than a freeway) which contains an installed water main of the District.

6.05.03 **Looped Metered Connections:** Service provided to a location that has its own distribution system that is looped and connected to District facilities by two (2) or more meters shall be provided with an approved type backflow prevention device immediately downstream of each metered connection per Article 8.

6.05.04 **Payment and Ownership:** Where a regular charge has been fixed for a type of service connection, such regular charge shall be paid in advance by the applicant. Where no regular charge has been fixed, the District will require the applicant to deposit an amount equal to the estimated cost of such connection as determined by the General Manager. If the General Manager’s estimate is less than the actual cost, the applicant shall pay the difference to the District and, if the actual cost is less than the
estimate, the District will refund the difference to the applicant. All service connections, meters, and measuring devices shall become and remain the property of the District.

6.05.05 Changes in Service Connection/Meter Size or Use: Payment of the current charges for both the Acreage Supply Charge and the Reservoir Capacity Charge will be required upon the occurrence of any of the following:

6.05.05.01 The alteration or increase in size or flow requirements of a service connection.

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

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

6.05.06 Limitations of Use of Service Connections:

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

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

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

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

6.06 RESERVOIR CAPACITY CHARGE

In order to finance distribution storage facilities to meet system growth, every applicant or developer who installs, modifies, adds to an existing service, or changes the type of
land or site use must pay a Reservoir Capacity Charge for each parcel of land that is benefited from such installation, modification, addition, or change in land use. This charge is in addition to any and all other charges and requirements set forth by the District and will be deposited in a special fund known as the Reservoir Capacity Charge Fund; monies from this fund are to be utilized for the construction of water facilities as approved by the Board.

6.06.01 **Determination of Charges:** The Reservoir Capacity Charge is computed on the basis of land area and varies by type of land use, i.e., residential, commercial, or industrial. For a residential area this charge may be based upon the number of family units if this alternative results in a charge that is higher than that based on land area. Determination of such land use and area of benefit shall be made by the General Manager. The charges shall be as set forth in Appendix C.

6.06.02 **Credits:** In instances where there is a modification of service or a change in land or site use and the Reservoir Capacity Charge has been previously paid by the owner or predecessor, the amount of such previously paid charge shall be credited against the current charge based on current or proposed land use and/or modification of service (also refer to Article 4.06).

6.07 **ACREAGE SUPPLY CHARGE**

Every applicant for water service from any of the lines or works of the District who has not, either individually or through the predecessor in interest, paid an Acreage Supply Charge, or the equivalent thereof, or requests modification of service or change in land use with respect to the land to be served, shall, before such application will be acted upon by the District or water furnished pursuant thereto, pay to the District an Acreage Supply Charge computed at a per-acre rate as set forth in Appendix C. Said Acreage Supply Charge is fixed pursuant to Section 35470 of the Water Code to raise money for District purposes in lieu of assessment. This charge shall be in addition to any and all other charges and requirements set forth by the District and shall be deposited in a special fund known as the Acreage Supply Charge Fund to be used for purposes authorized by Section 35470 of the Water Code.

6.07.01 **Credits for Improvement District No. 1:** For parcels of land within Improvement District No. 1, where payments have been previously made to the Improvement District for the construction of transmission and distribution facilities, such payments shall be credited against the current Acreage Supply Charge. The amount of the credit against the current charge is $1,292.28 per acre.

6.07.02 **Waiver of Charges to Public Utility:** An Acreage Supply Charge shall not be required to be paid by a water company which: (1) is a public utility subject to regulation by the Public Utilities Act, and (2) maintains and operates a distribution system within the District.

6.07.03 **Waiver of Charge to Mutual Water Company:** An Acreage Supply Charge shall not be required to be paid by any mutual water company.
serving land within the District and supplying water to its own members exclusively and only through its own facilities.

6.07.04 **Exceptions to Waiver:** Waivers shall not apply to any land served by such public utility or such mutual water company for which water may be served directly from the lines and works of the District.

6.07.05 **Credit for Prior Payment:** In instances where the applicant requests a modification of service or there is a change in land use and the Acreage Supply Charge has been previously paid by the owner, tenant, or predecessor in interest, the amount of such previously-paid charge shall be credited against the current per-acre charge set forth in Appendix C (also refer to Article 4.06).

6.07.06 **Exemptions:** Land within Improvement District No. 3 is exempt from the Acreage Supply Charge. The exemption is void when a lot in either of the areas is split or subdivided.

6.07.07 **Special Acreage Supply Charge:** Any properties taking service from, or extending, the Kelso Road Improvements will be assessed an Acreage Supply Charge equal to that necessary to retire a prior District investment of Acreage Supply Charge Funds in this area and as shown on Special Kelso Road Charges Area Map on file with the District (see Article 6.07.08).

6.07.08 **Special Assessment Areas:** From time-to-time, special circumstances demand unique handling of fees and/or agreements. Documentation of these agreements can be found in the document titled “Walnut Valley Water District Special Assessment Areas” on file in the Engineering Department. Any properties taking service from these affected areas will be subject to the terms, conditions, and payment of these special assessments.

6.08 **WATER SUPPLY CHARGE**

In order to finance projects to meet new system demand, every applicant or developer who installs, modifies, adds to an existing service, or changes the type of land or site use must pay a Water Supply Charge for each parcel of land that is benefited from such installation, modification, addition, or change in land use. This charge is in addition to any and all other charges and requirements set forth by the District and will be deposited in a special fund known as the Water Supply Charge Fund; monies from this fund are to be utilized for the construction of water supply projects, recycled water irrigation retrofits, and water conservation projects, as approved by the Board.

6.08.01 **Determination of Charges:** The Water Supply Charge is computed on the basis of water demands for the land area being developed and varies by type of land use, i.e., residential, commercial, or industrial. The charge shall be determined based on the area being developed and the applicable water demand factor for the type of development. Determination of such land use, water demand factor, and area of benefit
shall be made by the General Manager. The charges shall be as set forth in Appendix C.

6.08.02 **Credits:** In instances where there is a modification of service or a change in land or site use and the Water Supply Charge has been previously paid by the owner or predecessor, the amount of such previously paid charge shall be credited against the current charge based on current or proposed land use and/or modification of service (also refer to Article 4.06).

6.09 **MAIN EXTENSIONS**

If an applicant’s property does not front upon an existing distribution main of the District, such applicant shall, in addition to any and all other charges, be required to pay the cost of a main extension of a size to be determined by the General Manager. The size of the extended main may be larger than that required to serve the applicant, in which case the District shall bear the difference in cost between the larger size and the size required to serve the applicant as described in Article 6.10. In addition, the cost may include the cost of providing a circulating line to avoid a dead-end line if deemed necessary by the General Manager.

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

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

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

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

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

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

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

6.10 CONTRIBUTIONS FOR EXISTING FACILITIES

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

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

6.11 MAINLINE OVERSIZING

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

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

6.11.01 **12-Inch Mains and Smaller:** The District will pay for the difference in the cost of materials between the size required for the development and the larger size of pipe, valves, fittings, and other appurtenances determined by the District for satisfactory operation of the system. Such difference in cost will be determined by the District.

6.11.02 **Larger than 12-Inch:** The District’s cost of the materials oversizing will be the same as Article 6.10.01. The District will also bear the difference in cost of the labor on a pro-rata basis on main diameter as determined by the District.
6.12 DEAD-END LINES

No dead-end lines shall be permitted except at the discretion of the General Manager. In cases where circulation lines are necessary, they shall be designed and installed by the District as part of the cost of the main extension and paid for by the developer in accordance with Article 6.08.

6.13 PROVISION OF SERVICE

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

- END OF ARTICLE 6 -
ARTICLE 7
RULES APPLICABLE TO DEVELOPERS AND SUBDIVIDERS

The Total Project Cost for design and construction of all distribution mains and other necessary facilities required in subdivisions, or to service a remote parcel of land shall be paid for by the developer or sub-divider as set forth in this Article 7. Actual procurement of materials and construction of all facilities shall be performed by the District or its contractor. In some cases the District may require larger size mains to be installed than are actually required to serve a particular subdivision or remote parcel. In such event, the District will bear the difference in cost between the size required and the larger size of pipe, valve, fittings, and other appurtenances as described in Article 6.11. Such difference in cost will be determined by the District.

7.01  APPLICATION PROCEDURE

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

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

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

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

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

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

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

7.02  COSTS AND CHARGES

The developer shall be assessed the following costs and charges, which are payable according to the payment schedule set forth in Article 7.04.
7.02.01 **Water System Design and Plan Check Deposit:** The developer of any project shall place with the District, prior to the District designing any water plans for the developer’s project, a non-refundable deposit in accordance with Sections 7.04.01.01, 7.04.02.01, 7.04.03.01 or 7.05 of these Rules and Regulations. The Water System Design and Plan Check Deposit shall be computed as set forth in Appendix B.

7.02.02 **Construction Costs:** These costs include the total direct cost of labor and materials for mains, valves, fire hydrants, service connections, meters, and other appurtenances, less the difference in cost due to any District-required oversizing.

7.02.03 **District Administrative Charge:** This charge covers the District’s costs of engineering, plan checking, inspection, and administrative burden and is computed as set forth in Appendix B.

7.02.04 **Reservoir Capacity, Acreage Supply, and Water Supply Charges:** These charges shall be paid by the developer as set forth in Articles 6.06, 6.07, and 6.08.

7.02.05 **Front Footage Charge:** This charge may be collected based on front footage at the parcel served on the street which contains the water main that will supply water to the parcel. Said Front Footage Charge shall be determined by the District, subject to revision on a case-by-case basis as set forth in Appendix B.

7.02.06 **Existing Fire Hydrant Fees:** The District may impose a fee to help defray the cost of the prior installation of any existing fire hydrant within three hundred (300) feet of the property served.

7.02.07 **GIS Update Fees for Developer-Funded Projects:** This charge will be collected to cover the costs of outside services required for updating the District’s GIS system following completion of projects involving developer-funded system improvements/modifications as set forth in Appendix B.

