

## **PART 1 - GENERAL CONDITIONS AND RULES**

### **PART 1 - SECTION A - DEFINITION OF TERMS**

The following terms shall have meanings as herein defined whenever references are made thereto.

#### **RULE**

- 1-A-1      **DISTRICT:** Any one of Ventura County Waterworks Districts Nos. 1, 16, 17, 19 and 38.
- 1-A-2      **BOARD:** The Board of Directors of the District, the members of which are the members of the Board of Supervisors of the County of Ventura.
- 1-A-3      **APPLICANT:** The person applying for water or sewer service and committing to pay the charges for the water or sewer service.
- 1-A-4      **CUSTOMER:** The person or persons receiving water or sewer service and committing to pay the charges for the water or sewer service. The customer is primarily liable for the payment of the charges for water or sewer service. By receiving water or sewer service, customer agrees that the District may contact customer regarding outstanding bills.
- 1-A-~~54~~a      **OWNER:** The owner of record of the parcel or parcels of real property receiving water or sewer service from the District. The owner is liable for all charges for such water or sewer service in the event the customer does not timely pay such charges. By the parcel or parcels of real property receiving water or sewer service, owner agrees that the District may contact owner regarding outstanding bills.
- ~~1-A-51-A-6~~      **BILLING DATE:** The date upon which charges for services rendered by the District become effective and upon which a bill is generated.
- 1-A-~~75~~a      **MAILING DATE:** The date upon which a water bill or notice is mailed to the customer, not to exceed three business days following the billing date.
- ~~1-A-61-A-8~~      **WATER SERVICES:** The services performed by the District including the following:
- 1-A-~~96~~a      **DOMESTIC WATER SERVICE:** The service performed by the District in supplying water for domestic use, including use of water for household residential purposes, sprinkling lawns, irrigating small gardens and shrubbery, watering livestock, washing vehicles, and the ordinary use of water at residences and business or commercial establishments.
- 1-A-~~106~~b      **AGRICULTURAL WATER SERVICE:** The water service provided for agricultural purposes only.
- 1-A-~~116~~e      **PUBLIC WATER SERVICE:** The class of domestic service supplying water to any tax-exempt property.
- 1-A-~~126~~d      **CONSTRUCTION WATER SERVICE:** The service supplying water for backfilling trenches, compaction, and other construction services.
- 1-A-~~136~~e      **FIRE PROTECTION SERVICE:** The service performed by the District in

supplying water for automatic fire sprinkling systems and maintaining water service at fire hydrant locations.

- 1-A-~~146f~~ **METERED WATER SERVICE:** The service of supplying water through a meter which measures the quantity of water used.
- 1-A-~~156g~~ **FLAT RATE WATER SERVICE:** The service of supplying unmetered water.
- 1-A-~~166h~~ **ENGINEERING AND CONSTRUCTION SERVICES:** Those services performed by employees of the District or the County of Ventura in preparation of plans and specifications, checking the plans submitted by privately employed engineers for water systems proposed to be installed within the District, inspecting the construction of water systems installed by private contractors, and installing water systems in the District paid for from fees or deposits paid for such purposes by private contractors, developers, customers or any other person.
- ~~1-A-71-A-17~~ **SCHEDULE OF RATES:** The schedule of rates, charges, and fees established and authorized by the Board of the District for the various types of services performed by the District. The Schedule of Rates shall be publicly posted and available by, at a minimum, posting on the website of the Water and Sanitation Department.
- ~~1-A-81-A-18~~ **PREMISES:** Property occupied or used by a customer to which water is being supplied by the District or for which water service has been requested.
- ~~1-A-91-A-19~~ **SERVICE CONNECTION or SERVICE LATERAL:** The pipe, valves, and other equipment installed in place, necessary for conducting water from the District's distribution mains to the meter or meter location but does not include the meter or meter box.
- ~~1-A-101-A-20~~ **METERED SERVICE CONNECTION:** The service connection or service lateral including meter and meter box.
- ~~1-A-111-A-21~~ **WATER AND SANITATION DEPARTMENT:** The department of the Public Works Agency of the County of Ventura responsible for the operations, construction, repair, maintenance, budgets, and business of the District, under the direction of the following employees:
- 1-A-~~2211a~~ **MANAGER:** The employee of the Public Works Agency assigned to the Water and Sanitation Department to be in charge of the operations, repair, and maintenance of the District's facilities, or billing and administration, under the direction of the Director.
- 1-A-~~2311b~~ **DIRECTOR:** The employee of the Public Works Agency assigned to the Water and Sanitation Department to be in charge of the operations, budgets, construction, repair, maintenance, and business of the District.
- ~~1-A-121-A-24~~ **ENGINEER:** The Director of the Public Works Agency or his or her authorized representative.
- ~~1-A-131-A-25~~ **PUBLIC WAY:** Any street, alley, highway, or walk dedicated to public use.
- ~~1-A-141-A-26~~ **EASEMENT:** Public way or right-of-way which the District is authorized to use for pipeline or other purposes.

- ~~1-A-15~~1-A-27 **PRIVATE EASEMENT:** An easement in which a customer or other person may have installed a water main for transportation of water furnished by the District, in which easement or pipeline the District has no interest or responsibility, or an easement in which the District may have installed a water line or distribution main, for the transportation or distribution of water to the public by the District, within which easement, the District is to have access at all time for reasons of repairs or maintenance.
- ~~1-A-16~~1-A-28 **MAIN EXTENSIONS:** The extension of distribution pipelines beyond existing facilities, exclusive of service connections.
- ~~1-A-17~~1-A-29 **INTERCONNECTION:** An authorized connection of the distribution system to the distribution system of another water service agency or water system.
- ~~1-A-18~~1-A-30 **CROSS-CONNECTION:** An illegal piping connection or any connection which may cause contamination or backflow or back-siphonage.
- ~~1-A-19~~1-A-31 **PERMANENT SERVICE CONNECTION:** A service connection intended to remain in use two years or more.
- ~~1-A-20~~1-A-32 **TEMPORARY SERVICE CONNECTION:** A service connection requested for use for a period of less than two years.
- ~~1-A-21~~1-A-33 **PRIVATE CONTRACT WORK:** Construction of water mains and related facilities by ~~subdividers~~developers or ~~other~~ persons other than the District, within the District.
- ~~1-A-22~~1-A-34 **AUTHORIZED PRIVATE CONTRACT WORK:** Private contract work authorized by the District.
- ~~1-A-23~~1-A-35 **UNAUTHORIZED PRIVATE CONTRACT WORK:** Private contract work undertaken without authorization by the District.
- ~~1-A-24~~1-A-36 **PRIVATE CONTRACTORS:** A person, not employed by the District or County of Ventura engaged in the installation of water facilities within the service area of the District or within territory being considered for annexation thereto.
- ~~1-A-25~~1-A-37 **PERSON:** Any natural person, firm, corporation, association, organization, partnership, business trust, limited liability company, company or other legal entity, or any district, city or other government unit.
- ~~1-A-26~~1-A-38 **STRUCTURAL IMPROVEMENTS:** Both Capital Improvements and Local System Improvements, including, but not limited to, land, real estate, all classes of water mains, service connections, meter valves, hydrants, pumping plants, electrical systems, water treatment plants, and appurtenances.
- ~~1-A-27~~1-A-39 **CAPITAL IMPROVEMENTS:** Those portions of the structural improvements of a District, the use of which is necessary to the services to, and shared in common by, all customers of the District and shall specifically include:
- (a) Real estate and rights-of-way.
  - (b) Wells.

- (c) Reservoirs.
- (d) Pumping plants and all piping thereon.
- (e) Water treatment plants.
- (f) Water mains which are oversized at the request of the District.
- (g) Local water system improvements undertaken by the District for the
- (h) benefit of the existing customers.
- (i) Pressure reducing stations and all piping thereon.

~~1-A-281-A-40~~ **LOCAL SYSTEM IMPROVEMENTS:** The following ~~structural~~ improvements ~~are considered to be~~ local system improvements:

- (a) Service connections, fire hydrants, valves, fittings, blow-offs, air and vacuum release valves.
- (b) All water mains used for distribution and transmission of water within the boundaries of the proposed development.
- (c) In water mains used both for the transmission and distribution of water, that portion of the cost of a water main in commercial, industrial, and residential areas. The cost of the water main in areas other than commercial, industrial, and residential areas shall be classified as a Capital Improvement.

~~1-A-291-A-41~~ **CAPITAL IMPROVEMENT CHARGE:** The charge for equitable participation in the Capital Improvements of a District as a condition precedent to the supply of water to any residence, building, or parcel of land which has not theretofore been supplied with water by the District.

~~1-A-301-A-42~~ **RESIDENTIAL AREA:** Those land areas zoned R-1 and R-2 with the permitted use confined to family dwelling.

~~1-A-311-A-43~~ **COMMERCIAL AND MANUFACTURING AREA:** All zone classifications and permitted uses, except those within the definition of residential area.

~~1-A-321-A-44~~ **DISTRICT DIVISION DESIGNATION:** Specific areas of Ventura County Waterworks District No. 1 are designated divisions and zones as follows:

- a) The former District No. 1 shall be designated as Division 1 of Ventura County Waterworks District No. 1.
- b) The Improvement Zone No. 1 of former District No. 1 shall be designated as Improvement Zone No. 1 of Division 1 of Ventura County Waterworks District No. 1.
- c) The Improvement Zone No. 2 of former District No. 1 shall be designated as Improvement Zone No. 2 of Division 1 of Ventura County Waterworks District No. 1.
- d) The former District No. 11 shall be designated as Division 2 of Ventura County Waterworks District No. 1.

## **PART 1 - SECTION B - SERVICE AREA MAPS AND LEGAL DESCRIPTIONS**

### **RULE**

**1-B-1** Maps and legal descriptions of service areas and special zones of the District shall be maintained in the office of the County Surveyor.

Although the boundaries of Ventura County Waterworks District No. 38 do not presently include the service area of the Lake Sherwood Mutual Water Company, District No. 38 and its predecessor water provider, Lake Sherwood Community Services District, have served this area since prior to January 1, 2001, and shall continue to serve this area pursuant to Government Code Section 56133, subdivision (e)(4), and Section E of this part shall not apply to that portion of the Lake Sherwood Mutual Water Company service area outside the District's boundaries.

## **PART 1 - SECTION C - DESCRIPTION OF SERVICE**

### **RULE**

**1-C-1** **WATER SUPPLY:**

The District will exercise reasonable diligence and care to:

- (a) Deliver a continuous supply of water to the customer at reasonable pressure, and
- (b) Avoid unnecessary shortages or interruption in the service.

The District shall not be liable for:

- (a) Interruptions of service, shortage, or inadequacy of supply, or
- (b) Any loss or damage caused thereby.

The District shall have the right to temporarily suspend service to any customer, whenever the District deems it necessary to do so, and the District shall not be liable for any loss or damage caused thereby. The causes for temporary suspension of service will be removed by the District without unnecessary delay and with the least inconvenience to the customer.

**1-C-2** **WATER QUALITY:** Whenever domestic service is furnished; the District ~~will endeavor to furnish at all times~~will always endeavor to furnish a steady, safe and potable water supply.

**1-C-3** **CUSTOMER AND WATER SERVICE CLASSIFICATIONS:** Water service provided by the District may be separated into the following customer and water service classifications for the purpose of establishing water rates:

- (a) "Single Family Residential" – individually-metered single-family homes, single unit condominiums, townhomes, or other similar dwellings, service to which may include water for household domestic purposes, sprinkling lawns, irrigating small gardens and shrubbery, washing vehicles, and the ordinary use of water at residences.

- (b) “Agricultural” – a customer that receives water service to a parcel of land that uses water exclusively for the: (a) growing of crops for human consumption or commercial purposes; (b) raising of fowl or livestock for human consumption or commercial purposes; or (c) commercial breeding and training of horses for sale, including training for racing. Agricultural use excludes water used for commercial or noncommercial boarding or riding facilities, stables, equestrian centers, show arenas or event centers, or other similar facilities or operations. For Ventura County Waterworks District No. 1, the serviced parcel of land must be at least five (5) acres. For Ventura County Waterworks District No. 19, the serviced parcel of land must be at least one (1) acre.
- (c) “Non-Tiered Residential” or “Residential Association/Irrigation” – homeowner association common areas, pool areas, and other separately-metered residential irrigation areas.
- (d) “Multi-Family Residential” – multiple residential dwellings through one meter, such as multiple single-family residences on one parcel, apartment and condominium complexes, duplexes, and trailer parks.
- (e) “Commercial” – an entity engaged in the selling of goods and services, such as retail establishments, restaurants, business offices, gas stations, etc.
- (f) “Industrial” – an entity that is engaged in manufacturing, warehousing, or distributing products.
- (g) “Institutional” – an entity that is engaged with the public, having tax exempt status, such as churches, schools, governmental and municipals.
- (h) “Temporary Construction” – service of a temporary, or non-permanent, nature to a person engaged in construction or similar building, landscaping, development, or improvement activities, including service through fire hydrant meters and truck load count accounts (the rate is converted to a “per 1,000 gallon rate”), or any other service being used for construction on a temporary basis.
- (i) “Non-Residential” – refers to service to a customer in any of the following customer/service classifications: commercial, industrial, or institutional.
- (j) “Private Fireline Service” – water service rendered for privately owned fire protection systems, including fire hydrants on private property.
- (k) “Pump Charge” or “Lift Charge” – a charge, in an amount per 100 cubic feet of water usage based on the District’s actual pumping costs to customers in service zones requiring water to be pumped up to a higher zone. If applicable, these pump or “lift” charges will be published in the District’s Schedule of Rates.

## **PART 1 - SECTION D - APPLICATION FOR SERVICE**

### **RULE**

#### **1-D-1**

**APPLICATION FOR SERVICE:** Each applicant for water service will be required to sign a form provided by the District. The application will be regarded as merely a written request for service, and not binding upon the applicant to take service for a period of time longer than that upon which the rates and minimum charge of the selected rate schedule are based.

The application shall show the following information:

- (a) **Name(s)** of applicant(s) responsible for the water bill payment. Two or more persons who join in one application for service shall be jointly and severally liable for payment and shall be billed by means of a single periodic bill.
- (b) **Service address** of the property where water is connected.
- (c) **Billing/mailling address** if different than the service address.
- (d) **Telephone number** ~~must be maintained to correspond of~~ applicant(s).
- (e) **Email Address** of applicant(s) ~~must be maintained to correspond.~~
- (~~d~~)(f) **Assessor's Parcel Number (APN)** ~~Location~~ of premises for proposed service, ~~address, and brief property description.~~
- (g) **Name Property Owner(s)** ~~Name and Address of Owner of Premises in case of tenant's nonpayment. responsible for tenant nonpayment.~~
- (~~e~~)(h) **Date** applicant desires service to begin.
- (~~f~~)(i) **Account** and service type.
- (~~e~~)(i) **Acknowledgment Signature(s)** of applicant(s) ~~acknowledging-agreement agreeing~~ to abide by all Rules and Regulations of the District and pay all bills when due.
- (~~h~~)(k) **Other** information the District may reasonably require.

#### **1-D-2**

**LARGE INCREASE IN USE OF WATER:** Customers making any change in operations on the customer's premises requiring substantial increases in the rates of water flow through the District's facilities shall immediately give the District written notice of the nature of the change.

#### **1-D-3**

**APPLICATION FOR WATER SERVICE:** An application provided by the District must be signed by the applicant(s). Such application shall contain the following provisions:

~~The applicant(s) shall agrees~~ to accept the services applied for subject to these Rules and Regulations and ~~to~~ pay for the services at regular rates. Should ~~the~~ applicant(s) subsequently cancel one or more items of service, such cancellation ~~shall~~ does not change or affect the terms of ~~the~~ applicant's application ~~within~~ respect to the remaining item or items of service.

1. The applicant(s) ~~shall~~ also agrees to give at least twenty-four (24) hours' notice to the District before service is to be discontinued. The provisions of the application, obligating ~~the~~ applicant(s) to accept and pay for service,



shall remain in force until said notice is given and all bills shall be paid in full until the date the District receives said notice of receipt of said notice by the District.

2. The applicant shall further agree to assume all liability for any damage occurring on the premises served by the District, by reason of due to open running faucets, faulty fixtures, or broken pipes on such premises at or after following the commencement of service the time when service is turned on, whether or not at that time there is any responsible person is on the premises being served.