7.03 **PROCESSING SEQUENCE**

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

7.04 **PAYMENT SCHEDULE**

As shown in Appendix E, Processsing Sequence, different payment schedules are required for Residential, Public Agency, and Industrial/Commercial developments.
7.04.01 **Residential Developments:** The developer of any parcel shall pay the Total Project Cost, as defined in Article 3, in four (4) installments. After final construction is complete, the Total Project Cost will be reconciled and the developer will be invoiced for any excess cost over and above the four installments paid or refunded any excess moneys remaining.

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

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

a) District Administrative Charge (less prepaid Water System Design and Plan Check Deposit received in the first installment) (See Articles 7.02.01 & 7.02.03)
b) Acreage Supply Charge (See Articles 7.02.04 and 6.07)
c) Reservoir Capacity Charge (See Articles 7.02.04 & 6.06)
d) Water Supply Charge (See Articles 7.02.04 & 6.08)
e) Contributions For Any Existing Facilities (See Articles 7.02.05, 7.02.06, & 6.09)
f) Cost of Long Lead Time Materials (i.e., special orders such as tapping sleeves, regulating valves, meters, etc.)
g) Cost of GIS Update for Developer-Funded Projects (See Appendix B)

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

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

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

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

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

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

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

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

7.05 **WATER MAINS OUTSIDE A SUBDIVISION**

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

7.06 **MAINLINE EXTENSION**

See Article 6.09

7.07 **CONTRIBUTIONS FOR EXISTING FACILITIES**

See Articles 6.10, 7.02.05, & 7.02.06
7.08 PROCUREMENT OF MATERIALS

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

7.09 SELECTION OF CONTRACTOR FOR INSTALLATION

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

7.10 SCHEDULING OF WATER SYSTEM INSTALLATION

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

7.11 MAINLINE OVERSIZING

See Article 6.11

7.12 EASEMENTS

When required, a developer or applicant for water service shall provide the District with any necessary easements required for District facilities at no cost, in a form acceptable to the District, in order to accomplish or complete water service for an applicant. (See Articles 6.09.02 & 6.09.03)

7.13 DISTRICT ACCEPTANCE OF FACILITIES

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

7.14 PROVISION OF SERVICE

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

- END OF ARTICLE 7-
ARTICLE 8
BACKFLOW AND CROSS-CONNECTION CONTROL

8.01 CROSS-CONNECTIONS

8.01.01 General Provisions: These regulations are adopted pursuant to the State of California Code of Regulations, Title 17, Sections 7583 through 7605 inclusive, entitled “Regulations Relating to Cross-Connections.” These provisions shall be in addition to, but not in lieu of, the controls and requirements of other regulatory agencies such as local government agencies and local and State health departments. These regulations are intended to protect the District’s potable water supply and are not intended to provide regulatory measures for protection of consumers from the hazards of cross-connections within their own premises. Backflow prevention devices, as required in these provisions, shall be provided and maintained by the applicant, owner, or consumer at his/her expense. Such devices shall be located on the premises of the property served and shall not be considered part of the District’s water distribution system.

It is the intent of these regulations to prevent any person, firm, or corporation from making or maintaining or causing to be made or maintained, temporarily or permanently, for any period of time whatsoever, any cross-connection between plumbing pipes or water fixtures being served with water by the District and any other source of water supply, or to maintain any sanitary fixture or other appurtenance or fixture which, by reason of its construction, may cause or allow backflow of water or other substances into the water supply system of the District.

The purpose of these regulations are:

8.01.01.01 To protect the District’s water system against actual or potential cross-connections by isolating, within the premises, contamination that may occur because of some undiscovered or unauthorized cross-connection on the premises.

8.01.01.02 To eliminate existing connections between the District’s water system and other sources of water that are not approved as safe and potable for human consumption.

8.01.01.03 To eliminate cross-connections between drinking water systems and other sources of water or processed water used for any purpose whatsoever which jeopardize the safety of the potable water supply.

8.01.01.04 To prevent the making of cross-connections in the future.
8.02 CROSS-CONNECTION PROTECTION

8.02.01 Whenever backflow protection has been determined necessary by the District, the consumer will be required to install an approved backflow prevention assembly at his/her expense. Any such assembly will be installed as close as practicable to the downstream side of the consumer’s metered service or the connection to the District’s distribution system in accordance with District Standard Drawing No. 4.

8.02.02 Whenever backflow protection has been determined to be necessary on a water supply line entering a consumer’s premises, then any and all water supply lines from the District’s mains entering such premises, buildings, or structures shall be protected by an approved backflow prevention assembly. The type of assembly to be installed shall be in accordance with the requirements set forth in these Rules and Regulations.

8.03 REQUIREMENT FOR PROTECTION ASSEMBLIES

8.03.01 Protection from an Auxiliary Supply: Each service connection originating from the District’s water system for supplying water to premises having an auxiliary water supply shall be protected against backflow of water from the premises into the public water system, unless the auxiliary water supply is accepted as an additional source by the District and is approved by the health agency.

8.03.02 Protection from Processed Water: Each service connection originating from the District’s water system for supplying water to premises on which any substance is handled in such fashion as to permit its entry into the water system shall be protected against backflow of water from the premises into the public system. This shall include the handling of processed waters and waters originating from the District’s water supply system which have been subject to deterioration in quality.

8.03.03 Protection from Internal Cross-Connection: Backflow prevention assemblies shall be installed on the service connection to any premises that has: (a) internal cross-connections, (b) intricate plumbing and piping arrangements, or (c) restrictions where entry to all portions of the premises is not readily accessible for inspection purposes, making it impractical or impossible to determine whether or not cross-connections exist.

8.03.04 Protection from Recycled Water: A property which is also supplied with recycled water, in addition to the District’s potable water supply, shall also comply with such additional cross-connection provisions specified in these Rules and Regulations pertaining to recycled water service. Protective devices will be required on the District’s potable water services, although under no circumstances will the District tolerate an actual or potential cross-connection between the District’s potable water supply and the consumer’s on-site recycled water facilities. Tracer dyes may be periodically required to be introduced into the recycled water system by the owner, where feasible, so that the existence of cross-
connections with (or backflow into) the potable water system will be visible. In all cases in which recycled water is used on individually and privately owned premises and is under individual and private control, such as in the case of an industrial user, or in which recycled water is used at schools and public parks with extensive systems and high public exposure and use, or in which the on-site recycled water system has additional pressure added through pumping, the District shall require a backflow prevention device on its potable water supply. The type of protection device shall be determined by the District in accordance with Article 8.07 herein.

8.04 TYPE OF PROTECTION REQUIRED

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

8.05 APPROVED BACKFLOW PREVENTION ASSEMBLIES

8.05.01 Only backflow prevention assemblies which have been approved by the District shall be acceptable for installation by a consumer at his/her connection to the District’s potable water system. The approved list shall be based on the current list periodically published by the University of Southern California Foundation for Cross-Connection Control.

8.05.02 The District will provide, upon request, to any interested or affected consumer a list of approved backflow prevention assemblies.

8.06 BACKFLOW PREVENTION ASSEMBLY INSTALLATION

Backflow prevention assemblies shall be installed in a manner prescribed in Section 7603, Title 17, of the California Code of Regulations. Location of the assemblies should be as close as practical to the consumer’s connection. The District shall have the final authority in determining the required location of a backflow prevention assembly. In any event, no connections will be permitted to be made to the service piping between the District’s facilities and the backflow prevention assembly.

8.07 PROTECTIVE ASSEMBLIES

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

8.07.01 Assembly for Auxiliary Water Supply: At the service connection to any premises where there is an auxiliary water supply handled in a separate piping system with no known cross-connection, the District’s water supply
shall be protected by an approved, reduced-pressure principle backflow prevention assembly or air-gap separation assembly.

8.07.02 **Assembly for Recycled Water:** At the service connection to any premises where the District’s potable water system is used to supplement a recycled water supply, or where recycled water is used and there is no interconnection, the District’s water supply shall be protected by an air-gap separation. The air-gap separation shall be located as close as practicable to the metered service, and all piping between the metered service and the receiving tank shall be visible or available for inspection. If these conditions cannot be reasonably met, the potable water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly, providing this alternative is acceptable to both the District and the health agency.

8.07.03 **Assembly for Objectionable Substance:** At the service connection to any premises on which a substance that would be objectionable (but not necessarily hazardous to health), if introduced into the District’s water supply, is handled so as to constitute a cross-connection, the District’s water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly installed in accordance with District standards.

8.07.04 **Assembly for Internal Cross-Connections:** At the service connection to any premises on which there is an auxiliary water supply where cross-connections are known to exist and which cannot be presently eliminated, the District’s water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly installed in accordance with District standards.

8.07.05 **Assembly For Toxic Substance:** At the service connection to any premises on which any material dangerous to health or toxic substance in toxic concentration is or may be handled, the District’s water supply shall be protected by an air-gap separation. The air-gap separation shall be located as close as practicable to the metered service, and all piping between the metered service and receiving tank shall be visible or available for inspection. If these conditions cannot be reasonably met, the potable water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly, providing this alternative is acceptable to both the District and the health agency.

8.07.06 **Assembly for Sewage:** At the service connection to any sewage treatment plant or sewage pumping station, the District’s water supply shall be protected by an air-gap separation. The air-gap separation shall be located as close as practicable to the metered service, and all piping between the metered service and receiving tank shall be visible or available for inspection. If these conditions cannot be reasonably met, the potable water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly, providing this alternative is acceptable to both the District and the health agency.
8.07.07 **Assemblies for Master Metered Connections and Loop Private Fire Protection Systems:** At service connections to any premises served by a master meter assembly, or which have a looped private fire protection system that is not maintained by the District, the District’s water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly installed in accordance with District standards.

8.07.08 **Assemblies for Commercial and Industrial Developments:** At the service connection to any commercial or industrial development, the District’s water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly installed in accordance with District standards.

8.07.09 **Assemblies for Private Fire Protection Systems:** At the service connection to any Class I or II private fire protection system, the District’s water supply shall be protected with an approved, double-detector check assembly installed in accordance with District Standard Drawing No. 20A. Other classes of private fire protection systems shall be protected with a minimum of an approved, double-detector check assembly installed in accordance with District standards. Higher levels of protection, as determined by the District, may be required for Class III or higher private fire protection systems.