3. Credit forward balances for water service normally due to a former customer shall will not be credited to the account of the new customer at the same service address. Said credit balances shall be refunded to the former customer when a forwarding address is available. When there is not a forwarding address available, said credit balances shall will be deposited in the District's applicable water sales trust fund and shall will be refunded to the former customer upon written request by the former customer to the District. If no such request is submitted within one year, the credit forward balance shall will be credited to transferred and deposited into the District's General Fund.

1-D-4 **PRIVACY OF CUSTOMER DATA:** Staff will not disclose customer data, pursuant to Government Code Section 6254.16.

1-D-5 **ACCURACY OF CUSTOMER DATA:** Customers must maintain account data so the District may communicate regarding service updates or payment requests. Penalty noncompliance fees may be assessed. Customers may can opt out of general notifications request via Email cancellation of outreach communications from the District by email, but may not opt out of payment, emergency, or shutoff notifications from the District.

## **PART 1 - SECTION E – OUTSIDE-OF-BOUNDARY SERVICE CONTRACTS**

### **RULE**

#### **1-E-1**

The District, at its discretion, may provide new or extended services by contract or agreement outside its jurisdictional boundaries as permitted by Government Code Section 56133 and other applicable law. Unless the contract or agreement expressly states otherwise, the District may, with or without cause, with or without advance notice, terminate any such contract or agreement and interrupt or cease any such new or extended services. Although not required to do so, to the extent circumstances reasonably allow, the District will provide advance notice before terminating any such contract or agreement or interrupting or ceasing any such new or extended services. The District's provision of any such new or extended services shall

not, and shall not be deemed to, create any rights to continuing services. Water provided pursuant to any such contract or agreement shall be charged at the rates set forth

| in the District's Schedule of Rates.

## **PART 1 - SECTION F - NOTICES**

### **RULE**

- 1-F-1      **NOTICES TO CUSTOMERS:** Notice from the District to a customer normally will be given in writing delivered via the United States Postal Service to the customer's last known address. Where conditions warrant, and in emergencies, verbal notice or notice by telephone or electronic mail will be deemed adequate.
- 1-F-2      **NOTICES FROM CUSTOMERS:** Notice from the customer to the District may be given, by the customer or the customer's authorized representative, verbally or in writing, at the District's operating offices.

## **PART 1 - SECTION G - SERVICE RULES**

### **RULE**

- 1-G-1      **DOMESTIC SERVICE:** Each house or building under separate ownership must be provided with a separate service connection or connections. Two or more houses or buildings under one ownership and on the same lot or parcel of land may be supplied through one service connection, or a separate service connection may be installed for each building.
- ~~1-G-1a~~      The District reserves the right to limit the number of houses or buildings, or the area of the land under one ownership, to be supplied by one service connection.
- ~~1-G-1b~~      When property provided with a service connection is partitioned, the existing service connection, if any, shall be considered as being assigned to the lot or parcel of land nearest to the meter or service connection.
- ~~1-G-1c~~      A service connection shall not be used to supply water to adjoining property of a different owner or property of the same owner on opposite sides of a public street or alley.
- ~~1-G-2~~      **AGRICULTURAL SERVICE CONNECTIONS:** In a District having
- ~~1-G-3~~1-G-2      agricultural water rates, the purposes of the water requirements of the parcel to be served shall guide the District in its determination of the proper sized meter to be installed. Water used for agricultural purposes shall be separately metered. Agricultural water service may be discontinued, with 30 days' notice, at the option of the District. An agricultural service connection shall not be used to supply adjoining properties.

~~1-G-2a~~

The regulation by the customer of the flow of water from an agricultural meter must be effected by means of a valve installed on the outlet side of the meter, and the installation and maintenance of such a valve shall be at the customer's expense.

~~1-G-41-G-3~~

**AUTOMATIC FIRE SPRINKLER SERVICE CONNECTIONS:** When an automatic fire sprinkler service connection is installed, the control valve thereon will be left closed and sealed until a written order to turn on the water is received from the customer. After the water is turned on, the District shall not be liable.

for damages of any kind that may occur on or to the premises or property therein served due to the installation, maintenance, or use of such service connection, or because of fluctuation of pressure or interruption of water supply.

~~1-G-3a~~ If water is used through an automatic fire sprinkler service connection for any purpose other than the extinguishing of fires, or a purpose related thereto, the District shall have the right either to place a meter on the automatic fire sprinkler service connection at the customer's expense, and to charge at metered rates for all water used, or to shut off the entire supply of water to the premises through such service connection.

~~1-G-3b~~ The District shall have the right to install and connect with the automatic fire sprinkler service connection at the curb, a service connection for rendering any other type of water service to the same premises served by the automatic fire sprinkler service connection.

~~1-G-3c~~ All automatic fire sprinkler service connections shall be equipped with a District- approved check valve detector device, all at the expense of the customer.

~~1-G-51-G-4~~ **TEMPORARY WATER SUPPLY:** May be provided through~~Temporary water supply may be provided through:~~

- (a) Temporary service connections or
- (b) Fire hydrants

Temporary water supply may be disconnected and/or terminated upon notification by the District.

Water obtained on a temporary basis shall be for use only within the service boundaries of the District. Any use of the water obtained on a temporary basis for use outside the boundaries of the District is subject to Government Code Section 56133.

~~1-G-61-G-5~~ **TEMPORARY SERVICE CONNECTIONS:** Temporary service connections will be disconnected and terminated within two years after installation unless an extension of time is granted by the District.

~~1-G-5a~~ Where a regular service connection of adequate size is available, it may be used for temporary service so long as such connection is not required to supply the property which it enters, provided a temporary service connection number is assigned to it for identification during such usage. A charge, as shown in the District's Schedule of Rates, will be made for arranging temporary service. If such connection is at any time required to permanently serve the property which it enters, said temporary service there must be discontinued.

~~1-G-5b~~ A charge for the installation of a temporary service connection shall be the same as for a regular service connection, as shown in the District's Schedule of Rates.

The applicant shall deposit in cash the amount specified in the District's Schedule of Rates and shall be subject to an additional charge, or entitled to a credit, as provided herein.

~~1-G-5c~~ After a temporary service connection is installed, and the District is requested by the applicant to terminate and remove the service, the cost of disconnecting and terminating the temporary service will then be estimated and added to the installation cost. From this total, the estimated salvage value of the material to be recovered will be deducted, leaving the final net estimated cost of the temporary service connection. If such net estimated cost is greater than the amount of the applicant's original charge, upon demand the applicant shall pay the District such additional sum as is required to make the applicant's aggregate payment equal to the final net estimated cost.

~~1-G-5d~~ When a temporary service connection is disconnected and terminated within two years from the date of installation, the estimated cost of the disconnection and the present value of the material recovered shall be deducted from the deposit charge and the balance (if any) of such deposit shall be refunded to the customer if requested. If the aggregate deposit is less than the sum of the installation charge, the disconnection charge, and the present value of the material recovered, the amount of such deficiency shall be paid by the customer.

~~1-G-5e~~ Where the construction of an installed temporary service connection conforms to the standard requirements of a permanent service connection installation, it may be designated as a permanent service connection at any time, provided all charges for permanent service at its location are paid; and the District will refund to the customer the difference in charges between the temporary service connection and permanent service connection, if the former charge was less than the latter. If the temporary service connection is not metered when it is converted into a regular permanent service connection, and the kind of permanent service to be rendered requires metering, the regular meter charge for the appropriate size of meter shall be paid by the customer.

~~1-G-5f~~ The District reserves the right at any time to set a meter on any temporary service connection and to collect the required meter deposit, and thereafter to charge the regular metered rate for the kind of service to be rendered.

1-G-~~65~~**g** **METER CHARGE CREDITS:** If a metered temporary service connection is disconnected and terminated and the meter is recovered within one month after its installation, upon application, 95 percent of the meter charge, less \$5.00, will be refunded; if within two months, 90 percent less \$5.00; if within three months, 85 percent less \$5.00; if within four months, 80 percent less \$5.00; if within five months, 75 percent less \$5.00; and if after five months and within two years, 70 percent less \$5.00. All refunds of meter deposits shall be made to the customer, and no refund of a meter deposit shall be made if the temporary service connection is not terminated and the meter recovered within two years from its date of setting.

~~1-G-7~~ **TEMPORARY WATER SUPPLY FROM FIRE HYDRANTS:** Water may, on application, be obtained at rates determined by the Director from fire hydrants, for

purposes other than extinguishing fires, in the manner prescribed as follows: When water is to be so procured from a fire hydrant, the applicant shall sign an



application for a fire hydrant permit, wherein the applicant shall specify the location of the fire hydrant to be used and shall agree to pay the required cash deposit or charge therefor to the District. The applicant must at the same time deposit with the District a sum of money to secure payment of its charges for furnishing, installing, removing, inspecting, and renting of the equipment required to be installed on a fire hydrant for such procuring of water.

Water obtained on a temporary basis from a fire hydrant shall be for use only with the service boundaries of the District. Any use of water obtained on a temporary basis from a fire hydrant for use outside district boundaries is subject to Government Code Section 56133.

1-G-76a A minimum charge for the furnishing, installation, removal, inspection, and rental of such equipment on each fire hydrant shall be imposed pursuant to the District's Schedule of Rates.

1-G-76b If the equipment so furnished is damaged through carelessness or abuse, the cost of repairing the same shall constitute a charge against the customer. If any such equipment is removed from the fire hydrant other than by the District's employee and is not recovered by the District, the value thereof shall constitute a charge against the customer.

1-G-76c The fact that some fire hydrants are already equipped with auxiliary valves, or that some customers may desire to furnish their own equipment for installation on fire hydrants, shall not affect or vary this rule or in any way prevent or modify its application.

1-G-8 **SERVICE CONNECTION AND METER INSTALLATION CHARGES:** Where a charge is fixed herein for the installation of the service connection and/or meter, such charge shall be paid in advance by the applicant. Where no such charge is fixed, the District reserves the right to require the applicant to pay an amount as a fixed charge equal to the estimated cost of installation of such service connection and/or meter.

1-G-9 **SERVICE CONNECTION, SIZE, AND LOCATION:** The District reserves the right to determine the size of the service connection and its location in relation to boundaries of the premises to be served. Where possible, the customer's pipe to the curb should not be laid until the service connection is installed. In the event the customer's pipe is laid to the curb prior to the time the service connection is installed, and its location at the curb does not correspond with that of the service connection at the curb, then the customer must bear the additional cost of connecting the service connection pipe with the customer's pipe.

1-G-10 **EXTENSION OF SERVICE PIPE THROUGH BASEMENT WALL:** Where the applicant requires the service connection pipe to be extended through a basement wall, the applicant shall, at the applicant's own expense, provide and

seal the entrance way for such pipe and shall assume all responsibility for

damage caused by leakage through such entrance way and/or by leaking p-pipes, fittings, or meters.

1-G-11 **SERVICE CONNECTION CURB STOP OR VALVE:** Every service connection installed by the District will be equipped with a curb stop or valve on the inlet side of the meter. Such valve or curb stop is intended for the exclusive use of the District in controlling the use of water through the service connection and/or meter. If such curb stop or valve is damaged by the customer to an extent requiring its replacement, the customer shall bear the cost for such replacement. The customer's pipe shall have a wheel valve placed at some known and accessible location between the meter and the building, to control the supply to the building.

1-G-12 **ENLARGING SERVICE CONNECTION AT TIME OF RENEWAL:** When the District replaces a service connection for any reason, such service connection may be enlarged, upon the customer's request and at the customer's expense, the District's estimated cost of which shall constitute a fixed charge.

1-G-13 **MAINTENANCE OF SERVICE CONNECTIONS, METERS, DETECTOR CHECK VALVES, AND HOUSINGS:** All service connections, water meters, detector check valves, and housings installed by the District shall be maintained at its expense, except as may be otherwise provided herein.

~~1-G-12a~~ —Where a two-inch, or larger, stub pipe is laid to the curb to replace one or more old service connections, such old service connection will be disconnected, and the District will lay, connect, and maintain the necessary piping from such new stub pipe to the old location of the meter or to the customer's supply pipe.

1-G-14 **CUTTING, REFITTING, RAISING, LOWERING, OR RELOCATING WATER SERVICE CONNECTIONS, MAINS, ETC.:** Any person — person — making improvements or changes, including road repairs, resulting in the cutting, refitting, raising, lowering, relocating, or damaging in any way of service connections, water mains, fire hydrants, stub pipes, meters, valves, or other parts of the water system shall be liable to the District for all costs incurred by it in making such changes.

1-G-15 **INCREASING SIZE OF DETECTOR CHECK VALVE FOR AUTOMATIC FIRE SPRINKLER SERVICE:** In all cases in which a detector check valve on an installed service connection for automatic fire sprinkler service is recovered by the District because of the substitution of a larger detector check valve, the charge to the customer for furnishing and installing such larger detector check valve shall be the estimated cost of replacement, which estimate shall include a credit for the replaced equipment; and such credit shall be the present value.

1-G-1~~6~~4a **REFUND OF CHARGES FOR DETECTOR CHECK VALVE AND BY-PASS METER UPON DISCONNECTION AND ABANDONMENT OF AUTOMATIC FIRE SPRINKLER SERVICE CONNECTION:** When an automatic fire sprinkler service connection is disconnected and abandoned and the detector check valve and by-pass meter on such service connection are recovered by t

the District, upon written application, a refund of the charge paid by the customer for such detector check valve and by-pass meter will be made in an amount equal to the present value as determined in Part 3 of these Rules and Regulations, less the estimated costs of removing the equipment.

~~1-G-161-G-17~~ **SETTING OF METERS:** The District may install all meters unless installation by another person is authorized by the District.

1-G-185a **OWNERSHIP OF METERS:** The District is the owner of all meters and appurtenances incidental thereto within the District.

1-G-195b **REMOVAL OF METERS FROM INACTIVE SERVICE CONNECTIONS:** The District may at its option remove the meter from any service connection determined to be inactive for more than two billing cycles, for maintenance or for use in another location. The District will reinstall the meter upon the customer's request. In the case of an inactive agricultural meter, if the customer requests discontinuation of service to avoid service charges, the District will remove the meter. However, reinstatement of service shall be at the discretion of the District.

~~1-G-171-G-20~~ **CHARGE FOR SUBSTITUTION OF LARGER METER FOR DOMESTIC SERVICE OR FOR COMBINED AGRICULTURAL AND DOMESTIC**

**SERVICE:** When a meter for domestic service, or for combined agricultural and domestic service, of larger size than the existing meter is to be installed on an existing service connection, or when the existing service connection is disconnected and abandoned and the meter thereon is recovered by the District and a larger service connection and a larger meter are to be installed in the place thereof, the charge required for furnishing and setting such larger meter installation shall be the same as for a new service and meter, less the present value of the recoverable meter and fittings.

~~1-G-181-G-21~~ **SUBSTITUTION OF SMALLER METER TO REDUCE MONTHLY MINIMUM**

**CHARGE:** When substitution of a smaller meter is requested by the customer in order to reduce the monthly minimum charge, and when the minimum charge is related to the meter size, such substitution will be made without charge, provided the delivery of water required through such smaller meter shall not exceed its rated capacity, and provided also that such capacity conforms with the requirements of the Plumbing Code. No credit for a large meter so removed will be allowed.

The allowable change in meter size shall not be less than one size smaller than the customer's piping, except that in no case shall the meter size be reduced below the size determined by application of rules in the Plumbing Code.

~~1-G-191-G-22~~ **DAMAGE TO METERS BY HOT WATER OR STEAM:** The District will furnish, set and maintain all meters.

1-G-18a When a customer becomes responsible for the payment of water bills for any premises served, the meter at that date installed or ~~continued on~~ continued the service

connection is in this rule designated as the “first meter” and any other meter installed on the same service connection, to serve the same premises in  
substitution for a meter damaged in service, is herein designated as “any substituted meter.”

~~1-G-18b~~ The District assumes the liability for the cost of changing and repairing any meter that shall have been damaged by hot water or steam emanating from the premises served in only the following cases:

- 1) When such damage occurs to the first meter; ~~and~~
- 2) When such damage occurs to any substituted meter more than three years after the same shall have been installed; ~~and~~
- 3) When such damage occurs to any substituted meter within three years after the same shall have been installed, and the customer as of the date such damage occurs has not been continuously so responsible for the same at all times since the date of the last previous occurrence of damage to a meter, for which the District assumes liability hereunder.

~~1-G-18c~~ When the first meter is found to have been damaged by hot water or steam emanating from the premises served, notice of such damage will be mailed to the customer responsible for the payment of the water bills, but the customer will not be charged with the cost of changing or repairing the first meter.