8.07.10 **Assemblies for Landscape Irrigation Service:** At the service connection to any landscape irrigation service, including those for landscape maintenance districts, the District’s water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly installed in accordance with District standards.

8.07.11 **Fire Protection System:** The District’s water supply shall be protected by an air-gap separation on premises where the fire protection system is directly connected to the District’s system and is interconnected with an unapproved auxiliary water supply. If these conditions cannot be reasonably met, the potable water supply shall be protected with an approved reduced pressure principle backflow prevention assembly, providing this alternative is acceptable to both the District and the health agency.

8.07.12 **Use of Pumps on Consumer’s Side of the Meter:** When a consumer receiving service at the District’s main or service connection must, by means of a pump of any kind, elevate or increase the pressure of the water received, the pump shall not be attached to any pipe directly connected to the District’s main or service pipe. Such pumping or boosting of pressure shall be done from a sump, cistern, or storage tank which shall be served by the District’s distribution facilities through an approved air-gap assembly. If these conditions cannot be reasonably met, the potable water supply shall be protected with an approved, reduced-pressure principle backflow prevention assembly, providing this alternative is acceptable to both the District and the health agency.
8.08 **BACKFLOW PREVENTION ASSEMBLY CHANGES**

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

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

8.08.02 **Relocation:** An assembly may be relocated following confirmation by the District that the relocation will continue to provide the required protection and satisfy installation requirements. A retest will be required following the relocation of the assembly.

8.08.03 **Repair:** An assembly may be removed and replaced, provided the water use is either discontinued until repair is completed and the assembly is returned to service or the service connection is equipped with other backflow protection approved by the District. A retest will be required following the repair of the assembly.

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

8.09 **SITE SUPERVISOR**

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

8.10 **RESPONSIBILITIES**

8.10.01 **Cross-Connection Protection Determination:** It shall be the responsibility of the General Manager to determine whether any service connection or the handling of substances within the premises served is deemed to constitute a hazard to the District’s water system and to determine the degree of hazard and to establish the requirements for protection. The General Manager shall accomplish the requirements for protection in conjunction with the health agency.
8.10.02 **Cross-Connection Protection Installation and Maintenance:** It shall be the responsibility of the consumer to install and maintain the required protective assembly and to have the assembly inspected and tested at least once a year, or upon change of ownership, whichever occurs first. Testing shall be performed by a person who has demonstrated to the District his/her competency in testing backflow devices. The assembly shall be repaired, overhauled, or replaced at the expense of the consumer whenever it is found to be defective. It shall be the duty of the District to see that these tests are made in accordance with the responsibility designated in Section 7584 of Title 17, California Code of Regulations.

8.11 **WATER SYSTEM SURVEY**

8.11.01 The District shall review all requests for new services to determine what degree and type of backflow protection is required. Plans and specifications must be submitted to the District upon request for review of possible cross-connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention assembly is necessary to protect the public water system, the required assembly must be installed before service will be granted.

8.11.02 The District may require an on-premise inspection to evaluate cross-connection hazards. Any consumer who cannot or will not allow an on-premise inspection of his/her piping system shall be required to immediately install a District-approved backflow prevention assembly immediately downstream from the consumer’s metered service.

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

8.12 **CONSUMER NOTIFICATION – ASSEMBLY INSTALLATION**

8.12.01 The District will notify the consumer of the findings of any such inspection provided for in Article 8.11 above, listing corrective action to be taken if required. A period of approximately sixty (60) days will be given to complete all corrective action required, including installation of backflow prevention assemblies.

8.12.02 A second notice will be sent to each consumer who fails to take the required corrective action prescribed in the first notice within the time period allowed. The second notice shall give the consumer a two (2) week period to comply with the required corrective action. If no action is taken within the two (2) week period, the District will disconnect water service to the affected consumer until the required corrective actions are taken.
8.13 BACKFLOW PREVENTION ASSEMBLY TESTING

8.13.01 The owners of any premises on which, or on account of which, backflow prevention assemblies are installed shall have the assemblies tested by a person who has demonstrated to the District his/her competency in testing these assemblies. Backflow prevention assemblies must be tested at least annually and immediately after installation, relocation, repair, or when the ownership or downstream water use has been changed. Testing intervals shall be set by the District. Required intervals for such testing may be shortened if it is determined by the District that a history of malfunctioning has been established, or if the degree of hazard makes more frequent inspections advisable. No assembly shall be placed back into service unless it is functioning as required. A report in a form provided by the District shall be returned to the District each time an assembly is tested, relocated, repaired, or when ownership or downstream water use has been changed.

8.13.02 The District will supply affected consumers with a list of persons acceptable to the District to test backflow prevention assemblies. The District will notify affected consumers by mail when initial, annual, or periodic testing of an assembly is required and also supply consumers with the necessary forms, which must be filled out and returned to the District each time an assembly is tested or repaired.

8.14 CONSUMER NOTIFICATION – TESTING AND MAINTENANCE

8.14.01 The District will annually notify each affected consumer by mail when it is time for the backflow prevention assembly installed at his/her service connection to be tested. This written notice shall provide the consumer approximately thirty (30) days in which to have the assembly tested and shall supply the consumer with the necessary form to be completed and submitted to the District.

8.14.02 A second notice shall be sent to each consumer who fails to test his/her backflow prevention assembly as prescribed in the first notice within the thirty (30) day period allowed. The second notice will give the consumer a two (2) week period to have the backflow prevention assembly tested.

8.14.03 A third notice shall be sent if no action is taken within the two (2) week period following the second notice. This notice shall provide the consumer with a final two (2) week period to have the backflow prevention assembly tested.

8.14.04 If the backflow prevention assembly still remains untested at the end of this final two (2) week period, the District shall proceed to disconnect the consumer’s water service as set forth in Article 8.15. The water service will remain terminated until acceptable documentation of a successful test on the backflow prevention assembly is received at the District office.
8.15 DISCONNECTION OF SERVICE FOR CROSS-CONNECTION VIOLATION

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

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

8.15.01.01 Refusal to install a required backflow prevention assembly
8.15.01.02 Refusal to test a backflow prevention assembly
8.15.01.03 Refusal to repair a faulty backflow prevention assembly
8.15.01.04 Refusal to replace a faulty backflow prevention assembly
8.15.01.05 Direct or indirect connection between the District water system and a sewer line
8.15.01.06 Unprotected direct or indirect connection between the District water system and a system or equipment containing contaminants
8.15.01.07 Unprotected direct or indirect connection between the District water system and an auxiliary water system
8.15.01.08 A situation which presents an immediate health hazard to the District water system
8.15.01.09 If ordered by local or State Health Department

8.15.02 Water Service Disconnection Procedures: For conditions 8.15.01.01 through 8.15.01.09, the District will disconnect service to a consumer’s premises after two (2) written notices have been sent specifying the corrective action needed and the time period in which it must be done. If no action is taken within the allowed time period, water service will be disconnected. The District may disconnect any service without notice if an immediate health threat to other consumers or to the District’s potable supply is evident.

- END OF ARTICLE 8 -
ARTICLE 9
RECYCLED WATER USE REGULATIONS

9.01 GENERAL

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

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

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

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

9.02 AREA SERVED

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

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

9.03 SERVICE CONNECTIONS

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

9.03.01 The design and construction of the on-site recycled water system shall be approved by the District.
9.03.02 The operator of the on-site recycled system is able to obtain a permit to receive such water and use it only for approved purposes.
9.03.03 Violation of permit conditions will result in reprimand, fines, and/or disconnection of service, depending on the severity of the violation.

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

9.04 APPLICATION PROCEDURE

9.04.01 An application for recycled water service must be made in writing and signed by the applicant, owner, or customer if he/she is not one and the same. The application form shall be furnished by the District (Appendix G).

9.04.02 The applicant for a recycled water service permit under these Rules and Regulations must state thereon that he/she agrees to comply with the requirements or any and all applicable Federal, State, and local statutes, ordinances, regulations, and other requirements. The District may, at its discretion, require specific prior approval of any permit by any Federal, State, or local agency having jurisdiction over the operation of the District's facilities.

9.04.03 Upon receipt of an application, the District shall review the application, as it deems necessary. If the application is approved by the District, the General Manager will prescribe requirements in writing to the applicant as to the facilities necessary to be constructed, the manner of connection, and any other applicable requirements.

9.05 PERMITS

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

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

9.06 DISCONNECTION OF SERVICE

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

9.06.01 Recycled water service may be disconnected on a temporary or permanent basis in the manner provided in Articles 8 and 9 herein at any
time the applicant’s, owner’s, or customer’s operations do not conform to the applicable requirements as provided in Articles 8 and 9.

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

9.07 OTHER LIMITATIONS OF SERVICE

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

9.08 SIZE, LOCATION, AND INSTALLATION OF SERVICE

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

9.09 LIMITATIONS ON SERVICE CONNECTIONS

No permit shall be issued except upon the following conditions:

9.09.01 The District reserves the right to limit the area of land under one ownership to be supplied by one recycled water service connection and recycled water meter.

9.09.02 The District reserves the right to require recycled water customers to install on-site storage facilities, at the discretion of the General Manager, to meet requested demands in order to maintain the operational capability of the recycled water system.

9.09.03 A recycled water service connection and recycled water meter shall not be used to supply adjoining property of a different owner.

9.09.04 When property provided with a recycled water service connection and recycled water meter is subdivided, such connection and meter shall be considered as serving the lot or parcel of land that it directly or first enters. Additional recycled water mains and/or recycled water service
9.09.05 All recycled water used on any premises where a meter is installed must pass through the meter. Customers shall be held responsible and charged for all recycled water passing through their meters.

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

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

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

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

9.10 RELOCATION OF RECYCLED WATER SERVICE LINE

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

9.11 ILLEGAL CONNECTIONS

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

9.12 RECYCLED WATER METERS

9.12.01 Water meters suspected by the customer of failing to register correctly (either high or low) may be requested by the customer to be tested. Testing and payment of costs are to be conducted according to Article 4.04.08, Adjustment of Bills for Meter Error; and Article 4.03.06.03, Meter Test Charge.
9.12.02 Water meters used for recycled water service shall not be interchanged or used for domestic water service after repairs or meter testing has been accomplished.

9.13 AUTHORIZED USES FOR RECYCLED WATER

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

9.14 SCHEDULING USE OF RECYCLED WATER

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

9.15 RESPONSIBILITY FOR MAINTENANCE

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

9.16 WATER CONSERVATION

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

9.17 RECYCLED WATER SITE SUPERVISOR

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

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

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

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

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

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

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

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

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

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

9.19 **RECYCLED WATER FACILITIES OPERATION**

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

9.19.02 **Operation of Off-Site Recycled Water Facilities:** Operation and surveillance of all of the District’s off-site recycled water system facilities, including but not limited to, recycled water pipelines, reservoirs, pumping stations, manholes, valves, connections, supply interties, and other appurtenances and property, up to and including the District’s meter assembly, shall be under the management and control of the District. No other persons, except authorized employees of the District, shall have any right to enter upon, inspect, operate, adjust, change, alter, move, or relocate any portion of the foregoing or any of the District’s property.
9.19.03 **Operation of On-Site Recycled Water Facilities:** The operation and surveillance of all on-site recycled water system facilities, including but not limited to, landscape irrigation systems, agricultural irrigation systems, and systems utilized for industrial process purposes shall be under the management of a Recycled Water Site Supervisor designated by the applicant, owner, or customer. The District may, from time-to-time, require that a Recycled Water Site Supervisor obtain instruction in the use of recycled water, such instruction being provided or approved by the District. The District, as well, may inspect the on-site system per Article 9.20.

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

a) To make sure that all operations personnel are trained and familiarized with the use of recycled water.

b) To furnish their operations personnel with maintenance instructions, controller charts, and record drawings to ensure proper operation in accordance with the on-site facilities’ design and these Rules and Regulations.

c) To prepare and submit to the District one (1) set of record drawings of all on-site facilities installed for the conveyance of recycled water.

d) To notify the District of any and all updates or proposed changes, modifications, or additions to the on-site facilities. Such changes shall be reviewed by the District and shall be designed and constructed in accordance with Article 9.18.03 herein. In accordance with the above-referenced requirements, conditions, and standards, changes must be submitted to the District for review and approval prior to construction. The construction shall be inspected by the District and revised record drawings and controller charts shall be delivered to the District. The District may, if it deems such to be in the best interests of the District, waive or modify any of the foregoing.

e) To ensure that the design and operation of the recycled water facilities remain in compliance with these Rules and Regulations, including the District’s Standard Specifications for the Construction of Water Facilities.

f) To operate and control the system in order to prevent direct human consumption of recycled water, to limit direct human contact with recycled water, and to control and limit runoff. The applicant, owner, or customer shall be responsible for any and all subsequent uses of the recycled water. Operation and
control measures to be utilized in this regard shall include, where appropriate but not limited to, the following:

(1) On-site recycled water facilities shall be operated to prevent discharge onto areas not under control of the customer. Semi-circle sprinklers shall be used adjacent to sidewalks, roadways, and property lines to confine the discharge from sprinklers to the design area.

(2) Recycled water shall be applied at a rate that does not exceed the infiltration rate of the soil. Where varying soil types are present, the design and operation of the recycled water facilities shall be compatible with the lowest infiltration rate present.

(3) When the application rate exceeds the infiltration rate of the soil, automatic systems shall be utilized and programmed to prevent the ponding and runoff of recycled water.

(4) Any and all failures in the on-site system that cause an unauthorized discharge of recycled water shall be immediately reported to the District.

(5) To comply with any and all applicable Federal, State, and local statutes, ordinances, regulations, and contracts, these Rules and Regulations, and all requirements prescribed by the Board and the General Manager.

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

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

9.19.03.04 **Operational Controls:** The minimum necessary operational controls shall include, but not be limited to, those stipulated below:
a) **Irrigation Usage.** Irrigated areas must be kept completely separated from domestic water wells and reservoirs. A minimum of 500 feet shall be provided. Irrigation should be controlled to minimize ponding of wastewater and runoff should be contained and properly disposed.

b) **Landscape Irrigation.** Irrigation should be done so as to prevent or minimize contact by the public with the sprayed material, and precautions should be taken to ensure that recycled water will not be sprayed on walkways, passing vehicles, buildings, picnic tables, domestic water facilities, or areas not under control of the user. Irrigation should be practiced during periods when the grounds will have maximum opportunity to dry before use by the public unless provisions are made to exclude the public from areas during and after spraying with recycled water. Windblown spray from the irrigation area should not reach areas accessible to the public. Drinking water fountains should be protected from direct or windblown recycled water spray.

c) **Additional Protection.** All persons entering the premises for any reason shall be made aware by the user of the potential health hazards involved with contact or ingestion of recycled water. All recycled water valves, outlets, and sprinkler heads should be appropriately tagged to warn such persons that the water is not safe for drinking or direct contact. Adequate first aid kits should be available on location, and all cuts and abrasions should be treated promptly to prevent infection. A doctor should be consulted where infection is likely. Precautionary measures should be taken to minimize direct human contact with recycled water or recycled water sprays. All persons involved in more than a casual contact with recycled water should be provided with protective clothing. At crop irrigation sites, the crops and soil should be allowed to dry before harvesting. Provisions should be made for a supply of safe drinking water. Where bottled water is used for drinking purposes, the water should be in contamination-proof containers and protected from contact with recycled water or dust. The water should be of a source approved by the local health authority. Toilet and washing facilities should be provided. Precautions should be taken to avoid contamination of food taken to areas irrigated with recycled water.
and food should not be taken to areas still wet with recycled water.

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

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

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

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

a) A detailed site plan identifying the location of heads, valves, hose bibs, quick couplers, point of connection, etc., for the system to be converted to recycled water. This site plan shall have notes identifying the retrofit work to be done (i.e., snap-on rings, hose-bib to quick coupler, etc.). The plan shall identify the disconnect and new connection location. The location for the new recycled water meter must appear on the site plan.

b) A dye test or dual pressure test of the existing irrigation system must be performed by an experienced, licensed backflow or cross-connection contractor at the customer’s expense. A dual pressure test may be performed in lieu of the dye test if it is permitted by the Health Department. The isolation testing must be witnessed by the County Health Department. A letter from the contractor performing the dye/pressure test must be forwarded to the District office certifying the absolute separation of the domestic and irrigation systems.

c) Following completion of all retrofit work, the system shall be inspected by the District’s cross-connection control technician and Health Department for compliance with these Rules and Regulations. Any discrepancies with the requirements must be remedied by the customer at the customer’s sole expense prior to final tie-in to the recycled water system.

d) Following final approval and inspection by the District and County Health Department, the applicant may perform the tie-in to the recycled water system. The final tie-in and severing of the original source of supply must be inspected by District staff.

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

9.20 RECYCLED WATER MONITORING AND INSPECTION

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

9.21 RECYCLED WATER APPLICABLE FEES AND CHARGES

9.21.01 Establishment of Rates: Rates to be charged and collected and terms, provisions, and conditions to be effective, respecting such rates for recycled water service supplied by the District, shall be as fixed and established by the Board from time-to-time and published in Appendix A herein. Such charges shall be subject to the terms of any existing recycled water service agreements. This provision is in addition to and not by way of derogation of any other remedies or procedures available to the District pursuant to any law or regulations, or by any of the provisions of these Rules and Regulations.

9.21.02 Change of Service Charge: The District reserves the right to change the schedule of recycled water service charges and other charges at any time, or from time-to-time, subject to the terms of any existing recycled water service agreements.

9.21.03 Service Charge Billing: Recycled water service charges will be rendered as part of the District Recycled Water Service Bill at intervals of one (1) month or multiples thereof.

9.21.04 Metering: For the purpose of computing charges, each meter upon the customer’s premises will be considered separately.

9.21.05 Time and Manner of Payment: All bills and charges for recycled water service hereunder shall be due and payable upon presentation and shall become delinquent after the term defined in the service agreement, or thirty (30) days after presentation. Such bills and charges shall be deemed to have been presented upon having been deposited in the United States mail, postage paid and addressed to the applicant, owner, or customer as reflected in the records of the District.
9.21.05.01 If payment is not made within the term defined in the service agreement, or thirty (30) days after presentation, the recycled water service may be disconnected without further notice and recycled water service shall not again be supplied until all overdue bills, including a penalty as established from time-to-time by the District, have been paid. Payment shall be made in person or by mail at offices of the District.

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

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

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

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

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

a) If the charges are determined to be incorrect, a corrected invoice will be provided, and either a refund or a credit will be issued, as directed by the customer.
b) If the charges are determined to be correct, no further billing will be provided, and the customer's account will reflect payment in full of the bill in question.
c) At the time the hearing officer renders his or her decision, the customer will be advised of the right to further
appeal to the General Manager, and that such further appeal must be made in writing and delivered to the District within ten (1) days of the date the hearing officer’s decision is rendered.

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

9.22 ENFORCEMENT AND PENALTIES

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

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

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

9.22.02 Permanent Revocation: Permanent revocation of a recycled water permit shall occur only subsequent to a public hearing held in the manner hereinafter provided. The applicant, owner, or customer shall be given written notice ten (10) calendar days prior to a hearing on the possible permanent revocation of any permit by the District. The notice shall specify the grounds of the proposed revocation of any such permit in reasonable detail and it may, but need not, describe corrective action acceptable to the District. Notice may be delivered personally to the applicant, owner, or customer, or it may be given by deposit in the United States mail with postage prepaid, addressed to the applicant, owner, or
customer either at the address for the applicant, owner, or customer as reflected in the records of the District or as shown on the last equalized assessment roll of the County as defined in the Revenue and Taxation Code of the State of California. Any such action to permanently revoke the permit shall be effective ten (10) consecutive calendar days after notice of the Board’s decision and shall be either personally delivered to the applicant, owner, or customer or placed in the United States mail, postage prepaid, addressed to the applicant, owner, or customer in the manner herein above specified. Any request to re-establish service subsequent to the revocation of a permit and the disconnection of recycled water service shall be in the manner prescribed for initially obtaining service from the District, which may include the collection of a security deposit in an amount determined by the Director of Finance. However, in addition, the District may, at its discretion, require that a service agreement and financial security conditioned upon compliance with the District’s Rules and Regulations be provided in an amount, manner, and for a period of time as determined by the Board.