~~1-G-18d~~ If any substituted meter be similarly damaged (whether through the fault of such customer or otherwise) and such damage occurs within three years after the last previous meter installed on the same service connection and supplying the same premises was damaged, the cost of changing and repairing such substituted meter will be charged to the customer, provided such customer shall have been continuously so responsible at all times since the date of the last previous occurrence of damage to a meter, for which the District assumes liability hereunder.

~~1-G-18e~~ When a meter is to be replaced, a notice will be left on the premises notifying the customer that the water will be or is being shut off for work on the water meter.

~~1-G-18f~~ In the case of damage to a meter due to excessive flow onto the customer’s premises, the customer shall supply the District, within five (5) working days of the District’s request, the customer’s maximum flow demand. If that demand is ~~in excess of~~ more than the meter’s rating, the customer shall do one of the following at the District’s system:

- 1) Install a larger meter or meter and service line, in accordance with charges established in the District’s Schedule of Rates.
- 2) Approve the installation, by the District, of a device to limit the flow through the meter to its maximum amount.

~~1-G-20~~ ~~1-G-23~~ **CHANGE OF METER LOCATION:** When the location of a meter and/or service is changed at the customer’s request, the cost of making such change

will be charged to the customer, in accordance with the District's Schedule of Rates.

~~NOTE:~~ When the customer requests such change of the location of a meter because of constructing a driveway that is to be paved, instead of moving the meter, a concrete box equipped with a steel cover plate to house the meter may be installed, provided the slope of such driveway is not such as to cause the face of the steel plate to be dangerous to pedestrians walking thereon.

~~1-G-24 APPLICATION FOR WATER SERVICE: No charge will be made for the mere turning on of the water supply upon the opening of a new account for any kind of service. An application provided by the District must be signed by the applicant. Such application shall contain the following provisions:~~

~~The applicant shall agree to accept the services applied for subject to these Rules and Regulations and to pay for the services at regular rates. Should the applicant subsequently cancel one or more items of service, such cancellation shall not change or affect the terms of the applicant's application in respect to the remaining item or items of service.~~

~~The applicant shall also agree to give at least twenty-four hours' notice to the District before service is to be discontinued. The provisions of the application, obligating the applicant to accept and pay for service, shall remain in force until said notice is given and all bills shall be paid in full to date of receipt of said notice by the District.~~

~~The applicant shall further agree to assume all liability for any damage occurring on the premises served, by reason of open faucets, faulty fixtures, or broken pipes on such premises at or after the time when service is turned on, whether at that time there is any responsible person on the premises.~~

#### **USE OF WATER WITHOUT REGULAR APPLICATION FOR SERVICE:**

Any person taking possession of premises where the water supply has been shut off and the curb cock or valve sealed must make proper application to the District to have the water supply turned on. In the event the person turns on the water supply or suffers or causes it to be turned on, without first having made such application, the person will be held liable for all charges for the water service rendered, the amount thereof to be determined, at the election of the District, either by the meter reading or on the basis of the estimated consumption for the length of time service was received without proper application.

~~1-G-21a—25~~ **TAMPERING OR TURNING ON WATER:** Tampering with a water meter or the turning on of water at a water meter without District consent is a violation of these Rules and Regulations and Penal Code Section 498 and constitutes a misdemeanor. Any person who tampers with a District meter or water supply is subject to a fine, plus costs of all repairs, labor and damages to District property. When the District finds that water is being used without proper application, the customer or other person will be notified, and if application for such service is not made promptly thereafter and the District immediately

compensated for water already used, the supply will be shut off without further notice.

**1-G-26 DISCONTINUANCE OF WATER SERVICE:** ~~A No fee will be charged~~ ~~d-will be made~~ for shutting off water supply ~~and~~ for reading the meter upon closing the account as specified in the District's Schedule of Rates.

~~1-G-22a~~ When a customer makes application for water service for specified premises, the customer will be charged for water service on such premises until the customer requests the service to such premises be discontinued.

~~1-G-24~~ **1-G-27 READING OF METER AND BILLING:** Under ordinary conditions, each continuous service meter will be read monthly on approximately 28 to 35 days for one billing cycle to the next and a bill thereupon rendered, showing the period covered by the meter reading, ~~or~~ ~~r~~ ~~R~~ the amount of water used, and the total charge for the service rendered. Fire service meters may, at the option of the District, be read semi-annually or annually. However, monthly bills shall be rendered for the ~~monthly fire~~ ~~monthly~~ ~~service~~ fire service charge. ~~R~~ ~~R~~ Notice may be given by the District ~~for~~ if large or unusual meter registration. The customer is responsible for paying all water that passes through the meter.

~~1-G-23a~~ Where the meter is found to be out of order, or when a meter reading cannot be obtained, the charge for water will be based, at the option of the District, on an estimated meter reading. Such estimates may be computer generated based on previous usage for the property or on the consumption as registered by a substituted new meter. Consideration may also be given to the average monthly consumption adjusted to seasonal demand for the current billing period. Consideration may also be given to volume of business, seasonal demand, and other factors that may assist in

determining an equitable charge.

~~1-G-23b~~ When the meter is temporarily covered by building or other material, or when a mobile construction meter has been moved to a new location without the District's knowledge, so that it cannot be read, the charge for water will be based, at the option of the District, on estimated water usage. Such estimates may be computer generated based on previous usage for

the property, and a bill or series of bills for the billing period, will be rendered. Estimated water usage may be adjusted if necessary when the meter is first thereafter read. The District may notify the customer of the inaccessibility of the meter and may charge the applicable fee for the notice as specified in the District's Schedule of Rates. ~~R~~

~~1-G-23c~~ When the water meter or water lines within a private easement are not accessible to the District due to locked gates, fences, livestock, dogs, or any other condition for more than 60 days, the District will, at its option:

- 1) Remove the meter and/or terminate service until the inaccessibility is eliminated. Notice of the District's intent to do so will be given to the customer after the first incident of inaccessibility.



- 2) If the water meter and/or the water lines within a private easement remain inaccessible or their location inhibits or excludes District access, the water meter and/or water lines may be relocated at the determination of the District, and all relocation costs, including, but not limited to, materials and labor, will be billed to the customer.

**1-G-251-G-28 SHUTTING OFF WATER SUPPLY FOR EMERGENCY REPAIRS OR FOR CHANGES, ETC., IN OR AFFECTING THE DISTRIBUTION SYSTEM:** The District reserves the right at any and all times to shut off the water for the repairing, extending, or altering of water mains, the repairing and placing of fire hydrants, the repairing and renewing of water service connections, or the changing and testing of water meters or detector check valves.

**1-G-261-G-29** When the water supply is to be shut off for any of the above reasons, the District will make a reasonable effort to deliver a notice of the shut-off to the customer or to some responsible person on the premises, but it does not assume any liability for the failure of the customer to receive or to understand such notice.

**1-G-25a** The District will not be responsible for the maintenance of pressure, nor for the continuity of water supply, and customers dependent upon a continuous water supply should provide adequate storage for emergencies. Customers having water heaters or other devices requiring a continuous water supply should take all necessary steps to prevent damage to, or the causing of injury by, such devices ~~as a result of~~ because of the shutting off of the water supply.

**1-G-25b** The District shall not be responsible for water pressures for any customers located at high elevation beyond normal District water pressures. Nor is the District obligated to extend water services to those areas beyond existing District water mains and/or off the public rights-of-way.

~~**1-G-25c** Credit forward balances for water service normally due to a former customer shall not be credited to the account of the new customer at the same service address. Said credit balances shall be refunded to the former customer when a forwarding address is available. When there is not a forwarding address available, said credit balances shall be deposited in the District's applicable water sales trust fund and shall be refunded to the former customer upon written request to the District. If no such request is submitted within one year, the credit forward balance shall be credited to the District's General Fund.~~

**1-G-271-G-30 LEAKING PIPES OR FIXTURES ON THE PREMISES SERVED:** The District's control and responsibility ends at the curb shut-off or meter, and the District will in no case be liable for damage caused by, or in any way arising out of, the running or escape of water from open faucets, burst pipes, or faulty fixtures on the premises.

**1-G-3126a CUSTOMER RESPONSIBILITIES:** All piping and appurtenances installed by the customer on the customer's premises shall remain the property of the customer and the maintenance thereof shall be the customer's sole responsibility. Water provided to the property, on the customer's side of the



meter, including water from leaks, must be paid for by the customer. The District's control and responsibility shall end at the customer's side of the meter. The District shall in no case be liable for damages caused by, or in any way arising out of, the running or escape of water from open faucets, burst pipes, or faulty fixtures on the premises.

~~1-G-26b~~ When it becomes necessary to shut off the water supply to the entire premises, the customer may use the customer hand valve within the meter box on the customer side of the meter, if one has been installed. Upon request, for emergency purposes, the District may, without charge, shut off its control valve on the inlet side of the meter with the understanding that the District will turn on the water after repairs have been made.

~~1-G-26c~~ Every service connection is equipped with a control valve on the inlet side of the meter which may be used by the customer when necessary to shut off the water supply from the entire premises. Upon request, day or night, the District will, without charge, shut off such control valve for emergency purposes, upon the understanding that the customer will turn on the water after repairs shall have been made.

**NOTE:** For convenience and safety, the water pipe on the customer's premises shall be equipped with a wheel valve, placed at some known accessible location between the meter and the building.

~~1-G-281-G-32~~ **TAMPERING WITH DISTRICT PROPERTY:** Except as provided elsewhere in this rule, no person, other than an authorized District employee, shall at any time or in any manner operate, or cause to be operated, any valve in or connected with a water main, service connection, or fire hydrant, or tamper or otherwise interfere with any water meter, detector check valve, or other part of the water system. No person shall deposit, or cause to be deposited, any substance or liquid in any water main or pipe of the District or do anything which might cause any water supplied or furnished by, or belonging to, the District to become polluted, or take water from any service without first securing permission from the District.

~~1-G-27a~~ In the event a person for any reason damages an angle meter valve or valve controlling a water supply, or damages a meter cover or its center piece, or causes any such act to be done, such person will be held liable for such damage.

~~1-G-27b~~ The District may notify the customer about ~~the notice as specified in the District's Schedule of Rates.~~ any tampering with the District property and may charge the applicable fee for such

The District may impose a fine of up to \$250.00, plus the cost of labor and materials to repair any damages, against any person found to be tampering with District property or engaged in the unauthorized operation of any part of the water system.

~~1-G-291-G-33~~ **RIGHT OF INSPECTION OF AND ACCESS TO CUSTOMER'S PREMISES:**

By accepting service from the District, the customer agrees that authorized agents and employees of the District shall have the right of entry and access, at all

reasonable times, in, to and upon the customer's buildings, grounds or premises,  
or any part thereof (including any and all plumbing, water piping, \_

fixtures, or connections located, used, ~~maintained~~maintained, or operated therein or thereon), for the purposes of:

- 1) Reading of meters and/or repairs and maintenance to the meter or water system.
- 2) Determining the existence, operation, and/or use in, on, or about such buildings, grounds, or premises for:
  - Any plumbing or water piping which may now or hereafter cause, create, or permit backflow, back-siphonage, or any other condition affecting or likely to affect the purity and/or potability of the water supply furnished by the District.
  - Any source such as hot water which could damage District equipment such as meters.
  - Any source of water supply which may now or hereafter be connected with the water supply system of the District.
  - Any source of pressure, vacuum, contamination or pollution (including any and all equipment, fixtures or appliances connected or used therewith or therefor) affecting or likely to affect the purity and/or potability of the water supply of the District.
- 3) Facilitating the enforcement, from time to time, of ~~any and all~~all applicable laws and Rules and Regulations of the District.

~~1-G-28a~~—Such authorized representatives of the District shall be furnished with and upon the request of any customer shall display, appropriate identification.

~~1-G-28b~~—If the District shall ascertain that a condition affecting the purity and potability of the water supply in any District exists in, on, or about any building, grounds, or premises in violation of any law, rule or regulation of this State, or any ordinance of the County of Ventura, or any of these Rules and Regulations, the District shall:

- (i) Immediately notify the person owning and/or controlling such building, grounds, or premises of the existence of such condition; ~~and~~
- (ii) Require of such person compliance within a reasonable time (to be stated in said notice) with any such law, ordinance, rule or regulation so violated; and
- (iii) Further notify the person that, for the failure to so comply within said described period, the District will take, or cause to be taken, by the appropriate authority, such steps to enforce such compliance, to remedy such condition, and/or to protect the interests of the District, as shall be provided by law or by these Rules and Regulations.

~~1-G-30~~—1-G-34 **EASEMENTS:** The customer shall be responsible for maintaining public utility easements within the customer's property such that the District ~~has access at all times~~always has access to the public utility systems within the easements. No permanent improvements such as buildings, block walls, iron fences, large trees and shrubs and the like shall be placed over the easement

without prior written approval from the District. Where the District must perform maintenance and/or

~~\_construction activity within the easement, it shall not be responsible for replacing said permanent improvements or other prohibited structures. The District must have access to the public utility systems within any easement at all timesmust always have access to the public utility systems within any easement.~~

~~1-G-31 **PROHIBITION OF CROSS-CONNECTIONS:** No physical connection shall hereafter exist or be installed, located, maintained, or operated between the water supply system of any District (including its appurtenant mains, pipes, fixtures, equipment, or appliances), and any other supply system or any sewer or grading system, or any steam, gas, or chemical line, pipe, or conduit, or any device, boiler, tank, or container whereby any contamination or pollution or any dangerous, impure, unsanitary, or unpotable substance (solid, liquid, or gaseous, or any combination thereof) may now or hereafter be introduced to any portion of the water supply system of the District by backflow, back siphonage, or any other method, means, or cause whatsoever.~~

~~1-G-30a Wherever a mechanical or other method or device (approved by the District) may be used for protecting the District's water supply system from any such source of contamination or pollution, any customer shall at the customer's own expense and subject to the final inspection and approval thereof by a person certified for such inspection and repair by the County of Ventura Health Officer, install, maintain, operate, and use the same. Maintenance shall include inspections and operational tests once a year, or more often as required by the Engineer and/or County of Ventura Health Officer.~~

~~1-G-30b The District shall promulgate and shall, upon request, furnish copies to the customer of lists of approved mechanical devices and information concerning the installation of said devices.~~

~~1-G-30c The District shall have the right to discontinue the supply of water to, and to seal or disconnect the services to, the premises of the customer for the customer's failure to comply with, or the violation or infraction of, any of these Rules and Regulations relative to the inspection of the customer's premises for, to the prohibition of, or to the protection of the District's water supply against cross-connections, backflow, or back-siphonage. A customer shall be entitled to reasonable notice of the intent of the District to discontinue the service for the customer's noncompliance with, or violation of, any of such Rules and Regulations, and to a reasonable opportunity to comply with and/or to cease the violation thereof. However, no such notice or opportunity to comply with, or to cease a violation of, any of such Rules and Regulations need be given in those instances in which non-compliance or violation by the customer has created, is creating or is likely to create in the water supply~~

~~system conditions dangerous and detrimental to public health, safety, and welfare.~~

~~1-G-30d **BACKFLOW SHUT-OFF:** Service to customers with a backflow device non-compliance shut-off will be turned back on only between the hours of 8:00 a.m.~~

~~and 5:00 p.m. All backflow device shut-off notices must be cleared by the District administration office.~~

~~1-G-32 In the event that the customer is unable to obtain qualified private inspection services, the District will furnish competent inspection and/or repair service at the rates set forth in the District's Schedule of Rates.~~

## **PART 1 - SECTION H – CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION**

### **RULE**

1-H-1 **GENERAL POLICY:** The regulations of the Department of Public Health of the State, contained in Title 17 of the California Code of Regulations, the standards of the Uniform Plumbing Code, American Water Works Association Standard M14, and the University of Southern California Foundation for Cross- Connection Control and Hydraulic Research Manual of Cross-Connection Control (10th ed.) are applicable for cross-connection control and backflow prevention in the District.

### 1-H-2 **DISTRICT REGULATIONS FOR CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION**

~~1-H-2a~~ **GENERAL:** No water service connection to any premises will be installed or maintained by the District unless the water supply is protected as required by State laws and these Rules and Regulations. Service of water to any premises shall be discontinued by the District if a backflow prevention assembly required by these Rules and Regulations is not installed, tested and maintained, or if it is found that a backflow prevention assembly has been removed or bypassed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected. The customer's system should be open for inspection at all reasonable times to authorized representatives of the District to determine whether cross-connections or other structural or sanitary hazards, including violations of these Rules and Regulations, exist. When such a condition becomes known, the District shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with the State laws relating to plumbing and water supplies and the regulations adopted pursuant thereto and these Rules and Regulations.