9.23 FUTURE RECYCLED WATER EXPANSION

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

9.24 WHOLESALE RECYCLED WATER SERVICE

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

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

- END OF ARTICLE 9 -
ARTICLE 10
ANNEXATIONS TO WALNUT VALLEY WATER DISTRICT

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

10.01 CHARGES FOR ANNEXATION

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

10.01.01 Annexed Lines, Works, Facilities, Compliance with District Standards:
The lines, works, and facilities constructed, or to be constructed in any new annexation, shall comply with the standards of the District as to size of line, quality of materials, workmanship, and other matters and shall otherwise be subject to the terms and conditions set forth in these Rules and Regulations relating to developers, subdividers, and individual applicants for water service.

10.01.02 Collection of Fees and Charges for Annexed Property: The Acreage Supply Charge, Reservoir Capacity Charge, and Standby Charge for annexed property may be collected at the time of annexation or of application for service or connection to any lines and works of the District, as the case may be, and shall be in addition to service connection costs and on-site development costs.

- END OF ARTICLE 10 -
ARTICLE 11
REIMBURSABLE EXPENSES

11.01 LOCATING AND MARKING SUBSURFACE INSTALLATIONS

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

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

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

- END OF ARTICLE 11 -
ARTICLE 12
RULES APPLICABLE TO APPLICANTS FOR
AFFORDABLE RATE PROGRAM

12.01 APPLICANT

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

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

12.02 ELIGIBILITY FOR PROGRAM

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

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

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

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

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

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

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

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

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

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

12.03 **METHOD OF APPLICATION FOR PROGRAM**

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

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

12.04 **PROGRAM FUNDING**

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

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

12.06 **REDUCTION; TERMINATION**

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

- END OF ARTICLE 12 -
APPENDICES

APPENDIX A  RATES AND CHARGES FOR WATER SERVICE
APPENDIX B  MISCELLANEOUS CHARGES
APPENDIX C  ACREAGE FEES
APPENDIX D  PERMIT TO USE DISTRICT FACILITIES
APPENDIX E  DEVELOPMENT FLOW CHART
APPENDIX F  ANNUAL PERMIT FOR RECYCLED WATER SERVICE
APPENDIX G  OWNER/TENANT SERVICE AFFIDAVIT
APPENDIX H  STATEMENT OF WATER SERVICE
APPENDIX I  WILL SERVE LETTER
APPENDIX J  PUBLIC AGENCY RECORDS REQUEST
APPENDIX K  APPLICATION FORM FOR WVARP
I. RETAIL RATES

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

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Monthly Base Rate</th>
<th>Effective February 1, 2020</th>
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</thead>
<tbody>
<tr>
<td>5/8&quot; or 3/4&quot;</td>
<td>$20.67</td>
<td></td>
</tr>
<tr>
<td>1&quot;</td>
<td>$32.60</td>
<td></td>
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<tr>
<td>1-1/2&quot;</td>
<td>$62.42</td>
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<tr>
<td>8&quot;</td>
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B. Retail Commodity Rates per Unit (1 unit = 748 gallons) of Water Use for All Consumption - Effective February 1, 2020

<table>
<thead>
<tr>
<th>Tier</th>
<th>Rate</th>
</tr>
</thead>
</table>
| Single Family| Tier I (0-9 units) $2.94  
|              | Tier II (10-40 units) $3.93  
|              | Tier III (41+ units) $4.52  
| Multi-Family | $3.36     |
| Non Residential* | $3.56 |
| Recycled     | $1.87     |

*Commercial/Industrial/Government/Institutional

C. Pumping Zone Surcharge per unit (1 unit = 748 gallons) of water use for all consumption - effective February 1, 2020

<table>
<thead>
<tr>
<th>Zone</th>
<th>Rate</th>
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<tbody>
<tr>
<td>Zone 1 (Gravity System)</td>
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<td>Zone 2</td>
<td>$0.24</td>
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<td>Zone 3</td>
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D. Affordable Rate Program Discount for Qualified Customers Having Meters up to 1-inch in Size - up to a maximum of 50%, prorated based on available funding, of Monthly Base Rate
II. PRIVATE FIRE PROTECTION RATES - Effective February 1, 2020

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

<table>
<thead>
<tr>
<th>Detector Check Size</th>
<th>Monthly Charge</th>
<th>Detector Check Size</th>
<th>Monthly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>1&quot;</td>
<td>$9.09</td>
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<td>1-1/2&quot;</td>
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<td>2&quot;</td>
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<td>10&quot;</td>
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</tr>
<tr>
<td>4&quot;</td>
<td>$22.28</td>
<td>Private Hydrant (each)</td>
<td>$48.07</td>
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III. CONSTRUCTION WATER RATES

A. Use of Potable Water

1. Monthly Service Charge
   - 2-1/2" Hydrant Meter $ 49.00 per Month (or any part thereof)
   - 4" Meter $243.61 per Month (or any part thereof)
   - 6" Meter $463.07 per Month (or any part thereof)

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

3. Use Charge
   - Metered - Double the Commercial/Industrial/Institutional Customers' Rate
   - Tank Load - Double the Commercial/Industrial/Institutional Customers' Rate
   - Street Sweeping, Curb Mile (single side) - $0.10 per Mile

4. Security Deposit
   - $2,000.00 for 2 1/2" Hydrant Meter or 4" Meter and Unpaid Water Charges
   - $3,000.00 for 6" Meter and Unpaid Water Charges

B. Use of Recycled Water

1. Monthly Service Charge
   - 2 1/2" Hydrant Meter $49.00 per Month (or any part thereof)
   - 4" Meter $194.97 per Month (or any part thereof)
   - 6" Meter $384.76 per Month (or any part thereof)

2. Set-up Charges
   - 2 1/2" Set-up Charge $50.00
   - 4" or 6" Set-up Charge $250.00
   - Relocation Charge (per request) $25.00 $250.00
3. Use Charge  Metered - Double the Recycled Water Commodity Rate

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

IV. WHOLESALE RATES

A. Monthly Service Charge by Meter Size - Badillo Grand Transmission Main

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Monthly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>20&quot;</td>
<td>$9,507.00</td>
</tr>
</tbody>
</table>

Effective 1/1/20 - 12/31/20

B. Potable Water Wholesale Rate of Water Use for All Consumption - per Acre Foot

<table>
<thead>
<tr>
<th>Tier</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tier I</td>
<td>$1,089.00</td>
</tr>
<tr>
<td>Tier II</td>
<td>$1,176.00</td>
</tr>
</tbody>
</table>

Effective 1/1/20 - 12/31/20

C. Recycled Water Wholesale Rate - $312 per Acre Foot

1. Wholesale Rate - $312 per Acre Foot

2. Daily Service Charge by Meter Size (monthly rate x 12/365)

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Daily Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>8&quot;</td>
<td>$20.16</td>
</tr>
</tbody>
</table>

D. Monthly Service Charge by Meter Size - Grand Avenue Connection

Effective 1/1/20 - 12/31/20

<table>
<thead>
<tr>
<th>Monthly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>$934.00</td>
</tr>
</tbody>
</table>

E. Potable Water Wholesale Rate of Water Use for All Consumption - per Acre Foot

<table>
<thead>
<tr>
<th>Tier</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tier I</td>
<td>$1,326.00</td>
</tr>
<tr>
<td>Tier II</td>
<td>$1,413.00</td>
</tr>
</tbody>
</table>

Effective 1/1/20 - 12/31/20
1. **Reconnection Charge**

   (During regular working hours, M-Th 8:00 AM - 5:00 PM, Fri 8:00 AM-4:00 PM)
   - First time: $30.00
   - Second time and thereafter: $40.00
   - During non-working hours, Saturdays, Sundays, and holidays: $60.00

2. **Returned Check Charge/Auto Bill Payment Rejection**

   $30.00

3. **Meter Test Charge**

   $80.00

4. **Pulled Meter Charge**

   $75.00

5. **Meter Exchange Charge**

   $100.00

6. **Unauthorized Meter Turn-on Charges**

   $50.00

7. **Unauthorized Water Use Charge**

   - Existing Residential Consumers: $200.00
   - Existing Commercial, Industrial Consumers: $500.00
   - Temporary/Construction Consumers: $1,000.00

8. **Late Charge**

   10% of Outstanding Water Charges

9. **Notice of Termination**

   $10.00

10. **New Consumer Application Admin. Charge** (all meter sizes)

    $30.00

11. **Amortization Payment Plan Administrative Fee**

    $20.00

12. **Security Deposit**

    Three times the average water bill

13. **Minimum Bill** *

    Equal to the periodic meter service charge

14. **Lien Processing Fees** *

    (a) For placement of lien: $25.00
    (b) For release of lien: $25.00 plus County Recording Fee
    (c) Accrued interest: As allowable under State law

15. **District Administrative Charge**

    Equal to the Water System Design & Plan Check Deposit or 20% of the direct cost of service rendered, whichever is greater

16. **Charge to Perform Fire Flow Test by District Personnel** *

    $150.00

17. **Front Footage Charge**

    Shall be one (1) dollar per linear front footage, multiplied by the nominal size of the main required by the development, as determined by the General Manager

18. **Water System Design and Plan Check Deposit**

    (a) 24" x 36" drawings (per sheet): $1,600.00
    (b) 11" x 17" drawings (per sheet): $600.00
    (c) 8 1/2" x 11" drawings (per sheet): $300.00

    Residential water system design & plan check deposit: Equal to $90.00 per house/dwelling unit or the per sheet deposit, whichever is greater

* Special Departmental Charges
## APPENDIX B
### MISCELLANEOUS CHARGES

19. **Preparation of County Fire Flow Availability Form**  
   * $25.00

20. **Residential Plaster, Cleanup, and Testing Water**  
   * $100 per single family unit  
   * $50 per multi-family unit

21. **GIS Fees for Developer-Funded Projects**
   - (a) 24” x 36" drawings (per sheet)  
     * $130.00
   - (b) 11” x 17” drawings (per sheet)  
     * $75.00
   - (c) 8 1/2” x 11” drawings (per sheet)  
     * $45.00
   - (d) Valve/Hydrant/Blow-off/AirVac Cards (per card)  
     * $0.50
   - (e) Easements (unlimited pages - per document)  
     * $35.00
   - (f) Title Sheet 24” x 36”  
     * $5.00