~~1-H-2b~~ All existing backflow prevention assemblies that do not meet the requirements in these Rules and Regulations but were approved devices for the purposes described in these Rules and Regulations this section, be excluded from the requirements of these Rules and Regulations so long as the District is assured that they will satisfactorily protect the utility system. Whenever the existing device is moved from the present location or requires more than minimum maintenance (e.g., no replacement parts required) or when the District finds

that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of these Rules and Regulations.

**1-H-~~32c~~ WHEN BACKFLOW PREVENTION IS REQUIRED:**

1. In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the District, the public water system shall be protected against backflow from the premises (i.e., irrigation services).
2. In the case of premises on which any industrial fluid or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises. This shall include the handling of process waters and waters originating from the utility system which have been subject to deterioration in quality.
3. In the case of premises having (1) a cross-connection that cannot be permanently corrected or controlled or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises.
4. In the case of premises having industrial or commercial facilities, the public water system shall be protected against backflow from the premises.

**~~1-H-31-H-4~~ ACCEPTABLE BACKFLOW PREVENTION ASSEMBLIES:** The District will not accept any backflow prevention assembly for cross-connection protection other than an approved air gap separation or a reduced pressure principle backflow prevention assembly unless otherwise approved by the District. An exception will be the installation of an approved double detector check valve assembly on fire lines for sprinklered buildings or on private fire hydrant lines.

**~~1-H-41-H-5~~ REDUCED PRESSURE PRINCIPLE DEVICE (RP):** Commonly referred to as an RP or RPP, this device consists of two independently acting check valves, together with an automatically operating pressure differential relief valve located between the two check valves. The first check valve reduces the supply pressure at a predetermined amount so that during normal flow, and at cessation of normal flow, the pressure between the two check valves shall be lower than the supply pressure. If either check valve leaks, the relief valve will discharge to the atmosphere. This will maintain the pressure in the zone between the two check valves lower than the supply pressure. The unit also has two shut-off valves (one upstream and one downstream of the checks) and properly located test cocks for field testing.

**1-H-~~64a~~ INSTALLATION:** An approved RP assembly, the same size as the water meter, shall be installed on the customer water line as close as practical to the

\_meter (not to exceed 10 feet unless otherwise approved by the District). Unprotected outlets shall not be installed between the meter and the RP device. This unit shall be installed a minimum of 18 inches and not more than 36 inches above finish grade with a minimum of 12 inches of side clearance. The unit shall not be installed in an enclosed structure.

1-H-~~74b~~ **APPROVED RP DEVICES:** Any backflow prevention assembly required herein shall be a model approved by the District. The term “Approved Backflow Prevention Assembly” shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association (AWWA) entitled AWWA C506-84 Standards for Reduced Pressure Principle and Double Check Valve Backflow Prevention Devices and has met completely the laboratory and field performance specifications as set forth in Chapter 10, Specifications of Backflow Prevention Assemblies, of the Manual of Cross-Connection Control (10th ed.) of the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research (FCCCHR).

Final approval shall be evidenced by a “Certificate of Approval” issued by an approved testing laboratory certifying full compliance with the said AWWA standards and FCCCHR specifications.

The following testing laboratory has been qualified by the District to test and certify backflow preventers:

\_Foundation for Cross-Connection Control and Hydraulic Research University of Southern California

\_University Park Los Angeles, California 90089-0231

Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the District.

The list of approved RP assemblies is issued and maintained by the Ventura County Environmental Health Division. The District should be consulted for the currently approved list.

1-H-~~84e~~ **TESTING:** It shall be the duty of the customer at any premises where the backflow prevention assemblies are installed to have certified inspections and operational tests made at least once per year. Where the District deems the potential hazard of backflow to be significant, certified inspections at more frequent intervals may be required. These inspections and tests shall be performed by a certified tester approved by the District. It shall be the duty of the District to see that these tests are made in a timely manner. The customer shall notify the District in advance when the tests are to be undertaken so that an official representative of the District may witness the tests. These assemblies shall be repaired, ~~overhauled~~ ~~or~~ overhauled or replaced at the expense of the customer whenever said assemblies are found to be defective. Records of such tests, repairs and overhaul shall be kept by the customer and made available to the District upon request.



| 1-H-9

**AIR GAP:** An air gap is a physical separation between the free-flowing discharge end of a potable pipeline and an open or non-pressure receiving vessel. To have an acceptable air gap, the end of the discharge pipe has to be at least twice the diameter of the pipe above the topmost rim of the receiving vessel, but in no case can this distance be less than one inch.

1-H-10      **PROHIBITION OF CROSS-CONNECTIONS:** No physical connection shall hereafter exist or be installed, located, maintained, or operated between the water supply system of the ~~any~~ District (including its appurtenant mains, pipes, fixtures, equipment, or appliances), and any other supply system or any sewer or grading system, or any steam, gas, or chemical line, pipe, or conduit, or any device, boiler, tank, or container whereby any contamination or pollution or any dangerous, impure, unsanitary, or unpotable substance (solid, liquid, or gaseous, or any combination thereof) may now or hereafter be introduced to any portion of the water supply system of the District by backflow, back siphonage, or any other method, means, or cause whatsoever.

Wherever a mechanical or other method or device (approved by the District) may be used for protecting the District's water supply system from any such source of contamination or pollution, any customer shall at the customer's own expense and subject to the final inspection and approval thereof by a person certified for such inspection and repair by the County of Ventura Health Officer, install, maintain, and operate, ~~and use~~ the same. Maintenance shall include inspections and operational tests once a year, or more often as required by the Engineer and/or County of Ventura Health Officer.

The District shall promulgate and ~~shall~~, upon request, furnish copies to ~~the~~ customer ~~of~~ lists of approved mechanical devices and information concerning the installation of said devices.

The District shall have the right to discontinue the supply of water to, ~~and seal or disconnect the services to,~~ the Ppremises of ~~the~~ customer for ~~the~~ customer's failure to comply with, or the violation ~~or infraction~~ of, any of these Rules and Regulations relative to the inspection of ~~the~~ customer's Ppremises ~~for, to the prohibition of, or to ensure the protection of the District's water supply against~~ from cross-connections, backflow, or back-siphonage. A customer shall be entitled to reasonable (i) ~~reasonable notice of the District's the intent of the District to discontinue the service due to for the~~ a customer's failure to comply with or violation of noncompliance with, or violation of, any of such ~~these~~ Rules and Regulations, and (ii) ~~to a reasonable opportunity to comply with and/or to cease the any violation thereof. However, no such notice or opportunity to comply with, or to cease a violation~~ violating of ~~these, any of such Rules and Regulations are required need be given in those instances in which~~ where a customer's non-compliance or violation is creating by the customer has created, is creating or is likely to create in the water supply system conditions that are dangerous and detrimental to the public's health, safety, and welfare.

1-H-11      ~~1-H-11~~      **BACKFLOW SHUT-OFF:** The District will resume water services

during the hours of 8:00 a.m. and 5:00 p.m. All backflow devices shut-off notices must be cleared prior to resuming water service.

If the customer is unable to obtain qualified private inspection services, the District will furnish competent inspection and/or repair service at the rates set forth in the District's Schedule of Rates.

## **PART 1 – SECTION I - CAPITAL IMPROVEMENT CHARGES AND LOCAL SYSTEM IMPROVEMENT CHARGES**

### **RULE**

- ~~1-1-1 — **CHARGES:** As a condition precedent to receiving water service for any residence or building or parcel of land which has not theretofore been supplied with water by the District, there shall be paid to the District a Capital Improvement Charge in accord with the District's Schedule of Rates, except as defined in this section. The Capital Improvement Charge shall not include charges for service and meter connections, which charges shall be paid separately as required elsewhere in these Rules and Regulations.~~
- ~~1-1-2 — **AGRICULTURAL SERVICE:** In the case where water service is requested for any land and/or parcel for agricultural purposes only and the District has facilities available or no expenditure of District funds is required to provide such service, the District may, at its option, waive payment of the Capital Improvement Charge. However, the Capital Improvement Charge shall be paid prior to development of the property for a use other than agricultural.~~
- ~~1-1-3 — **SERVICE TO USERS OUTSIDE DISTRICT:** The furnishing of water to any residence, building or parcel of land outside the District's jurisdictional boundaries pursuant to Section E of this part shall not excuse such residence, building or parcel of land from the requirements of this section in the event such parcel of land, or any land on which any such residence or building is located, is annexed to the District. In such event, the payment of a Capital Improvement Charge shall be a condition precedent to the continuation of water service to such residence, building or parcel of land.~~
- ~~1-1-4 — .~~
- ~~1-1-5 — **TIME OF PAYMENT:** The Capital Improvement Charge shall be paid in full prior to issuance of a water will serve letter, and/or prior to the commencement of any work necessary to furnish water to any residence, building or parcel.~~
- ~~However, in a case where a person owns a parcel of land larger than ten acres in size but desires water service for only a small portion thereof, and if the District is financially able to do so, it may, at its option, collect the Capital Improvement Charge for only that portion of the parcel that is to be developed. At such time as further development of the parcel occurs, the then applicable~~

~~Capital Improvement Charge shall be paid for the remainder.~~

~~1-1-6 **CONTRIBUTIONS AND GRANTS OF CAPITAL IMPROVEMENTS:** In an amount agreed upon by the grantor and the District all or any part of one or more Capital Improvement Charges may be reduced by deducting therefrom~~

~~the actual cost of any Capital Improvement, or the fair market value of any real property, contributed or given to the District and expressly accepted by the District in lieu of all or part of the Capital Improvement Charge due upon any residence or building.~~

- ~~1-1-7 **IMPROVEMENT ZONE:** Capital Improvement Charges shall not be collected by the District for ministerial development on existing parcels whenever an improvement zone has been established and local and Capital Improvements have been or are to be financed by the proceeds of bonds issued as special obligations of said zone. The term improvement zone shall refer to any area within a District which has been set up pursuant to Water Code Section 55650 to provide for financing of facilities and improvements of benefit to such zone that are not of District-wide benefit.~~

~~All parcels requesting discretionary land use entitlements shall be assessed Capital Improvement Charges according to these Rules and Regulations.~~

~~Whenever the ownership of any property within such improvement zone is held or acquired by a non-taxable entity, such entity shall be subject to meter and Capital Improvement Charges. The amount of such Capital Improvement Charge shall be determined by the Director and shall be calculated in such a manner as to include only those costs of Capital Improvements which are required to provide adequate service for such non-taxable entity. In no event shall said Capital Improvement Charge exceed that charged non-taxable entities for lands located within the District but not within an improvement zone.~~

- ~~1-1-6a **EXCEPTION TO CAPITAL IMPROVEMENT CHARGES:** Capital Improvement Charges shall not be collected by the District for the lots developed by LSR, the developer of Lake Sherwood Community or the customers served by the Lake Sherwood Mutual Water Company, at the time of adoption of these Rules and Regulations.~~

~~If in the event a special assessment district is formed in any District for the purpose of paying for the cost of constructing water system improvements, including improvements to existing vacant lots, Capital Improvement Charges will not apply.~~

~~**MAIN EXTENSIONS:** Upon payment of Capital Improvement Charges, the District will extend water lines from its facilities which exist in a publicly dedicated and accepted road nearest the lot, parcel or building to be served to a point along such publicly dedicated and accepted road nearest the lot, parcel or building to be served. However, the District shall not be required to provide water service where the cost of providing such service would cause an undue financial hardship on the District as determined by the District Board.~~

- ~~1-1-9 **OFF-SITE CONSTRUCTION:** The developer of any lot, parcel or building shall extend pipelines to the District's facilities to provide the necessary service. Said improvements shall be as required by the District in accord with the District's specifications and subject to the approval and acceptance of the District. Upon~~

~~completion said improvements shall be conveyed to the District together with an adequate easement for their installation, operation and maintenance.~~

~~1-I-10 **LOCAL SYSTEM IMPROVEMENTS AND CHARGES:** As a condition precedent to receiving water service for any residence, or building or parcel of land which has not theretofore been supplied with water by the District, all necessary Local System Improvements shall be furnished and installed by the applicant at the applicant's expense or the applicant shall be charged for said improvements and pay the District the cost thereof computed at the rates described in the District's Schedule of Rates or as computed by the Director. Said improvements shall be as required by the District, in accord with the District's specifications and subject to the approval and acceptance of the District. Upon completion, said improvements shall be conveyed to the District together with an adequate easement for their installation, operation and maintenance.~~

~~1-I-11 **LOCAL SYSTEM IMPROVEMENTS WITHIN IMPROVEMENT ZONE:** Local System Improvements within an improvement zone shall be financed as provided for in the petition or resolution to form the improvement zone as approved pursuant to applicable law.~~

## **PART 1 - SECTION J - WATER SHORTAGES**

### **RULE**

~~1-J-1 **EMERGENCY RESTRICTIONS ON WATER USE**~~

~~1-J-1a **EMERGENCY RESTRICTIONS ON WATER USE DUE TO SYSTEM EMERGENCIES:** If the Director determines that over-consumption of water, loss of pressure in a system, breakdown, or any similar occurrence requires emergency restrictions upon the use of water from any system, the Director shall order such restrictions as the Director in his or her sole discretion deems appropriate under the circumstances.~~

~~Such order may restrict the use of water for sprinkling, manufacturing, or nonessential uses. The use of water for particular purposes may be limited to specified days or hours of a day or altogether prohibited, except that the use of water for drinking, cooking, and sanitary purposes shall not be prohibited.~~

~~Notice of any such order shall be given, either in writing or orally when possible, to customers served by the affected system. Water supply to any premises upon which the use of water is being made in violation of such order may be summarily shut off.~~

~~When the Director determines that the emergency no longer exists, the Director shall, by further order, rescind the restrictions previously ordered. Notice of such order shall be given to customers in the same manner in which the order imposing the restrictions was given.~~

~~1-J-1b **EMERGENCY RESTRICTIONS ON WATER USE DUE TO OTHER THAN SYSTEM EMERGENCIES:** If the Engineer determines that circumstances~~

~~other than those specified elsewhere in this section (such as natural disaster,~~

~~epidemic, accident, war, other violent activity, labor dispute, civil disturbance or state or federal statute or executive or judicial order) require emergency restrictions upon the use of water from any system, the Engineer shall order such restrictions as the Engineer in his or her sole discretion deems appropriate under the circumstances, and then shall obtain ratification of the order from the District's Board at its first meeting following such restriction order.~~

~~Such order may restrict the use of water for sprinkling, manufacturing, or nonessential uses. The use of water for particular purposes may be limited to specified days or hours of a day or altogether prohibited, except that the use of water for drinking, cooking, and sanitary purposes shall not be prohibited.~~

~~Notice of any such order shall be given, either in writing or orally when possible, to customers served by the affected system. Water supply to any premises upon which the use of water is being made in violation of such order may be summarily shut off.~~

~~When the Engineer determines that the emergency no longer exists, the Engineer shall, by further order, rescind the restrictions previously ordered. Notice of such order shall be given to customers in the same manner in which the order imposing the restrictions was given.~~

#### ~~1-J-2~~ **LEVEL 1 WATER SUPPLY SHORTAGE:**

~~1-J-2a A Level 1 Water Supply Shortage exists when the Engineer determines in his or her sole discretion that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists, and a consumer demand reduction is necessary to make more efficient use of water and~~

~~appropriately respond to existing water conditions. Upon the declaration by the Engineer of a Level 1 Water Supply Shortage condition, the Director shall implement the mandatory Level 1 conservation measures identified in this section, effective on the date determined by the Director.~~

~~1-J-2b In addition to the prohibited uses of water identified in Section L of this part, the following water conservation measures apply during a declared Level 1 Water Supply Shortage:~~

~~(i) Exterior Water Use: The District will establish allocations and water rates to achieve the desired reduction in exterior water use.~~

#### ~~1-J-3~~ **LEVEL 2 WATER SUPPLY SHORTAGE:**

~~1-J-3a A Level 2 Water Supply Shortage exists when the Engineer determines in his or her sole discretion that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists, and a consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration by the Engineer of a Level 2 Water Supply Shortage condition, the Director shall implement the mandatory Level 2 conservation measures identified in this section, effective on the date determined by the Director.~~