22. **Damaged Copper Setter Replacement**
   - 5/8”  
     * $265.00
   - 3/4”  
     * $255.00
   - 1”  
     * $320.00
   - 1 1/2”  
     * $670.00
   - 2”  
     * $750.00

23. **Security Deposits**
   - **Single Family New Service Security Deposits**
     - 5/8” and 3/4”  
       * $200.00
     - 1”  
       * $350.00
     - 1.5”  
       * $550.00
     - 2”  
       * $850.00
     - 3”  
       * $1,000.00
     - 4” and larger  
       * $1,200.00
   - **Multiple-Family New Service Security Deposits**
     - 5/8” and 3/4”  
       * $100.00
     - 1”  
       * $360.00
     - 1.5”  
       * $650.00
     - 2”  
       * $1,560.00
     - 3”  
       * $1,560.00
     - 4”  
       * $1,600.00
     - 6” and larger  
       * $9,650.00
   - **Commercial/Industrial New Service Security Deposits**
     - 5/8” and 3/4”  
       * $200.00
     - 1”  
       * $360.00
     - 1.5”  
       * $600.00
     - 2”  
       * $800.00
     - 3”  
       * $1,610.00
     - 4”  
       * $2,520.00
     - 6” and larger  
       * $3,620.00

* Special Departmental Charges

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WVWD Rules and Regulations  
Last updated November 2017  
Page B-2
APPENDIX C
ACREAGE FEES

ACREAGE SUPPLY CHARGE

Computation of Acreage Supply Charge will be made by multiplying the current rate shown below by the gross area benefited by water service. Where applicable, blue border gross acreage of tract or parcel maps will be used. Lacking these, the areas used will be that shown or computed from current Los Angeles County Assessor's maps. Final determination of gross area benefited shall be made by the General Manager.

Per Acre Rate: $1,465.00 per acre or fraction thereof rounded to the nearest hundredth
Minimum Charge: $50.00

RESERVOIR CAPACITY CHARGE

Computation of Reservoir Capacity Charge will be made by multiplying the current rate shown below by the gross area benefited by water service. Where applicable, blue border gross acreage of tract or parcel maps will be used. Lacking these, the areas used will be that shown or computed from current Los Angeles County Assessor's maps. Final determination of gross area benefited and classification of land use shall be made by the General Manager.

<table>
<thead>
<tr>
<th>Classification</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential *</td>
<td>$750.00 per acre or fraction thereof rounded to the nearest hundredth (or) $300.00 per family unit or equivalent</td>
</tr>
<tr>
<td>Commercial</td>
<td>$1,000.00 per acre or fraction thereof rounded to the nearest hundredth</td>
</tr>
<tr>
<td>Industrial</td>
<td>$1,613.00 per acre or fraction thereof rounded to the nearest hundredth</td>
</tr>
</tbody>
</table>

* Residential developments shall be charged the higher of the two base rates.

WATER SUPPLY CHARGE

Computation of Water Supply Charge will be made by multiplying the current rate shown below by the annual calculated water demand for the project. The annual project water demand, in acre-feet, will be calculated by multiplying the gross area benefited by water service by the applicable water demand factor, as approved by the General Manager, for the type of development, less any credit for areas being irrigated with recycled water. Where applicable, blue border gross acreage of tract or parcel maps will be used. Lacking these, the areas used will be that shown or computed from current Los Angeles County Assessor's maps. Final determination of the type of development and of gross area benefited shall be made by the General Manager.

Per Acre-Foot Charge: $2,810
ACREAGE SUPPLY CHARGE

Computation of Acreage Supply Charge will be made by multiplying the current rate shown below by the gross area benefited by water service. Where applicable, blue border gross acreage of tract or parcel maps will be used. Lacking these, the areas used will be that shown or computed from current Los Angeles County Assessor’s maps. Final determination of gross area benefited shall be made by the General Manager.

<table>
<thead>
<tr>
<th>Type of Development</th>
<th>Estimated Number Acres</th>
<th>Recommended Acreage Supply Charge Per Acre - $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residence</td>
<td>139</td>
<td>3,100</td>
</tr>
<tr>
<td>Multi-Family Residence</td>
<td>25</td>
<td>6,200</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>13</td>
<td>7,300</td>
</tr>
<tr>
<td>Office/Commercial</td>
<td>58</td>
<td>6,200</td>
</tr>
<tr>
<td>Hotel</td>
<td>12</td>
<td>8,500</td>
</tr>
<tr>
<td>Golf Course</td>
<td>4</td>
<td>5,000</td>
</tr>
<tr>
<td>Stables</td>
<td>7</td>
<td>4,000</td>
</tr>
<tr>
<td>Park</td>
<td>6</td>
<td>5,000</td>
</tr>
<tr>
<td>High School</td>
<td>71</td>
<td>2,300</td>
</tr>
<tr>
<td>High School Easement Slopes</td>
<td>26</td>
<td>1,200</td>
</tr>
<tr>
<td>Open Space *</td>
<td>-0-</td>
<td>600</td>
</tr>
</tbody>
</table>

* 137 acres including school easement not in slopes

RESERVOIR CAPACITY CHARGE

Computation of Reservoir Capacity Charge will be made by multiplying the current rate shown below by the gross area benefited by water service. Where applicable, blue border gross acreage of tract or parcel maps will be used. Lacking these, the areas used will be that shown or computed from current Los Angeles County Assessor’s maps. Final determination of gross area benefited and classification of land use shall be made by the General Manager.

<table>
<thead>
<tr>
<th>Type of Development</th>
<th>Estimated Number Acres</th>
<th>Recommended Reservoir Capacity Charge Per Acre - $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residence</td>
<td>139</td>
<td>2,800</td>
</tr>
<tr>
<td>Multi-Family Residence</td>
<td>25</td>
<td>8,000</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>13</td>
<td>9,800</td>
</tr>
<tr>
<td>Office/Commercial</td>
<td>58</td>
<td>8,300</td>
</tr>
<tr>
<td>Hotel</td>
<td>12</td>
<td>27,700</td>
</tr>
<tr>
<td>Golf Course</td>
<td>4</td>
<td>8,000</td>
</tr>
<tr>
<td>Stables</td>
<td>7</td>
<td>7,200</td>
</tr>
<tr>
<td>Park</td>
<td>6</td>
<td>4,100</td>
</tr>
<tr>
<td>High School</td>
<td>71</td>
<td>5,300</td>
</tr>
<tr>
<td>High School Easement Slopes</td>
<td>26</td>
<td>900</td>
</tr>
</tbody>
</table>
WATER SUPPLY CHARGE

Computation of Water Supply Charge will be made by multiplying the current rate shown below by the annual calculated water demand for the project. The annual project water demand, in acre-feet, will be calculated by multiplying the gross area benefited by water service by the applicable water demand factor, as approved by the General Manager, for the type of development, less any credit for areas being irrigated with recycled water. Where applicable, blue border gross acreage of tract or parcel maps will be used. Lacking these, the areas used will be that shown or computed from current Los Angeles County Assessor’s maps. Final determination of the type of development and of gross area benefited shall be made by the General Manager.

Per Acre-Foot Charge: $2,810
PERMIT TO USE DISTRICT FACILITIES

This is to certify that the undersigned applicant has completed arrangements with the Walnut Valley Water District and has been granted permission, subject to your approval, to take water for construction purposes from Public Fire Hydrant(s) No(s).______, located at beginning __________ and ending on/or before _______________. Water taken from the(se) fire hydrant(s) will _____ will not _____ be metered and applicant must:

_____ Provide and make use of an elevated water storage tank equipped with a float valve which is acceptable to the District and is of sufficient capacity so that a meter flow of ___ 500____ GPM will not be exceeded. (Tank may be required at District’s sole option on any grading project exceeding 5,000 cubic yards of cut or fill.)

_____ Use only approved wrenches in operating valves on fire hydrant head or meter.

_____ Keep area around hydrant and water tank in a clean and neat condition at all times and return area around hydrant to its original condition after completion of water use.

_____ Confirm a “Public” hydrant is being used (if unsure hydrant is public please contact the water district).

The undersigned applicant represents and warrants they have the authority to sign this application and agrees to abide by the conditions set forth above and further understands and agrees to:

1. If Contractor, provide the District with a construction water security deposit in the amount of $2,000.00.

2. If Public Agency, agree to pay for all costs associated with the replacement of the meter should it be lost, stolen, or damaged. Person applying on behalf of public agency must provide agency identification.

3. Pay for metered water used at the metered construction water rate as established in Appendix A of the District’s Rules and Regulations.

4. Be responsible for all bills for construction water, which are due upon presentation and delinquent twenty (20) days after date of invoice.

5. Be responsible for payment of the meter service charge until the District is notified to remove the service.

6. Be advised that, unless otherwise notified, construction service may be removed by the District on the permit expiration date.

7. Be advised that the District has classified water used for construction purposes as surplus water and, in time of water shortage, water rationing, general emergency, or at any time deemed necessary by the District, supply of such water can be terminated without notice.

8. Be further advised that the District does not guarantee any specific quantities or quality of water, pressures or flows with respect to the construction water provided hereunder.

9. Be responsible for payment of the meter service charge and construction water charges until the District is notified to remove the service and for any and all costs incurred by the District in collecting that charge, including any attorneys’ fees and court costs the District may incur in such collection efforts.

(Applicant’s Name)  

(Applicant’s Address)  

(Signature)  

(Phone No.)