~~1-J-3b In addition to the prohibited uses of water identified in Rule 1-K-2 of Section K of this part and Section L of this part, the following water conservation measures apply during a declared Level 2 Water Supply Shortage:~~

- ~~(i) Limits on Filling Ornamental Lakes or Ponds: Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to the declaration of a supply shortage level under these Rules and Regulations.~~
- ~~(ii) Limits on Washing Vehicles: Using water to wash or clean a vehicle is prohibited, except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, by high pressure/low volume wash systems, or at a commercial car washing facility that utilizes a re-circulating water system to capture or reuse water.~~
- ~~(iii) Limits on Filling Residential Swimming Pools and Spas: Re-filling of more than one foot and initial filling of residential swimming pools or outdoor spas with potable water is prohibited.~~

~~1-J-4 **LEVEL 3 WATER SUPPLY SHORTAGE – EMERGENCY CONDITION:**~~

~~1-J-4a A Level 3 Water Supply Shortage is also referred to as an “Emergency” condition. A Level 3 Water Supply Shortage exists when the Engineer determines that a significant reduction in consumer demand is necessary to maintain sufficient water supplies for public health and safety, declares a water shortage emergency and notifies District residents and businesses of the emergency. Upon the declaration by the Engineer of a Level 3 Water Supply Shortage, the Director shall implement the mandatory Level 3 emergency conservation measures identified in this section, effective on the date determined by the Director.~~

~~1-J-4b In addition to the prohibited uses of water identified in Rules 1-K-2 and 1-K-3 of Section K of this part and Section L of this part, the following water conservation measures apply during a declared Level 3 Water Supply Shortage:~~

- ~~(i) **No Watering or Irrigating:** Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited. This restriction does not apply to the following categories of use, unless it is determined by the Director that recycled water is available and may be applied to the use:~~
  - ~~a. Maintenance of vegetation, including trees and shrubs, that are watered using a hand-held bucket or similar container or handheld hose equipped with a positive self-closing water shutoff nozzle or device.~~
  - ~~b. Maintenance of existing landscape necessary for fire protection.~~
  - ~~c. Maintenance of existing landscape for soil erosion control.~~

~~d. Maintenance of plant materials identified to be rare or essential to the well-being of protected species.~~

~~e. Maintenance of landscape within active public parks and playing fields, day-care centers, golf course greens, and school grounds, provided that such irrigation does not exceed two (2) days per week according to the schedule established to achieve the desired reduction in exterior water use and does not occur between 9:00 a.m. and 4:00 p.m. except for a short duration, not to exceed 3 minutes per station, for the limited purpose of testing or making repairs to the irrigation system.~~

~~f. Actively irrigated environmental mitigation projects.~~

~~(ii) **Obligations to Fix Leaks, Breaks or Malfunctions:** All leaks, breaks or other malfunctions in the water user's plumbing or distribution system must be repaired within a reasonable time of notification or discovery of the malfunction unless other arrangements are made with the District. A period of forty-eight hours after the water user discovers such malfunction, or receives notice from the District of such malfunction, whichever occurs first, shall be deemed a reasonable time within which to repair such malfunction.~~

~~(iii) **No New Potable Water Service:** Upon declaration of a Level 3 Water Supply Shortage, no new potable water service will be provided, no new temporary meters or permanent meters will be provided, and no statements of immediate ability to serve or provide potable water service (such as will-serve letters, certificates, or letters of availability) will be issued, except under the following circumstances:~~

- ~~a. A valid, unexpired building permit has been issued for the project; or~~
- ~~b. The project is necessary to protect the public health, safety, and welfare; or~~
- ~~c. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District.~~

~~This provision does not preclude the resetting or turn-on of meters to provide continuation of water service or the restoration of service that has been interrupted for a period of one year or less.~~

~~1-J-5 **NO NEW ANNEXATIONS:** Upon the declaration of a Level 3 Water Supply Shortage, the District will suspend consideration of annexations to its service area. This subdivision does not apply to boundary corrections and annexations that will not result in any increased use of water.~~

~~1-J-6 **DISCONTINUED SERVICE:** The Director, in his or her sole discretion, may discontinue service to consumers who willfully violate the Level 3 Water Supply Shortage provisions.~~

~~1-J-7~~ **PROCEDURES FOR DETERMINATION/NOTIFICATION OF WATER SUPPLY SHORTAGE**

~~1-J-7a~~ **DECLARATION AND NOTIFICATION OF WATER SUPPLY SHORTAGE:**

~~The existence of a Level 1, Level 2 or Level 3 Water Supply Shortage shall be declared by the District Board or Engineer. If the declaration is made by the Engineer, the Engineer shall seek ratification of the declaration from the District Board at its first meeting following the declaration. Upon such declaration, all District customers shall be notified in writing of the applicable mandatory conservation measures, the date the measures are to take effect and, by reference to the applicable rule within these Rules and Regulations, the penalties that may be imposed for failing to comply with the measures.~~

~~1-J-8~~ **HARDSHIP WAIVER**

~~1-J-8a~~ **UNDUE AND DISPROPORTIONATE HARDSHIP:** ~~If, due to unique circumstances, a specific requirement of this section would result in undue hardship to a person using water or to property upon which water is used that is disproportionate to the impacts to water users generally or to similar property or classes of water users, then the person may apply for a waiver to the requirements as provided in this section.~~

~~1-J-8b~~ **WRITTEN FINDING:** ~~The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship to a person using water or to a property upon which water is used that is disproportionate to the impacts to water users generally or to similar property or classes of water use due to specific and unique circumstances of the user or the user's property.~~

~~(i) Application: Application for a waiver shall be on a form prescribed by the District and shall be accompanied by a non-refundable processing fee in an amount set by the District.~~

~~(ii) Supporting Documentation: The application shall be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant~~

~~(iii) Required Findings for Waiver: An application for a waiver shall be denied unless the Approval Authority (defined elsewhere in this rule) finds, based upon the information provided in the application, supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the District, all of the following:~~

~~a. That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses;~~

~~b. That because of special circumstances applicable to the property or its use, the strict application of this section would have a~~

~~disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally;~~

~~c. That the authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the District to effectuate the purpose of this section and will not be detrimental to the public interest; and~~

~~d. That the condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent, or general in nature.~~

~~1-J-8c — **APPROVAL AUTHORITY:** The Director shall have approval authority and act upon any completed application no later than twenty (20) days after submittal and may approve, conditionally approve, or deny the waiver. The applicant requesting the waiver shall be promptly notified in writing of any action taken. Unless specified otherwise at the time a waiver is approved, the waiver will apply to the subject property during the term of the applicable Level 1, Level 2 or Level 3 Water Supply Shortage.~~

~~1-J-8d — **APPEALS TO THE DISTRICT:** An applicant may appeal a decision by the Director to deny or conditionally approve a waiver application by filing a written request for hearing with the Engineer within ten (10) days of the Director's decision. The request for hearing shall state the grounds for the appeal. At a public hearing, the Engineer shall act as the Approval Authority and review the appeal in accordance with the standards established in this rule. The decision of the Engineer is final.~~

## **PART 1 - SECTION K - PERMANENT WATER CONSERVATION MEASURES**

### **RULE**

~~1-K-1 — **WATER SAVING DEVICES:** All new customers shall install and use the following water efficient plumbing fixtures:  
(i) Ultra-low volume toilets (1.6 gallons per flush or less).  
(ii) Low flow shower heads (2.0 gallons per minute or less).~~

~~1-K-2 — **WATER WASTE PROHIBITED:** No person shall use or permit the use of District water as follows:~~

~~1-K-2a — Watering of turf, ornamental landscape, open ground crops and trees, in a manner or to an extent which allows water to run to waste.~~

~~1-K-2b — In any manner such that the escape of water through leaks, breaks, or malfunctions within the water user's plumbing or distribution system occurs for any period of time beyond which such break or leak should reasonably have been discovered and corrected. It shall be presumed that a period of forty-eight hours after the water user discovers such leak, break, or malfunction, or receives notice from the District of such condition, whichever occurs first, is a reasonable time within which to correct such condition.~~

- ~~1-K-2c — Using water to wash or clean a vehicle, including but not limited to washing automobiles, trucks, trailers, boats, or other types of mobile equipment, without the 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 subdivision does not apply to any commercial car washing facility.~~
- ~~1-K-2d — Operating any ornamental fountain, or similar structures, unless water for such is recycled for lawful reuse without substantial loss.~~
- ~~1-K-2e — Washing down hard or paved surfaces, including but not limited to washing of sidewalks, walkways, driveways, parking lots or any other hard-surfaced areas by hose or flooding, except as otherwise necessary to prevent or eliminate conditions dangerous to the public health and safety or for other legitimate uses approved by the District, 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 nozzle or device, a low-volume high-pressure cleaning machine equipped to recycle any water used, or a low-volume high-pressure water broom.~~
- ~~1-K-2f — Serving water in eating or drinking establishments, including but not limited to restaurants, hotels, cafés, bars or other public places where food or drinks are sold or served, to customers without first being expressly requested by the customer.~~
- ~~1-K-2g — Running of water or washing with water not otherwise prohibited above which is wasteful and without reasonable purpose.~~
- ~~1-K-2h — Watering of residential, commercial, industrial, and governmental outdoor irrigation from 9:00 a.m. to 4:00 p.m. except for a short duration, not to exceed 3 minutes per station, for the limited purpose of testing or making repairs to the irrigation system. Agricultural customers are exempt from this irrigation schedule but must comply with agricultural irrigation schedules determined by the District.~~
- ~~1-K-2i — Running of water or spraying of water onto other properties.~~
- ~~1-K-2j — 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 for more than ten (10) minutes watering per day per station. This rule does not apply during the establishment period, as determined by the District, for new landscaping.~~
- ~~1-K-2k — Laundering by hotels, motels and other commercial lodging establishments, except where customers are given the option of not having towels and linens laundered daily through the prominent display of written notice of such option in each bathroom using clear and easily understood language.~~
- ~~1-K-2l — Through the installation of single pass cooling systems in buildings requesting new water service.~~
- ~~1-K-2m — Through the installation of non-recirculating water systems in new commercial conveyor car wash and new commercial laundry systems.~~

~~1-K-2n Through the use of non-water conserving dish wash spray valves by food preparation establishments, such as restaurants and cafes.~~

~~1-K-2o Through a commercial conveyor car wash operating without a recirculating water system, or without first securing a waiver of this requirement from the Director.~~

~~1-K-3 **IRRIGATION SCHEDULES:** The district may impose irrigation schedules for outdoor use, including agricultural use, to address water conservation and limited water supply.~~

~~1-K-4 **FAILURE TO COMPLY**~~

~~1-K-4a **CIVIL PENALTIES:** In addition to any other penalties or sanctions provided by law, the following civil penalties shall be imposed for violation of any of the provisions of these Rules and Regulations, to be paid by the customer at the premises at which the violation occurred:~~

~~(i) For the first violation of any of the provisions of these Rules and Regulations, a written notice will be given to the customer.~~

~~(ii) For the second violation of any of the provisions of these Rules and Regulations within the preceding (12) twelve calendar months, a penalty of one hundred dollars (\$100.00) shall be imposed by written notice to the customer. This penalty is payable as part of the water bill, by the customer at the premises at which the violation occurred.~~

~~(iii) For the third violation of any of the provisions of these Rules and Regulations within the preceding (12) twelve calendar months, a penalty of two hundred and fifty dollars (\$250.00) shall be imposed by written notice to the customer. This penalty is payable as part of the water bill, by the customer at the premises at which the violation occurred.~~

~~(iv) For the fourth violation of any of the provisions of these Rules and Regulations within the preceding twelve (12) calendar months, a penalty of five hundred dollars (\$500.00) shall be imposed by written notice to the customer. This penalty is payable as part of the water bill, by the customer at the premises at which the violation occurred.~~

~~The District may also give written notice to the customer indicating that it will install a flow restricting device of 1 GPM capacity for services up to one and one half inch meter size, and comparatively sized restrictors for larger services, on the service of the customer at the premises at which the violation occurred for a period of not less than forty-eight (48) hours. The charge for installing such a flow restricting device will be based upon the size of the meter and the actual cost of installation. The charge for removal of the flow restricting device and restoration of normal service shall be based on the actual cost involved. Said charges shall be payable by the customer as part of the water bill. Restoration of normal service will be performed during the hours of 8:00 a.m. to 4:00 p.m. on regular working~~

| ~~days. In addition, a surcharge penalty of \$100.00 shall be imposed for~~



~~restoration of normal service, payable by said customer as part of the water bill.~~

~~(v) If there are five violations of any of the provisions of these Rules and Regulations within twelve (12) consecutive calendar months, the District may, following notice to the customer as described herein, discontinue water service to the customer at the premises at which the violation occurred.~~

~~1-K-4b~~ **NOTICE:** ~~The District will give notice of each violation to the customer at the premises at which the violation occurred, as follows:~~

~~(i) For a first, second, or third violation, the District may give written notice of such violation to the customer personally or by regular mail.~~

~~(ii) If the penalty assessed is, or includes, the installation of a flow restrictor or the discontinuance of water service to the customer for any period of time whatever, notice of the violation will be given in the following manner:~~

~~a. By giving written notice thereof to the customer personally; or~~

~~b. If the customer is absent from or unavailable at the customer's billing address, place of residence, or place of business, by leaving a copy with an adult at such places, and by sending a copy through the United States mail addressed to the customer at such places, via registered mail return receipts requested.~~

~~c. If service of the notice as provided in a & b above cannot be accomplished, notice can be given by affixing a copy in a conspicuous place on the property where the failure to comply has occurred and also by delivering a copy to a person residing at the property, if such person can be found.~~

~~d. All notices will contain, in addition to the facts of the violation, a statement of the possible penalties for each violation, a statement informing the customer of the customer's right to a hearing on the violation, a brief summary of the appeal process specified in this rule, and the date and time installation of the restrictor or discontinuance of the service will occur.~~

~~1-K-4c~~ **HEARING:** ~~Any customer against whom a penalty is to be levied pursuant to this section shall have a right to a hearing, in the first instance by the Director, with the right of appeal to the Engineer or his or her designee, on the merits of the alleged violation, upon the written request of that customer to the Director within fifteen (15) days of the date of giving notice of the violation. Penalties, including termination of water service, will be stayed until any such hearing is conducted and a written decision is made by the Director or his or her designee and given to the customer.~~

~~1-K-4d~~ **APPEAL OF DECISION OF DIRECTOR:** ~~A request for an appeal must be in writing and filed with the Engineer or his or her designee. The filing by a customer of a request for an appeal for any form of relief must be made within fifteen (15) days of the giving of the decision of the Director to the customer.~~



~~Filing of such a request will automatically stay the implementation of the proposed course of action, pending the decision of the Engineer or his or her designee. No other or further stay will be granted. The appeal hearing will be scheduled to occur within a reasonable period of time following the written notice of appeal. The customer may present any evidence that would tend to show that the alleged violation has not occurred. Formal rules of evidence will not apply, and all relevant evidence customarily relied upon by reasonable persons in the conduct of serious business affairs will be admissible, unless a sound objection warrants its exclusion as determined by the Engineer or his or her designee. The decision of the Engineer or his or her designee shall be final.~~

~~1-K-4e — **RECONNECTION:** Where water service is disconnected, as authorized above, it will be reconnected upon correction of the condition or activity and the payment of the estimated reconnection charge and other applicable charges.~~

~~1-K-4f — **PUBLIC HEALTH AND SAFETY:** Nothing contained in these Rules and Regulations shall be construed to require the District to curtail the supply of water to any customer when, in the discretion of the Engineer or his or her designee, such water is required by that customer to maintain an adequate level of public health and safety.~~

## **PART 2 - WATER RATES AND SERVICE CHARGES, ESTABLISHING SERVICE AND DELINQUENT ACCOUNTS**

### **PART 2 - SECTION A - STANDARD RATES AND CHARGES**

#### **RULE**

2-A-1 **SCHEDULE OF RATES:** The District's Schedule of Rates shall contain all current water rates, rate structures, monthly service charges and other regular charges or fees for customers of the District. The Schedule of Rates shall be determined by resolution of the Board of the District and shall be made publicly available by, at a minimum, posting on the website of the Water and Sanitation Department.

2-A-2 **TRUST DEPOSIT FROM APPLICANTS:** A prepaid trust deposit shall be required in an amount sufficient to cover an average bill for water and, if applicable, sewer service for the property.

\_\_\_\_\_ Where an average bill amount cannot be determined or is deemed inappropriate by the Director or his or her authorized representative, a minimum trust deposit of \_\_\_\_\_ \$50 will be charged.

\_\_\_\_\_ At the option of the District, new customers that provide a credit reference letter demonstrating an acceptable payment history from any prior utility service may be exempted from the trust deposit requirement.

\_\_\_\_\_ An existing customer, applying for new service, who during the past 12 consecutive months has paid all water bills without a "Notice of Pending Disconnection" being issued for nonpayment, and who has demonstrated an overall timely payment history, and who applies for service for a new account, shall have the trust deposit waived.

\_\_\_\_\_ A customer who has received a "Notice of Pending Disconnection," and has established a pattern of delinquency, may be required to re-establish a trust deposit. A customer who has received a shut-off notice for nonpayment may, at the option of the District, be required to establish a trust deposit equal to two times the average bill during the past twelve months.

A customer who, during a 12-month period, has two or more returned checks will be required to pay all billings for a period of one year with cash, cashier's checks, money orders, or, if approved by the Director, through automatic withdrawal, and may at the option of the District be required to post a trust deposit, in an amount up to two times the average bill. The cash-only requirement may be continued indefinitely for customers with an established pattern of returned checks. Trust deposit amounts may be rounded, at the option of the District, for ease of posting and accounting purposes. At the option of the District, trust deposits may be charged to the account for water service and may be payable with the next ensuing water bill.

Trust deposits ~~will be~~ refunded as a credit to the account ~~for water service~~ at the end of ~~twelve (12) months~~ ~~one year~~, provided payments have been made on a timely basis and ~~there is~~ a satisfactory credit rating as calculated by the billing system, and are without interest.

Trust deposits not refunded will remain on the account for another twelve (12) months and ~~are without~~ incurring interest.

**2-A-3 PASS THROUGH AND REFUND OF POTENTIAL SURCHARGES:** The Calleguas Municipal Water District (Calleguas) from time to time may impose surcharges against the District for excessive water consumption. In anticipation of the imposition of such surcharges, if the Director determines, in his or her sole discretion, that Calleguas is reasonably likely to impose a surcharge, the District may, in its sole discretion, after notice to affected customers (parcel owners or directly-billed tenants), impose and collect surcharges from certain customers, subject to the refund rights, described below.

In the event that a surcharge is imposed by the District and paid by or on behalf of the customer, but Calleguas does not impose a corresponding surcharge against the District, the District shall refund the surcharge (without interest), in the manner determined by the Director, within 60 days after the District determines that Calleguas will not impose a corresponding surcharge. If the Director determines, in his or her sole discretion, that Calleguas is unlikely to impose a corresponding surcharge, the Director may allow customers to defer payment of these surcharges until and unless Calleguas imposes a corresponding surcharge on the District.

## **PART 2 - SECTION B - MISCELLANEOUS CHARGES AND FEES**

### **RULE**

**2-B-1 MISCELLANEOUS CHARGES:** The District's Schedule of Rates shall contain all miscellaneous fees applicable to customers of the District. These shall be determined by resolution of the Board of the District and shall be made publicly available by, at a minimum, posting them on the website of the Water and Sanitation Department (see "Miscellaneous Fees Schedule" ~~tab~~).

### **2-B-12-B-2 CONSTRUCTION WATER SERVICE (UNMETERED TRUCK LOADS):**

Unmetered water service shall be considered a temporary water supply and is interruptible. Charges for unmetered water supplies in any District for construction purposes shall be computed at the temporary construction water rate.

**2-B-22-B-3 CONSTRUCTION FIRE HYDRANT METER WATER SERVICE (METERED):** The District may require that all water used in construction be metered, in which event the District will furnish, install and remove the meter, valve, and fittings to be located at a fire hydrant or other convenient point in the system.

If the Ventura County Fire Protection District requests that the fire hydrant openings be unobstructed ~~at all times~~ always, the customer is responsible for paying a charge of \$100.00 shall be paid for the installation and removal of a tee and extra valve.

The applicant shall be responsible for the loss or damage to the meter or other equipment used.

The fire hydrant meter requires a deposit ~~of \$650~~ plus an installation fee ~~of \$45~~ payable in advance, unless waived by the Director. Charges for metered water supplies in any District for construction purposes shall be computed at the temporary construction water rate.

~~2-B-3~~ **MISCELLANEOUS CHARGES:** ~~The District's Schedule of Rates shall contain all miscellaneous fees applicable to customers of the District. These shall be determined by resolution of the Board of the District and shall be made publicly available by, at a minimum, posting them on the website of the Water and Sanitation Department (see "Miscellaneous Fees Schedule" tab).~~

**PART 2 - SECTION C – BILLING, NOTICES, AND PAYMENT OF BILLS**  
**RULE**

~~2-C-2~~ 2-C-1 **NOTICES TO CUSTOMERS:** Notices regarding discontinuance and restoration of water services shall be hand delivered to the customer at the

customer's last known address. If the customer is not available, the notice may be placed on the customer's front door.

~~2-G-32-C-2~~ **PAYMENT OF WATER BILLS:** All bills for service and other charges for which payment is not otherwise provided in these Rules and Regulations shall be due and payable in cash, by check, or by automatic payment, upon presentation, and shall become delinquent 22 days from the bill date.

Payments made to the customer's account will be applied to the customer's account balance, which may include a deposit due, water charges, sewer charges, lift charges, penalty/late fees, and other miscellaneous charges.

~~2-G-42-C-3~~ If any bill becomes delinquent, the water service may be discontinued with notice.

~~2-G-52-C-4~~ **PAYMENT OPTIONS:** The District may, at its option, accept alternative payment methods for bills, including credit card payments, electronic fund transfers, or other methods.

~~2-G-6~~ **SERVICE BILLS:** Bills for water or sewer service charges will be addressed in the name of the customer. The customer shall be primarily responsible for the payment thereof, but in the event that the customer is delinquent in the payment of such a bill and is not the owner (as defined in these Rules and Regulations), the owner shall be liable for the payment of the bill to the extent the water or sewer service was furnished to the real property subsequent to the date of the owner's acquisition thereof.

~~2-G-72-C-5~~ The form of the bill shall be prescribed by the District.

~~2-G-82-C-6~~ **DISCONTINUATION OF SERVICE FOR NONPAYMENT; FEES:**

Notice 1: If the balance due is not paid within 22 days from the bill date, the account will be delinquent and subject to late fees, and "Notice 1" will be issued on the new bill. At the option of the District, the Delinquent Notice may be incorporated into the next regular bill for service, provided current and past due charges are so specified.

Notice 2: If the balance due is not paid within 43 days from the bill date (the generation date), the District shall attempt to notify the customer of the pending shut-off of service by mail or delivery of a door hanger notice to the service location. The notice of pending shut-off shall specify the date upon which service will be discontinued in accordance with this rule.

A Notice of Pending Shut-Off charge in the amount specified in the District's Schedule of Rates will be added to the customer's account to process the notice upon preparation of the door hanger notice by the District.

Notice 3: If payment is not made by 10 days before the shut-off date, a courtesy interactive voice response (IVR) system call giving notice of the pending shut-off will be placed to the customer.

| \_\_\_\_\_ Notice 4: If the balance due is not paid before 83 days from the bill date (the  
| generation date), a shut-off notice will be printed and delivered to the service  
| address, the account will be charged a Shut-Off Notice fee in the

amount specified in the District's Schedule of Rates, and service will be discontinued (shut-off).

\_\_\_\_\_ If resumption of service is requested for other than regular working days or hours, payment of an additional "Service Turn-on After Business Hours" fee will be charged in the amount specified in the District's Schedule of Rates.

2-G-92-C-7 In the event of underpayment of any water bill, where alternate payment arrangements have not been approved in accordance with this rule, such underpayment may be treated as non-payment. Where the amount of such underpayment exceeds fifty percent of the total amount of the bill, the remaining balance of said bill may become a charge upon the next ensuing water bill issued to the same customer, at the option of the District.

2-G-102-C-8 An adjustment shall be made to water billing charges when subsequent meter readings show that the meter was previously read in error. Also, upon the customer-verified statement, a correction may be made as to previous opening or closing billing dates.

2-G-112-C-9 In the event of payment ~~in excess of more than~~ the billed amount, the District shall credit the amount of over-payment thereof upon the next ensuing water bill issued to the same property.

2-G-122-C-10 **ALTERNATE PAYMENT ARRANGEMENTS:** In the event a customer is unable to pay a water bill, the customer may contact the District's billing office and request an alternate payment plan subject to approval by the Director or his or her authorized representative.

\_\_\_\_\_ The Director or the Director's authorized representative, in his or her sole discretion, may adjust, extend due dates, or waive charges resulting from meter read errors or other discrepancies, delinquent or shut-off notices, or other miscellaneous services, as well as approve an alternate payment arrangement for a customer experiencing an extreme financial hardship or medical emergency.

\_\_\_\_\_ Such arrangements for payment must be made before the shut-off date to avoid the shut-off notice charge. If a customer fails to pay a subsequent bill by the shut-off date, service may be discontinued upon notification to the customer.

\_\_\_\_\_ At the option of the District, the District may limit the number of approved payment extensions to no more than one per customer per year.

2-G-132-C-11 **FINAL BILLS:** Are due immediately upon presentation. At the option of the Director the District may apply a late payment fee to closing bill balances not paid within 14 days from the closing bill date.

2-G-14 **SERVICE TURNED OFF FOR ~~NON-PAYMENT;~~NON-PAYMENT,**

**PARTIAL PAYMENTS:**

~~2-G-152-C-12~~ ~~3~~ If Service turned off for non-payment will not be restored until full payment, including all charges, is presented in the District's business office.

The District will not accept partial payments. Where a check previously tendered to the District is not honored due to nonsufficient funds (NSF), the District will not accept payment in the form of another check, unless it is a certified or cashier's   .



check, or unless by written statement from the customer's banking institution it is determined that the NSF check resulted from an error on the part of the banking institution or through no fault of the customer.

\_\_\_\_\_ In order to avoid the after-hours turn-on charge, payment must be presented prior to the close of business on normal ~~work days~~workdays.

2-G-162-C-13 **PLACEMENT OF TAX LIEN ON REAL PROPERTY ASSOCIATED WITH DELINQUENT ACCOUNT; COLLECTION ON COUNTY TAX ROLL:**

In the

\_\_\_\_\_ event that a bill for water or sewer service charges remains unpaid, or is not paid in full, within sixty days of billing, the delinquent charges and penalties thereon shall constitute a lien against the parcel or parcels of real property receiving the water or sewer service pursuant to Government Code sections 54354, 54354.5 and 54355. The Director or his or her designee is authorized to record a lien against such property in the amount of the delinquent charges and penalties thereon or record a list of the delinquent unpaid charges and penalties thereon with the County Recorder, stating the amount of each charge and penalty thereon, a description of the real property upon which the same is a lien and the name of the District to which the same is payable, as authorized by Government Code section 54355. The lien shall continue until all outstanding charges and penalties thereon are paid in full or the property is sold. Further, the Director or his or her designee may request that any delinquent charges incurred in the current or immediately preceding fiscal year and penalties thereon be placed on the annual county tax roll for collection pursuant to Water Code section 55501.

2-G-172-C-14 **CIVIL ACTION:** The District may bring an action in any court of competent jurisdiction for collection of delinquent water or sewer service charges or other fees, costs or penalties provided for under these Rules and Regulations against any person responsible for the payment thereof and for enforcement of any lien on real property securing the payment of any portion thereof.

## **PART 3 - SCHEDULE OF RATES AND CHARGES FOR CONSTRUCTION SERVICE**

### **PART 3 - SECTION A - TYPES OF CHARGES**

Charges shall be made for services rendered by the District for the herein described classes of service. Such charges so collected shall be deposited in the General Funds of the District.

#### **RULE**

3-A-1

**INTERCONNECTION CHARGES:** The District will supervise interconnections between the existing water system of the District and the system as follows:

Such connections shall not be made final until all applicable charges have been paid.

- (a) For interconnections installed by a developer, the District will operate all valves and directly supervise the work of the developer in making the connection between the existing system of the District and the system installed by the developer. The developer shall furnish all materials and other labor to make the interconnections, including performing all resurfacing and other work necessary to produce the finished result. The District's Schedule of Rates shall contain all interconnection charges or fees applicable to the District. These shall be determined by resolution of the Board of the District and shall be made publicly available by, at a minimum, posting them on the website of the Water and Sanitation Department.
- (b) For interconnections installed by the District, the District will perform all work and furnish all materials to make the interconnection for a charge based on an engineering estimate of current costs.

3-A-2

**INSTALLATION CHARGES FOR PERMANENT METERS AND SERVICES FURNISHED BY THE DISTRICT:** Charges for furnishing and installing service connections and meters with District staff are as follows:

- (a) For service connections with a meter (where a meter is installed on an existing service connection):

These charges shall be set forth on the District's Schedule of Rates and Charges. They shall be determined by resolution of the Board of the District and shall be made publicly available by, at a minimum, posting them on the website of the Water and Sanitation Department.

- (b) For service connections without a meter (such as tapping the water main, tubing from main to meter, meter box, all valves and necessary fittings, labor, jacking, or boring, excavating, backfilling, resurfacing, road encroachment permit, and all other necessary work):

A deposit based on the Director's estimate of cost will be required from the applicant at the time of the request for service installation. The applicant will be billed for actual costs (including overhead) after completion of the installation.

- 3-A-3      **CHARGES FOR MISCELLANEOUS CONSTRUCTION SERVICES:** The District may perform the following construction services, the charges for which shall be determined by an engineering estimate of current costs: water main extensions, meter relocations, extensions to existing service connections, and replacement of meter boxes and meter box covers.
- 3-A-4      **FIRE HYDRANT INSTALLATION CHARGES:** The District will furnish and install fire hydrants, including all necessary labor, materials, and permits for a charge based on an engineering estimate of current costs. If the fire hydrant is installed by a licensed contractor, the District shall inspect and approve the installation. The customer shall pay an inspection charge as set forth in the District's Schedule of Rates.
- 3-A-5      **CAPITAL IMPROVEMENT CHARGE:** The District's Schedule of Rates shall contain all Capital Improvement Charges charged by the District. These shall be determined by resolution of the Board of the District and shall be made publicly available by, at a minimum, posting them on the website of the Water and Sanitation Department.
- 3-A-6      **FIRE FLOW REQUIREMENTS:** When any parcel of land and/or building requires a fire flow of 1,500 gpm, such additional fire flow shall be provided by the owner of the parcel or the building and at the owner's expense.

## **PART 3 – SECTION B - CAPITAL IMPROVEMENT CHARGES AND LOCAL SYSTEM IMPROVEMENT CHARGES**

### **RULE**

- 3-B-1      **CHARGES:** As a condition precedent to receiving water service for any residence or building or parcel of land which has not theretofore been supplied with water by the District, there shall be paid to the District a Capital Improvement Charge in accord with the District's Schedule of Rates, except as defined in this section. The Capital Improvement Charge shall not include charges for service and meter connections, which charges shall be paid separately as required elsewhere in these Rules and Regulations.
- 3-B-2      **AGRICULTURAL SERVICE:** In the case where water service is requested for any land and/or parcel for agricultural purposes only and the District has facilities available or no expenditure of District funds is required to provide such service, the District may, at its option, waive payment of the Capital Improvement Charge. However, the Capital Improvement Charge shall be paid prior to development of the property for a use other than agricultural.
- 3-B-3      **SERVICE TO USERS OUTSIDE DISTRICT:** The furnishing of water to any residence, building or parcel of land outside the District's jurisdictional boundaries pursuant to Section E of this part shall not excuse such residence, building or parcel of land from the requirements of this section in the event such parcel of land, or any land on which any such residence or building is located, is annexed to the District. In such event, the payment of a Capital Improvement Charge shall be a condition precedent to the continuation of water service to such residence, building or parcel of land.

3-B-4 **TIME OF PAYMENT:** The Capital Improvement Charge shall be paid in full prior to issuance of a water will serve letter, and/or prior to the commencement of any work necessary to furnish water to any residence, building or parcel.

However, in a case where a person owns a parcel of land larger than ten acres in size but desires water service for only a small portion thereof, and if the District is financially able to do so, it may, at its option, collect the Capital Improvement Charge for only that portion of the parcel that is to be developed. ~~At such time as~~When further development of the parcel occurs, the then applicable Capital Improvement Charge shall be paid for the remainder.