APPROVED BY:

WALNUT VALLEY WATER DISTRICT
COMMERCIAL DEVELOPMENT FLOWCHART

Developer approaches District to acquire water service

District supplies checklist and design deposit information to Developer (see Information Required for Design Start-up form)

Developer supplies necessary information and first payment (Design Deposit) to District

District issues Letter of Guarantee to Developer

Developer returns signed Letter of Guarantee? [Yes/No]

Project is assigned to designer for development of Construction Plan and development of Cost Estimate

District sends Cost Estimate with Invoice for second payment (full amount of all costs) to Developer

Developer pays second payment? [Yes/No]

District procures materials and labor contractor in accordance with District Bidding and Contracting Procedures

District proceeds with construction
RECYCLED WATER ANNUAL PERMIT

Permitee: ________________________________
Service Address: ____________________________
Application Area: ____________________________
Intended Use: ________________________________
Account Number(s): __________________________
Module Number(s): ____________________________
Meter Number(s): ____________________________
Meter Size(s): ________________________________

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

1. Permitee shall comply with Articles 8 and 9 of the District Rules and Regulations and State Health Department Regulations (Title 22) regarding cross connections, and the Requirements for the Use of Recycled Water (listed on reverse side), copies of which are available upon request.

2. The facilities described herein shall be constructed and maintained according to District standards by the property owner.

3. Permitee shall provide to the District, prior to rendering recycled water service to the facilities described herein, a complete set of "as-built" plumbing and irrigation plans showing the following:
   a) the location and size of all water pipelines (recycled and potable)
   b) the location of all valves and other appurtenances
   c) the location with respect to all related structures

4. Permitee agrees to allow the District periodic access to the premises during reasonable business hours for the purpose of inspecting the Permitee's system for compliance with District standards for recycled water use.

5. Permitee shall protect, indemnify and hold harmless the District, its officers, directors, employees, agents and representatives from and against all liabilities, cause of action, whether legal, equitable or administrative, damages, claims, demands, judgments, losses, costs, expenses, and shall defend District in any claim, investigation, proceeding or suit, including appeals, for any and all matters which may arise or be claimed to have arisen as a result of any act or omission to act by District or on behalf of District with respect to the construction, installation, operation or repair of the recycled water system and related facilities and with respect to the safe delivery and use of recycled water.

6. Prior to commencement of service, Permitee shall pay to the District all applicable fees and service charges in effect as of the date of issuance of the permit for said service.

7. Permitee shall not change or modify the approved on-site recycled water distribution system without prior written approval of the District. If Permitee changes or modifies the approved system or fails to maintain the approved system in a state of good repair, the District may, in addition to other legal remedies, disconnect recycled water service.

8. Permitee designates the following person, as "Site Supervisor," as having complete working knowledge of the system and delegated responsibility for ensuring the proper use of the on-site recycled water system. Permitee also agrees to notify WVWD of a change in "Site Supervisor."

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

THE TERMS OF THIS PERMIT ARE HEREBY ACCEPTED:
By: ________________________________ Signature ________________________________ Date: ________________________________
E-Mail: ________________________________ Print Name & Title ________________________________

APPROVED BY: ________________________________
Date: ________________________________ Permit Expires: ________________________________

Thomas M. Monk, Production Manager
APPENDIX F
RECYCLED WATER USER REQUIREMENTS

1. No irrigation with recycled water during periods of rainfall and runoff resulting from rainfall.

2. Use of recycled water should not result in problems due to breeding of mosquitoes, gnats, midges, or other pests.

3. Adequate freeboard in recycled water storage ponds must be maintained to prevent overtopping from direct rainfall.

4. The use of recycled water must not cause pollution or a nuisance condition.

5. Recycled water must not be applied to landscaping at a rate that exceeds the vegetative demands or the soil’s capacity.

6. No recycled water irrigation within 50 feet and no impoundment of recycled water within 100 feet of a domestic water supply well.

7. Irrigation spray, mist or runoff shall not enter dwellings, designated outdoor eating areas or food handling facilities, or be allowed to contact drinking water fountains.

8. Irrigation may only take place when the general public is not present, typically between 10 p.m. and 6 a.m., or otherwise specified by the reclaimed water purveyor and/or producer.

9. Reasonable precautions must be taken to prevent overspray and ponding of recycled water.

10. Hose bibs on the recycled water irrigation system are not allowed in areas where the general public has access. Quick couplers only may be used instead.

11. Recycled water use areas that are accessible to the general public must have notification signs at all points of entry (pedestrian and vehicular) that state “RECYCLED WATER-DO NOT DRINK” and include the international “DO NOT DRINK” symbol.

12. Workers handling recycled water facilities must not drink the recycled water, use it to wash their hands or other parts of their bodies or use their tools on the domestic water systems without properly cleaning them.

13. Recycled water may not be used on any unapproved site.

14. Recycled water appurtenances (e.g., valves, controllers) must be clearly identified.

15. No on-site water system (recycled or potable) modifications without the approval of the recycled water provider and/or County Department of Health Services.

16. There must never be a direct connection between the recycled water system and the potable water system.
Account Number: _____________________________
Service Address: _____________________________
Tenant Name(s): _____________________________
Move in Date: _____________________________

Owner Agreement

I/We the undersigned do hereby affirm that I/We are the fee owner(s) of the property at the service address shown above and do hereby grant permission to the holder of this Affidavit, who I/We have identified as tenant above, to institute water service at the above service address. In granting this permission, I/We the undersigned guarantee full payment of any water charges remaining unpaid on this account. I/We also recognize the fact that no new applications will be processed for service at this address until all such unpaid charges are paid in full. I/We declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct. Executed this _____ day of ______________, 20______.

By: ________________________________   _______________________________
    (Owner's Signature)      (Owner's Signature)
    ___________________________  ___________________________
    (Print Name)           (Print Name)

Owners
Address: _____________________________
Telephone: ___________________________

Tenant Agreement

I/We the undersigned have leased from the above-named owner the property at the service address shown above and do hereby assume the responsibility for payment of all water service bills incurred at that property while I/We lease that property. I/We further hereby authorize the above-named owner to access my/our water service account with the Walnut Valley Water District (“District”) for the above property in order to confirm, among other things, water usage and payment history on that account. I/We further will defend, indemnify and hold the District, its officers, officials and employees harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with this Landlord and Tenant Affidavit and Agreement of Responsibility and the Walnut Valley Water District policy.

By: ______________________________  _______  _____________________________  _______
    (Tenant's Signature)            (Date)  (Tenant's Signature)    (Date)
    _____________________________  ___________________________
    (Print Name)           (Print Name)

Telephone: _______________________
APPENDIX H
STATEMENT OF WATER SERVICE TO NEW SUBDIVISIONS

Date

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

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

Gentlemen:

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

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

Very truly yours,

WALNUT VALLEY WATER DISTRICT

Erik Hitchman
Assistant General Manager/Chief Engineer

EH:
APPENDIX I
WILL SERVE LETTER

Date

Name
Company
Address
City, State, Zip

RE: Water Service Availability, Tract ________

Dear ______:

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

1) Developer shall submit to District all plans, designs, and fire department requirements for the Development in order that the District may design the necessary distribution system and other facilities required for the Development in accordance with District Rules and Regulations.

2) Developer shall grant District any and all easements required for water service, together with a policy of title insurance guaranteeing District’s title to such easements.

3) Developer shall, in accordance with District Rules and Regulations, pay all required fees and charges including any required deposit amounts in order to process plans, design, and complete construction of the required on-site and off-site improvements.

4) Developer shall comply with District Rules and Regulations in force and effect at the time water service is requested and as those Rules and Regulations may be amended from time to time including, but not limited to, the payment of any and all District charges, fees, and expenses necessary to provide service to the subject Development.

5) Developer acknowledges that water service to the Development shall be subject to availability of water. In relying upon this representation to provide water service, developer is aware of the restrictions contained herein and the reliance by the District upon Metropolitan Water District as its sole supplier of water for domestic purposes. While there is currently no prohibition against additional connections, the District has the authority to reduce and restrict service connections. The developer further acknowledges that this letter does not constitute any guaranty that at the time of connection water service will be available for the Development.

6) Developer agrees that this water service letter is exclusive to the Development described above (and number of units, if indicated) and may not be transferred or assigned to any other person or for any other purpose without the District’s written consent.
7) Provision of water service to the Development is contingent upon the Development meeting the requirements of any other governmental entity having jurisdiction over such development.

8) This letter and any representations made herein shall be null and void twelve (12) months from the date hereof if water service has not been installed. The developer shall not be entitled to any water connections not made at the time of the expiration of this letter.

9) At any time prior to connection and upon a finding by the Board of Directors that the District is unable to serve the property for reasons beyond its control, this letter may be revoked by the District.

10) The developer for itself and on behalf of its successors agrees to defend, at developer’s expense, any action brought against the District, its agents, officers or employees because of the issuance of any approvals or authorizations obtained herein, or in the alternative, to relinquish such approvals. The developer agrees to reimburse the District for any costs, fees, or expenses the District may incur as a result of any such legal action. Developer further agrees that in conducting the defense of such action, District shall be entitled to engage its own attorneys, the expense of which shall be paid by developer.

11) All service pursuant to this letter shall be in accordance with District Rules and Regulations as they may be amended from time to time. By issuing this letter, the District does not guarantee any specific quantities, pressures, or flows with respect to service provided by the District.

Very truly yours,

WALNUT VALLEY WATER DISTRICT

Erik Hitchman
Assistant General Manager/Chief Engineer

Accepted this ___________ day of _____________, 20__

Company Name

By ________________________________
(Signature)
_______________________________________
(Print Name)
_______________________________________
(Title)
APPENDIX J
Policy and Procedures Implementing the California Public Records Act

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

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

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

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

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

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

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

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

A. No document or record, or any part thereof, shall be removed from the file, notebook, folder, or other compilation in which it is contained.

B. No document or record shall be written on, marked on, or erased, nor shall any writing or information therein otherwise be removed; nor shall any person destroy, mutilate, deface, alter or falsify any document or record. Violations of this rule will be prosecuted pursuant to Government Code §6201.

C. The party examining records shall comply with all instructions of District personnel. District personnel may terminate or restrict the examination as may be necessary to preserve District records.

Section III. Copying Public Records.

A. Within ten days of receipt of a request for copies of identifiable public records, the District will determine whether it will comply with the request, and will thereafter notify the requesting party of its determination and the reasons therefor. In unusual circumstances, as described in Section IV, below, the response time may be extended up to an additional fourteen calendar days.

B. Upon denial of a request in whole or in part, the reviewing official will provide a written response to the request by personal delivery or by mail stating the reasons for the denial, including whether the requested document is exempt from disclosure pursuant to the Act, as described in Sections VI and VII, below.

C. Where a portion of the record requested contains information which is exempt from disclosure under the Act, the reviewing official will make a determination as to whether the non-exempt portion of the record is reasonably segregable from the exempt portion of the record.

D. Upon approval of the request in whole or in part, the requesting party will be notified by writing identifying the documents and records to be produced and stating that the requesting party may obtain the copies to be produced upon payment of the copying costs, as specified in the written response. Unless waived by the General Manager, the District shall determine the cost of reproducing the record or document in accordance with the following:

1. 32¢ for each black & white copy of a document consisting of one or more pages reproduced on paper no larger than 11" x 17".
2. 38¢ for each color copy of a document consisting of one or more pages reproduced on paper no larger than 11” x 17”.

3. $10.00 additional fee charged for certified copies of public documents.

4. Documents larger than 11” x 17” and audio tapes will be furnished at District cost.

5. Electronic format documents will be furnished at District cost, including, if the request requires data compilation, extraction or programming, the cost to construct the requested record and the cost of any programming and computer services necessary to produce a copy of said record.

6. Pursuant to Government Code §81008, reproduction of Statements of Economic Interests (Form 700) will be furnished at a cost of 10¢ per page, plus a $5.00 retrieval fee per request if the statements are five or more years old.

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

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

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

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

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

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

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

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

F. Upon determination by the reviewing official that additional time is required to respond to a request, the District will notify the requesting party in writing of the reasons for the extension and the date on which the District's determination will be available.
no event shall such notice specify an extension to respond to the request for more than fourteen (14) days beyond the time limits provided above.

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

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

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

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

Section VI. Review for Exemption.

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

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

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

D. The reviewing official will determine whether the requested documents or records are exempt from disclosure under the Act, and shall examine records where it is possible that some or all of the requested documents contain information that is exempt. Where
there is both exempt and non-exempt information in a particular document, the official will
determine whether the exempt portions are reasonably segregable from the non-exempt
portions and, where possible, direct District personnel to delete or otherwise redact those
portions of the document which are exempt. Where there is a question as to whether a
particular exemption applies, the reviewing official may consult with District counsel prior
to disclosure.

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

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

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

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

Section VII. Exempt and Non-exempt Records.

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

1. Preliminary drafts, notes, interagency and intra-agency memoranda which
are not retained by the District as permanent records, where circumstances
justify nondisclosure (Government Code §6254(a)).

2. Records pertaining to pending litigation to which the District is a party, or
to claims filed against the District, which were created in connection with
the litigation and were intended to be confidential, until the pending
litigation or claim has been finally adjudicated or otherwise settled.
(Government Code §6254(b)).

3. Personnel records of District staff and employees, the disclosure of which
would constitute an unwarranted invasion of personal privacy.
(Government Code §6254(c)).

4. Medical, dental and other insurance records of District employees and
directors (Government Code §6254(c)).
5. Geological and geophysical data and similar information relating to water systems development which are obtained in confidence from any person (Government Code §6254(e)).

6. Test questions, scoring keys, and other examination data used for employment tests administered by the District (Government Code §6254(g)).

7. The contents of real estate appraisals or engineering or feasibility estimates and evaluations prepared relative to the acquisition of property or to construction or supply contracts, until the property or agreement has been obtained (Government Code §6254(h)).

8. Closed session minutes and legal memoranda and other materials distributed in a closed session of the Board of Directors held pursuant to Government Code §54956.9 (Government Code §6254.25).

9. Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege. (Government Code §6254(k)).

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

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

1. Minutes of Board meetings and agenda materials provided to Directors.

2. Auditors' reports, budgets and financial reports of the District.

3. General fund, expense and disbursement records.

4. All District ordinances, resolutions, regulations, policies and procedures.

5. All Political Reform Act filings by District officers and directors.

6. All correspondence or memoranda maintained in the ordinary course of District business and not subject to statutory exemption.
EXHIBIT A

WALNUT VALLEY WATER DISTRICT
Public Records Request Form

Requesting Party (NAME): ________________________________ (PLEASE PRINT)

Mailing Address: _______________________________________
Phone Number: _______________________________________

1. The Requesting Party requests (CHECK ONE):
   □ That the Walnut Valley Water District provide the documents, records and information described below for the Requesting Party to examine at the District's offices during District business hours.
   □ That the Walnut Valley Water District provide the Requesting Party with photocopies of the documents, records and information described below.

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

3. If the request is for copies of public records, the Requesting Party (CHECK ONE):
   ______ Will return to pick up the copies and will pay for copying costs at the time of pickup.
   (Requesting Party should leave a phone number at which they may be contacted when the copies are ready.)
   ______ Requests that the copies be mailed to the address specified above. (All copying and postage costs must be paid before the copies will be mailed. The District will notify the Requesting Party of the amount of copying costs and postage by telephone or mail at the Requesting Party's choice.)

Dated: ____________________________                                  Signature of Requesting Party

FOR OFFICE USE ONLY

Reviewing Official _______________ Received On _____________ Approved By ______________
Number of Copies ________________ Copying Cost ________ Date Paid ______________

WVWD Rules and Regulations
Last Updated June 2017
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EXHIBIT B
WA L NUT VA L L E Y WA T E R D I S TR I C T
Public Agency Request for Consumer Information

Requesting Agency: _______________________________________________________
Representative Name: ____________________________________________________
Mailing Address: _________________________________________________________
City: __________________________ State: ___________ Zip: __________
Phone Number: __________________________________________________________

1. The Requesting Agency requests (CHECK ONE):
   □ That the Walnut Valley Water District provide the documents, records and information
     described below for the Requesting Agency’s representative to examine at the District’s
     offices during District business hours.
   □ That the Walnut Valley Water District provide the Requesting Agency’s representative with
     photocopies of the documents, records and information described below.

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

3. If the request is for copies of public records, the Requesting Party (CHECK ONE):
   □ Will return to pick up the copies and will pay for copying costs prior to reproduction.
     (Requesting Agency should leave a phone number at which they may be contacted when
     the copies are ready.)
   □ Requests that the copies be mailed to the address specified above. (All copying and
     postage costs must be paid before the copies will be reproduced or mailed. The District
     will notify the Requesting Agency of the amount of copying costs and postage by
     telephone or mail at the Requesting Agency’s choice.)

Dated: _________________________________ Signature of Requesting Agency Representative

FOR OFFICE USE ONLY

Reviewing Official ___________ Received On ___________ Approved By ___________
Number of Copies _________________ Copying Cost ___________ Date Paid ___________
EXHIBIT C

Form of Declaration

I, ____________________________, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration.

2. I currently am serving as the ___________________________ [state employee or director’s position] of _______ Walnut Valley Water District (“District”).

3. On ________________, 20___, I received notice of the need to search my personal electronic device and personal e-mail account for documents that may be responsive to a Public Records Act request the District received from ________________ _______________ [insert name of requesting party] (the “Request”).

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

[OR]

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

[CONTINUE]

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

Dated: ______________________, 20____

____________________________________

[insert name]
APPENDIX K

APPLICATION FORM

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

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

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

If you need help completing the application, or would like more information about the program, call 909-595-1268 or visit our office at 271 S. Brea Canyon Road, Walnut CA 91789, or visit our website at www.wvwd.com.

### Income Requirements

(Effective June 1, 2020 through May 31, 2021)

<table>
<thead>
<tr>
<th>Number of persons living in my home</th>
<th>Maximum total “gross household income” from all sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-2</td>
<td>$ 34,480</td>
</tr>
<tr>
<td>3</td>
<td>$ 43,440</td>
</tr>
<tr>
<td>4</td>
<td>$ 52,400</td>
</tr>
<tr>
<td>5</td>
<td>$ 61,360</td>
</tr>
<tr>
<td>6</td>
<td>$ 70,320</td>
</tr>
<tr>
<td>7</td>
<td>$ 79,280</td>
</tr>
<tr>
<td>8</td>
<td>$ 88,240</td>
</tr>
</tbody>
</table>

For each additional person, add $ 8,960

### What Counts as Income?

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

### What are the Qualifications?

- Must complete and submit the application. Applications will be accepted on a first come, first served basis, contingent upon the availability of funds.
- Must qualify for Southern California Edison’s or Southern California Gas Company’s CARE program.
- Total gross household income cannot exceed the amounts shown on the “Income Requirements” chart above. These amounts are based upon the approved limits set by the CPUC for the CARE program.
- Must be a District residential customer and receive water through a 1-inch or smaller water meter.
- Must provide verification of household income if requested.
- May not be claimed as a dependent on another person’s federal or state income tax return.
- May be required to provide a copy of annual property tax statement, or other documentation requested by the District to evidence home ownership.
- Must reapply each time you move.
- Must notify the District within 30 days if you become ineligible.
- Must have and maintain a good payment history with the District – no terminations of service within the previous twelve (12) months and not more than three (3) late notices during that twelve (12) month period.
- The discount is not transferable with the property.
- Once enrolled, applicants may be required to reapply or to certify continued eligibility if requested. Failure to comply with the request by the District may result in removal from the program.
APPLICATION FORM
Walnut Valley Water District
Walnut Valley Affordable Rate Program (WVARP)

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

Account Number: ____________________________________________
Name (as it appears on your bill): ____________________________________________
Phone Number: ____________________________________________
Street Address: ____________________________________________
City, Zip: ____________________________________________

1. Check the total number of person(s) in your household.
   - One (1)
   - Two (2)
   - Three (3)
   - Four (4)
   - Five (5)
   - Six (6)
   - More than six (6+) number: ______

2. Write the total Gross Annual Income for all person(s) in your household. This is income before deductions from all sources.
   - $____________________

3. Can anyone else claim you as a dependent on his/her Income Tax Return (other than your spouse)?
   - Yes
   - No

4. Check the utility CARE program(s) for which you currently qualify. (check all that apply)
   - Southern California Edison
   - Southern California Gas Company

5. Attach a copy of your most recent utility bill showing enrollment in their CARE program and submit with this application.

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

Signature: ____________________________ Date: ____________________________

Did you complete 1 through 5? If you need help or would like more information about the program, call (909) 595-1268.

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

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

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