3-B-5 **CONTRIBUTIONS ~~AND GRANTS~~ AND OF GRANTS OF CAPITAL**

**IMPROVEMENTS:** \_\_\_\_\_ In an amount agreed upon by the grantor and the District all or any part of one or more Capital Improvement Charges may be reduced by deducting therefrom

the actual cost of any Capital Improvement, or the fair market value of any real property, contributed or given to the District and expressly accepted by the District in lieu of all or part of the Capital Improvement Charge due upon any residence or building.

3-B-6

**IMPROVEMENT ZONE:** Capital Improvement Charges shall not be collected by the District for ministerial development on existing parcels whenever an improvement zone has been established and local and Capital Improvements have been or are to be financed by the proceeds of bonds issued as special obligations of said zone. The term improvement zone shall refer to any area within a District which has been set up pursuant to Water Code Section 55650 to provide for financing of facilities and improvements of benefit to such zone that are not of District-wide benefit.

All parcels requesting discretionary land use entitlements shall be assessed Capital Improvement Charges according to these Rules and Regulations.

Whenever the ownership of any property within such improvement zone is held or acquired by a non-taxable entity, such entity shall be subject to meter and Capital Improvement Charges. The amount of such Capital Improvement Charge shall be determined by the Director and shall be calculated in such a manner as to include only those costs of Capital Improvements which are required to provide adequate service for such non-taxable entity. In no event shall said Capital Improvement Charge exceed that charged non-taxable entities for lands located within the District but not within an improvement zone.

3-74-1-6a

**EXCEPTION TO CAPITAL IMPROVEMENT CHARGES:** Capital

Improvement Charges shall not be collected by the District for the lots developed by LSR, the developer of Lake Sherwood Community or the customers served by the Lake Sherwood Mutual Water Company, at the time of adoption of these Rules and Regulations.

If in the event a special assessment district is formed in any District for the purpose of paying for the cost of constructing water system improvements, including improvements to existing vacant lots, Capital Improvement Charges will not apply.

3-B-8

**MAIN EXTENSIONS:** Upon payment of Capital Improvement Charges, the District will extend water lines from its facilities which exist in a publicly dedicated and accepted road nearest the lot, parcel or building to be served to a point along such publicly dedicated and accepted road nearest the lot, parcel or building to be served. However, the District shall not be required to provide water service where the cost of providing such service would cause an undue financial hardship on the District as determined by the District Board.

3-B-9

**OFF-SITE CONSTRUCTION:** The developer of any lot, parcel or building shall extend pipelines to the District's facilities to provide the necessary service. Said improvements shall be as required by the District in accord with the District's specifications and subject to the approval and acceptance of the District. Upon

completion said improvements shall be conveyed to the District together with an adequate easement for their installation, ~~operation~~operation, and maintenance.

3-B-10 **LOCAL SYSTEM IMPROVEMENTS AND CHARGES:**—As a condition

precedent to receiving water service for any residence, or building or parcel of land which has not theretofore been supplied with water by the District, all necessary Local System Improvements shall be furnished and installed by the applicant at the applicant's expense or the applicant shall be charged for said improvements and pay the District the cost thereof computed at the rates described in the District's Schedule of Rates or as computed by the Director. Said improvements shall be as required by the District, in accord with the District's specifications and subject to the approval and acceptance of the District. Upon completion, said improvements shall be conveyed to the District together with an adequate easement for their installation, ~~operation~~operation, and maintenance.

3-B-11 **LOCAL SYSTEM IMPROVEMENTS WITHIN IMPROVEMENT ZONE:**  
Local

System Improvements within an improvement zone shall be financed as provided for in the petition or resolution to form the improvement zone as approved pursuant to applicable law.

## **PART 4 – WATER CONSERVATION AND SHORTAGES**

### **PART 4 - SECTION A - PERMANENT WATER CONSERVATION MEASURES AND PENALTIES**

#### **RULE**

4-A-1 **WATER SAVING DEVICES:** All new customers shall install and use the following water efficient plumbing fixtures:

- Ultra-low volume toilets (1.6 gallons per flush or less).
- Low flow shower heads (2.0 gallons per minute or less).

4-A-2 **WATER WASTE PROHIBITED:** The following prohibitions are always in effect, regardless of the water supply shortage or emergency:

Limited Landscape Irrigation is allowed between 4:00 p.m. and 9:00 a.m. for all customer classifications except agriculture.

Limited Irrigation Systems Testing and Repairing when supervised for a short duration less than ten (10) minutes per station.

No Landscape Watering during or within forty-eight (48) hours after measurable rainfall.

No Hardscape Washdown such as sidewalks, walkways, driveways, patios, and parking lots except where necessary to protect health and safety.

No Outdoor Runoff to waste except where necessary to protect public health and safety.

Leaks, breaks, or malfunctions within customer's plumbing or distribution system must be corrected within forty-eight (48) hours after the discovery.

Positive Self-Closing Water Shutoff nozzle or device must be equipped on all hose equipment.

Water Fountains and decorative water features or similar structures, must use recirculated water only.

Serving Drinking Water only upon request in eating or drinking establishments.

Hotels, Motels and Lodging Establishments must provide guest the option of not having towels and linens laundered daily and shall prominently display of written notice of such option.

Restaurant Equipment must use non-water conserving dish wash spray valves by food preparation establishments.

Single Pass Cooling Systems: must be installed in buildings requesting new water service.

Commercial Car Wash Facilities: Newly established businesses must install water recirculating water systems, hoses with positive self-closing valves. A commercial conveyor car wash operating without recirculating water systems must first securing a waiver.

4-A-3 **VIOLATIONS**: In addition to any other penalties or sanctions provided by law, the following civil penalties shall be imposed for violation of District rules:

First Violation: Written notice of the violation will be given to the customer.

Second Violation: If prior violations are not corrected within the timeframe specified by the notice, or a second violation occurs within the following twelve (12) months after the date of issuance of the first violation, a second violation and a penalty maybe imposed.

Third Violation: If prior violations are not corrected within the timeframe specified by the notice or a third violation occurs within the following twelve (12) months after the date of issuance of the second violation, a third violation and penalty maybe imposed.

Fourth Violation: If the prior violations are not corrected within the timeframe specified by the notice, or a third violation occurs within the following twelve (12) months after the date of issuance of the third violation, a fourth violation and penalty maybe imposed.

4-A-6 **WATER SHUTOFF AND RECONNECTION**: If violations are not resolved within the following twelve (12) months after the date of issuance of the fourth violation, the District may discontinue water service to the customer at the premises at which the violation(s) occurred. Where water service is disconnected, it will be reconnected upon correction of the condition or activity and the payment of the estimated reconnection charge and other applicable charges.

4-A-7 **NOTICE**: The District will give notice of each violation to the customer at the premises at which the violation occurred, by affixing a copy of the notice in a conspicuous place on the property, and by delivering the notice to an adult on the property. If the customer is absent from or unavailable at the customer's service address the notice maybe sent through the United States mail addressed to the customer at such places, via registered mail return receipts requested.

All notices will contain, in addition to the facts of the violation, a statement of the possible penalties for each violation, informing the customer of their right to a hearing regarding the violation, a summary of the appeal



process, and the date and time installation of the flow restrictor or discontinuance of service will occur.

- 4-A-8      **PENALTY FEES:** Fines will be imposed by written notice to customer and assessed to the customer's bill. Fines are posted on the website of the Water and Sanitation Department (see "Schedule of Rates" tab).
- 4-A-9      **FLOW RESTRICTOR:** The District may give written notice to the customer, assess a surcharge penalty, and install a flow restricting device. The restrictor will be installed for a period of not less than forty-eight (48) hours. The customer will be charge for installation and removal of a flow restricting device, which will be based upon the size of the meter and the actual cost of involved. Restoration of normal service will be performed during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.
- 4-A-10     **HEARING:** A request for a hearing must be in writing and filed with the Deputy Director, or designee. The request for relief must be made within fifteen (15) days of the date the violation was issued. The request should detail the merits of the alleged violation and penalties, including termination of water service. Filing of such a request will automatically stay the implementation of the proposed course of action, pending the decision. The hearing will be scheduled within six (6) weeks of the request, and a written decision will be provided three (3) weeks from the hearing.
- 4-A-11     **APPEAL OF DECISION OF DIRECTOR:** A request for an appeal must be in writing and filed with the Director, or designee. The request for an appeal for any form of relief must be made within fifteen (15) days of the Deputy Director's written decision. Filing of such a request will automatically stay the implementation of the proposed course of action, pending the decision. No other or further stay will be granted.
- The appeal hearing will be scheduled within six (6) weeks of the written notice of appeal. The customer may present any evidence that would show that the alleged violation did not occurred. Formal rules of evidence will not apply, and all relevant evidence customarily relied upon by reasonable persons in the conduct of serious business affairs will be admissible, unless a sound objection warrants its exclusion as determined by the Director or designee. The decision of the Director, or designee shall be final.
- 4-A-12     **PUBLIC HEALTH AND SAFETY:** Nothing contained in these Rules and Regulations shall be construed to require the District to curtail the supply of water to any customer when, in the discretion of the Engineer or designee, such water is required by that customer to maintain an adequate level of public health and safety.

## **PART 4 - SECTION B – EMERGENCY RESTRICTIONS ON WATER**

### **RULE**

4-B-1      **DUE TO SYSTEM EMERGENCIES:** If the Director, or designee, determines that over-consumption of water, loss of pressure in a system, breakdown, or any similar occurrence requires emergency restrictions upon the use of water from any system, the Director shall order restrictions deemed appropriate under the circumstances.

Such order may restrict the use of water for sprinkling, manufacturing, or nonessential uses. The use of water for purposes may be limited to specified days or hours of a day or altogether prohibited, except that the use of water for drinking, cooking, and sanitary purposes shall not be prohibited.

4-B-2      **NOTICE AND COMMUNICATION:** The Director, or designee, will approve public updates and messaging. Communication protocols can be found in the Urban Water Management Plan (UWMP) publicly posted at <https://www.vcpublishworks.org/wsd/publicationsanddocuments/>

Customers affected will be given notice either verbally or in writing.

4-B-3      **WATER SHORTAGE CONTINGENCY PLAN (WSCP):** State law requires that urban water suppliers maintain WSCP to prepare for and respond to water shortages. The WSCP is described in full in the UWMP, which is approved by the District Board and made publicly available on the Water and Sanitation website.

**Declaration and Ratification:** The existence of a water shortage shall be declared and rescinded by the Director, or designee. For level three and above, the declarations by the Director, but must be ratified by the District Board, at the first possible meeting following the declaration. Modifications, requirements, and eventualities not anticipated will be documented.

**Water Shortage Stages:** This section describes the stages of action to be undertaken in response to the water supply shortages and stages. As each level is declared, they include restrictions from prior levels including permanent prohibitions.

Two (2) contingencies can trigger the WSCP:

1. Water supply shortage occurs when is a condition in which the Director determines that drought, state or regional mandate, or other circumstances compromise, or threatens to compromise the District's water supplies in such a way that a reduction in demand and/or supply production is necessary.

2. Water emergency is a condition resulting from a catastrophic event or events, such as natural disaster, epidemic, accident, war, other violent activity, labor dispute, civil disturbance or state or federal statute or executive or judicial order, threatens to cause, an impairment, reduction, or severance of the District's water supplies or access thereto, in a manner that results in, or may result in, the District's inability to meet ordinary water demands. Resulting in emergency restrictions upon the use of water from any system.

**Shortage Levels 1 and 2:** When supply is reduced as stated in the UWMP, the District will expand public information and ask for voluntary water restrictions.

**Shortage Levels 3 and 4:** When supply is reduced as stated in the UWMP, the District will require mandatory and prohibited measures as listed in the UWMP. Noncompliance penalties will be applied. Examples of restrictions include:

- **Special Water Features.** Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to the declaration of a supply shortage level.
- **Residential Swimming Pools and Spas.** Refilling of more than one foot and initial filling of residential swimming pools and spas is prohibited.
- **Landscape Irrigation Schedules.** Irrigation for all water classifications will be limited. Schedules will be provided in writing to customers, and publicly posted on the website.
- **Vehicle Washing Restrictions.** Water to wash or clean vehicles including but not limited to washing automobiles, trucks, trailers, boats, or other types of mobile equipment, is prohibited, except by use of a hand-held container, a hand-held hose with a positive self-closing shut-off device, at high pressure and low volume wash systems, or at a commercial car washing facility that utilizes a re-circulating water system.

**Shortage Level 5:** When supply is reduced as stated in the UWMP, the District will continue to implement prior demand restrictions including the following:

- **No Irrigation Watering:** Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited. This restriction does not apply to the following categories of use, unless it is determined by the Director that recycled water is available and

may be applied to the use:

- Maintenance of vegetation, including trees and shrubs, that are watered using a hand-held bucket or similar container or handheld hose equipped with a positive self-closing water shutoff nozzle or device.
- Maintenance of existing landscape necessary for fire protection.
- Maintenance of existing landscape for soil erosion control.
- Maintenance of plant materials identified to be rare or essential to the well-being of protected species.
- Maintenance of landscape within active public parks and playing fields, day-care centers, golf course greens, and school grounds, provided that such irrigation does not exceed two (2) days per week according to the schedule established to achieve the desired reduction in exterior water use and does not occur between 9:00 a.m. and 4:00 p.m. except for a short duration, not to exceed 3 minutes per station, for the limited purpose of testing or making repairs to the irrigation system.
- Actively irrigated environmental mitigation projects.

**Shortage Level 6:** When supply is reduced as stated in the UWMP, the District will implement demand reduction measures including the following:

- **No New Potable Water Service:** No new potable water service will be provided, no new temporary meters or permanent meters will be provided, and no statements of immediate ability to serve or provide potable water service (such as will-serve letters, certificates, or letters of availability) will be issued, except under the following circumstances:
  - A valid, unexpired building permit has been issued for the project; or
  - The project is necessary to protect the public health, safety, and welfare; or
  - The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District.
  - Restoration of service that has been interrupted for a period of one year or less.
- **No New Annexations:** Consideration of annexations to its service area is prohibited. This subdivision does not apply to boundary corrections and annexations that will not result in any increased use

of water.

- 4-B-4      **REPAIR LEAKS, BREAKS AND/OR MALFUNCTIONS:** All leaks, breaks or other malfunctions in the water user's plumbing or distribution system must be repaired within forty-eight (48) hours of discovery or notification, whichever occurs first, unless other arrangements are made with the District.
- 4-B-5      **ENFORCEMENT:** The District staff will administer a water auditing program which will monitor and enforce restrictions. The District will respond to violation reports both internal and external. The District has a form, found at [www.vcpublishworks.org](http://www.vcpublishworks.org) called "Report a Concern" titled "Report Water Runoff" where water violations can be reported.
- 4-B-6      **DISCONTINUED SERVICE:** The Director, in his or her sole discretion, may discontinue service to consumers who willfully violate water supply shortage provisions.
- 4-B-7      **UNDUE AND DISPROPORTIONATE HARDSHIP WAIVER:** If, due to unique circumstances, a specific requirement of this section would result in undue hardship to a person using water they may apply for a waiver by completing an application form located on the Water and Sanitation website <https://www.vcpublishworks.org/wsd/>

Supporting Documentation: The application must be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.

Processing Fees: There may be a non-refundable processing fee in an amount set by the District.

Waiver Findings: The waiver maybe granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship to a person using water or to a property upon which water is used that is disproportionate to similar properties or classifications of water use.

An application for a waiver maybe denied, based upon the information provided in the application, supporting documents, or such additional information as may be requested, and on water use information for the property will not:

- Constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses; and
- Have a disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally; and

- Be of substantial detriment to adjacent properties, and will not materially affect the ability of the District to effectuate the purpose of this section and will not be detrimental to the public interest; and
- Be common, recurrent, or general in nature.

4-B-8 **APPROVAL AUTHORITY:** The Deputy Director, or designee, shall have approval authority and act upon any completed application no later than twenty (20) days after submittal and may approve, conditionally approve, or deny the waiver. The applicant requesting the waiver shall be promptly notified in writing of any action taken. Unless specified otherwise at the time a waiver is approved, the waiver will apply to the subject property during the term of the applicable water supply shortage.

4-B-9 **APPEALS TO THE DISTRICT:** An applicant may appeal a decision to deny or conditionally approve a waiver application by filing a written request for hearing with the Director. The request for hearing must be submitted within ten (10) days or notice and state the grounds for the appeal. At a public hearing, the Director will review the appeal in accordance with the standards established in this rule. The decision of the Director is final.

## **PART 9 - STANDARD CRITERIA FOR THE PREPARATION AND PROCESSING OF PLANS AND ALL SUPPLEMENTAL DOCUMENTS FOR WATER AND SEWER SYSTEM IMPROVEMENTS**

### **PART 9 - SECTION A - GENERAL**

#### **RULE**

- 9-A-1           The owner/developer shall determine if the proposed development is entirely within a District. Any portion of the development not within the District shall be annexed to the District or other arrangements made to obtain water service in compliance with law. This determination shall be made at the earliest possible date as plans shall not be approved by the District until annexation is complete.
- 9-A-2           The owner/developer shall secondly determine if the proposed development is outside of or within an improvement zone of the District. Developments outside improvement zones shall be processed in accordance with Section B of this part. Developments within improvement zones shall be processed in accordance with Section C of this part.
- 9-A-3           All financial arrangements shall be completed with the District before will-serve letters and letters to the Department of Real Estate will be issued.

### **PART 9 - SECTION B - WATER SYSTEMS FOR DEVELOPMENTS WITHIN THE DISTRICT WHICH ARE NOT IN AN IMPROVEMENT ZONE**

#### **RULE**

- 9-B-1           The water system improvements for developments not within an improvement zone of the District shall be designed, furnished and installed by the owner/developer at the owner/developer's expense or the owner-developer shall be charged for said improvements and pay the District the cost thereof computed at the rates set forth in Part 3 of these Rules and Regulations and the District's Schedule of Rates or as computed by the Engineer. Said improvements shall be as required to meet the design criteria and standards of the District set forth in this part and other parts of these Rules and Regulations as stipulated by the Engineer.
- 9-B-2           The water system improvements shall be designed and plans shall be prepared by a civil engineer registered in the State of California (Owner's Engineer).
- 9-B-3           For design of the distribution system and for establishing pipe sizes, whichever one of the following formulas gives the larger value for peak demand rate shall be used:
1. Peak demand rate (gpm) - Number of residential units x 1.65 + Fire Flow

The amount of fire flow required by the District shall be 1000 gpm for residential development, 1500 gpm for commercial development, and 2000 gpm for industrial development. A higher fire flow may be required by the fire authority.

2. Peak demand rate (gpm) - Number of residential units x 1.65

9-B-4 The District shall be contacted to obtain the water pressure that is available at points where the new system will be tied into the existing system. The District strives to maintain a minimum pressure of 40 psi but under extenuating circumstances a waiver may be obtained from the Engineer. In no case shall the pressures allowed be less than the County Minimum Standards.

9-B-5 Water system improvement plans shall be twenty-two inches by thirty-six inches (22" x 36") in size with a two inch (2") margin on the left and a one-half inch (1/2") margin on each of the other sides, and shall be prepared on a permanent-type reproducible material suitable for microfilming. Each sheet shall contain a north arrow. The horizontal scale shall be one inch to forty feet (1" to 40') and the vertical scale shall be one inch to four feet (1" to 4'). All scales shall be graphically shown. Under unusual circumstances, a variation in scale may be approved by the Engineer.

9-B-6 The plans shall contain an overall plan at a preferred scale of one inch to two hundred feet (1" to 200') showing general layout of water lines, fire hydrants, proposed and existing valves, named streets, development boundary, and sheet index. All bench marks shall be graphically shown on this overall plan and the elevations, descriptions, locations, etc., shall be illustrated as below:

B.M. No. \_\_\_\_ Elev. \_\_\_\_ F.B. \_\_\_\_ Page

Type of Marker

Location

The elevations used shall be based on U.S.C. and G.S. mean sea level, 1929 datum, with the tract engineer specifying what adjustment was used. When practical, the 1970 adjustment shall be used.

9-B-7 If these water system improvement plans are not part of a set of plans which include a vicinity map, a vicinity map shall be shown on the plans showing the development site in relation to one of the major communities of the County.

9-B-8 The water system shall be shown in plan and profile and shall include, but not be limited to, adequate stationing, curve data, location in regard to survey lines and structures, easement limits and pipe size, type, class, and cover. In addition, a detail of any radical change in vertical alignment shall be shown. All sewer facilities shall be shown and labeled on the plan view. Any pipelines two inches (2") or more in diameter which cross the water main (especially gas, storm, irrigation, sewer, telephone, power, television, and oil lines) shall be shown and labeled on the profile.

9-B-9 All drawing sheets shall be provided with title and signature blocks that agree with those currently in use by the Ventura County Public Works Agency or by



Engineer \_\_\_\_\_ Date \_\_\_\_\_

- 9-B-12.2

9-B-13      **CHECKING OF IMPROVEMENT PLANS AND FINAL MAP:**

9-B-13.1      The above-mentioned plans shall be submitted to the District for checking and approval before any final map is approved or before construction is commenced, whichever occurs first. The submittal of these plans for checking shall include the following:

1.      Approved tentative map (if not previously submitted). (1 print)
2.      Final map including title sheet. (1 print)
3.      Development improvement plan title sheet. (1 print)
4.      Water system improvement plans. (2 prints)
5.      Street, sewer, and drainage improvement plans. (1 sheet)
6.      Grading plan. (1 sheet)
7.      Cost estimate of water system improvements. (1 copy)
8.      Hydraulic calculations (signed by a registered civil engineer for this specific unit of development or for the entire tract/development if plans submitted are for one unit of the tract/development only). (1 copy)
9.      Plan check fees computed in accordance with Section D of this part.
10.     Construction inspection fees computed in accordance with Section E of this part.

9-B-13.2      The plans, cost estimate, and calculations shall be checked by the Engineer who shall, within ten (10) days, approve them as filed or require them to be modified as the Engineer deems necessary. Any corrections required on the water system plans or final map will be marked in red by the District. When the Owner's Engineer submits plans for rechecking the Owner's Engineer shall include the check prints with the resubmittal.

9-B-13.3      All corrections, all financial arrangements, and all arrangements for dedication of easements to the District shall be completed and the "Certificate of Adequacy of Water Supply System" (if required) shall be signed by the Owner's Engineer before the plans will be approved and signed by the Engineer.

9-B-14      **APPROVAL AND ACCEPTANCE OF PLANS, SECURITY, AND AGREEMENTS**

9-B-14.1      The District requires that construction of the water system improvements be covered by a written agreement on a form specified by the District, an agreement to pay for soils engineering, and good and sufficient security of the type specified in Section 66499 of the Government Code for faithful performance and for labor and materials, each security in an amount equivalent to the total estimated cost of the work. Such security shall be satisfactory to the District. It shall guarantee correction of faulty workmanship and replacement of defective materials for a period of one (1) year after date of acceptance of the work by the District.

Upon request of the developersubdivider, the Engineer may, at his or her discretion, reduce the amount of the water and sewer improvement security by partial exoneration in an amount not exceeding 50% of the initial amount of such security when a corresponding percentage amount of improvements has been fully completed to the satisfaction of the Engineer.

- 9-B-14.2 The Owner's Engineer shall submit the following items to the District:
1. Tracings of the final map (if applicable).
  2. Three copies of the agreement (Form No. WW-166).
  3. Three copies of security (Labor and Materials).
  4. Three copies of security (Performance).
  5. Three copies of Agreement to Pay for Soils Engineering (Form No. WW-169).
  6. Separate deeds of conveyance for easements and/or lands in fee if these are not conveyed on the final map.
  7. The number which the County has assigned to the environmental impact report or other environmental document for the development.
- 9-B-14.3 The District shall take all necessary action to have said water system improvement plans, agreement and security approved and accepted by the Board of the District and shall forward copies of same to the proper agency for processing.
- 9-B-15 **INSPECTION:** The District shall contract with the County of Ventura or other governmental agency or shall employ a qualified person or persons to inspect the installation and testing of said water system improvements.
- 9-B-16 **ACCEPTANCE OF WATER SYSTEM IMPROVEMENTS BY THE DISTRICT:**
- 9-B-16.1 The actual location of all water system improvements, including but not limited to the stationing of each water service, shall be accurately determined after construction and shall be recorded on "As Built" plans. If water services are not at right angles to the water main, the stationing at the property line shall also be shown.
- 9-B-16.2 A permanent-type reproducible set of the As Built plans, which have been certified as being correct, signed and dated by the Owner's Engineer, shall be submitted to the Director.
- 9-B-16.3 The District shall take the necessary action to have the improvements accepted by the Board of the District and to have the security exonerated under the terms set forth in the agreement.

## **PART 9 - SECTION C - WATER SYSTEMS FOR DEVELOPMENTS WITHIN AN IMPROVEMENT ZONE**

### **RULE**

- 9-C-1 The owner/developer shall give the District in writing the tentative dates of required installation of water system improvements to furnish water to the development six months in advance of such required installation.
- 9-C-2 The District will prepare the water system improvement plans and will take the necessary action to have the system installed with the exception of construction staking which will be furnished by the owner/developer at no cost to the District. To initiate this design of the system, the owner/developer shall, at least one month prior to recordation of the final map, or, if no final map is required, at least 90 days prior to start of construction, submit prints of the following to the District:
1. Approved tentative map (if not previously submitted).
  2. Final map including title sheet.
  3. Street, sewer, and drainage improvement plans.
  4. Grading plan.
  5. Overall plan for the entire development if system is to be designed for one unit of development only.
- 9-C-3 Said plans and final map will be used as a basis for the design of the water system, and any subsequent change in these tentative plans which requires any major change in the water system shall be the responsibility of the owner/developer and any resulting costs shall be paid for by the owner/developer.
- 9-C-4 **EASEMENTS:** The procedure for conveying easements and lands in fee shall be as set forth in Section B of this part.
- 9-C-~~4.15~~ The development General Notes shall include a note stating that the water system shall be constructed in accordance with these Rules and Regulations.
- 9-C-~~4.26~~ If the development is a subdivision in which certain lots will be dedicated to a nontaxable entity, the developer shall pay Capital Improvement Charges on these lots before the District approves recordation of the final map.
- 9-C-~~4.37~~ In some cases, such as in planned developments, parcel maps, special use permits, and conditional use permits, the owner may desire that certain on-site facilities, such as fire lines, be accepted by the District for operation and maintenance. If the District agrees to accept these facilities, the facilities shall be designed, furnished, and installed at the owner's expense subject to prior approval of the improvement plans by the District. The installation of facilities shall be inspected and approved by the District at the owner's expense.

## **PART 9 - SECTION D - PLAN CHECK FEES FOR DISTRICT WATER AND SEWER SYSTEM IMPROVEMENTS**

### **RULE**

9-D-1 The plan check fees for District water and sewer system improvements shall be as set forth below:

9-D-~~4.42~~ **SINGLE RESIDENTIAL WATER AND SEWER SERVICE PLAN CHECK FEE:** There shall be no plan check fee for a single residential water and sewer service connection.

9-D-~~4.23~~ **~~MULTIPLE RESIDENTIAL, COMMERCIAL, INSTITUTIONAL, INDUSTRIAL, OR MISCELLANEOUS WATER AND SEWER SYSTEM IMPROVEMENTS PLAN CHECK FEE:~~** ~~÷~~—The multiple residential, commercial, institutional, industrial, or miscellaneous water and sewer system improvement plan check fee shall be based on actual cost (including overhead) to the District.

A fee deposit in the amount of one and one-half percent (1½%) of the District's approved estimate of the cost of the water and sewer system improvements to be constructed shall be deposited with the District at the time improvement plans are submitted for plan check.

If the actual cost to plan check (including overhead) exceeds the deposit, the applicant shall pay the additional amount due prior to District approval of the plans. If the actual cost to plan check (including overhead) is less than the deposit, the District will refund the balance to the applicant within 90 days from the District's approval of the plans.

9-D-~~4.34~~ **SUBDIVISION FINAL MAP OR PARCEL MAP WATER AND SEWER SYSTEM IMPROVEMENTS PLAN CHECK FEES:** —The water and sewer system improvements to be constructed as a condition of approval by the governing body of a final tract map or parcel map require the payment for plan check based on the actual cost (including overhead) to the District in order for the water and sewer system improvements to be constructed in a publicly dedicated street, waterline easement, or right-of-way dedicated to the District.

A fee deposit of one and one-half percent (1½%) of the District's approved estimate of the cost of the water and sewer system improvements to be constructed shall be deposited with the District at the time improvement plans are submitted for plan check.

If the actual cost to plan check (including overhead) exceeds the deposit, the applicant shall pay the additional amount due prior to District approval of the plans. If the actual cost to plan check (including overhead) is less than the deposit, the District will refund the balance to the applicant within 90 days from the District's approval of the plans.

## **PART 9 - SECTION E - CONSTRUCTION INSPECTION FEES FOR DISTRICT WATER AND SEWER SYSTEM IMPROVEMENTS**

### **RULE**

9-E-1 The construction inspection fees for District water and sewer system improvements shall be as set forth below:

9-E-~~4.12~~ **SINGLE RESIDENTIAL WATER AND SEWER SERVICE CONSTRUCTION INSPECTION FEE:** This fee shall be determined by resolution of the Board of the District and set forth in the District's Schedule of Rates, which shall be made publicly available by, at a minimum, posting on the website of the Water and Sanitation Department.

9-E-~~4.23~~ **~~MULTIPLE RESIDENTIAL, COMMERCIAL, INSTITUTIONAL, INDUSTRIAL, OR MISCELLANEOUS WATER AND SEWER SYSTEM IMPROVEMENTS CONSTRUCTION INSPECTION FEE:~~** -The water and sewer system improvements construction inspection fee for multiple residential, commercial, institutional, industrial, or miscellaneous developments shall be based on actual cost (including overhead) to the District. The following fee deposit shall be deposited with the District prior to District approval of improvement plans:

- a. A fee deposit of 5% of the first \$20,000 of the District's approved estimate of the cost of the water and sewer system improvements.
- b. A fee deposit of 3½% of the next \$80,000 of the District's approved estimated water and sewer system improvement costs.
- c. A fee deposit of 3% of the District's approved estimated water and sewer system improvement costs over \$100,000.

If the actual cost of inspection (including overhead) exceeds the deposit, the applicant shall pay the additional amount due prior to District's acceptance of the improvements. If the actual cost of inspection (including overhead) is less than the deposit, District will refund the balance to the applicant within 90 days from District's acceptance of the improvements.

9-E-~~4.34~~ **SUBDIVISION FINAL MAP OR PARCEL MAP WATER AND SEWER SYSTEM IMPROVEMENTS CONSTRUCTION INSPECTION FEES:** The construction inspection fees for water and sewer system improvements to be constructed as a condition of approval by the governing body of a final tract map or parcel map shall be computed on the same basis as those fees set forth in Section E of this part.

## **PART 9 - SECTION F - ANNEXATION PROCEDURES**

### **RULE**

- 9-F-1      Application procedures for annexation to a District are as follows:
- (i)      The proposed annexation will first be considered by the District Advisory Committee.
  - (ii)      The District staff will prepare a Resolution of Application Initiating the Proceedings for Annexation for transmittal to the Board of the District to initiate the annexation process.
  - (iii)      Upon Board approval, the application material will be forwarded to the Local Agency Formation Commission (LAFCO) (including an Assessor's Parcel Map of the annexation area and metes and bounds description).
  - (iv)      LAFCO will conduct a public hearing and either approve or deny the annexation.
  - (v)      If LAFCO approves the annexation, it will then be submitted to a protest proceeding, if required, and to a vote, if applicable, of the residents or landowners within the affected territory.
- 9-F-2      **FEES:** The applicant shall pay the District a fee to process the Resolution of Application Initiating the Proceedings for Annexation and deposit an amount, estimated by the District, to reimburse the District for actual costs incurred in processing the annexation. The application fee shall be determined by resolution of the Board of the District and set forth in the District's Schedule of Rates, which shall be made publicly available by, at a minimum, posting on the website of the Water and Sanitation Department. The deposit shall be required to be submitted after approval of the Resolution of Application and prior to the District forwarding the Resolution of Application to LAFCO. If the actual cost exceeds the initial deposit, the remaining balance shall be paid prior to final approval. If the actual cost is less than the deposit, the balance will be refunded to the applicant.

## **PART 94 - SECTION G – CONSTRUCTION STANDARDS FOR THE WATER AND SEWER SYSTEMS**

Mandatory minimum construction standards applicable to water system improvements and sewer system improvements are posted online on the website of the Public Works Agency, Water and Sanitation Department.