

extension and/or subdivision policies for subdivisions as herein set forth in Chapters 2.20 and 2.24.

### **Chapter 2.32**

#### **STANDARDS FOR CONSTRUCTION**

##### **Sections:**

- 2.32.010 Preparation of standard specifications.
- 2.32.020 Construction of water system facilities.
- 2.32.030 Adoption of Uniform Codes by resolution.

2.32.010 Preparation of standard specifications. The District shall have the District Engineer prepare standard specifications for the construction and installation of all water system facilities including but not limited to the: (1) depth and grade for laying water mains or pipelines; (2) size and type of pipe material used for water mains and pipelines; (3) type of meters and installation; (4) type of backflow prevention devices and installation; (5) pumps and lift stations and (6) any other water facilities needed or used to operate the water system effectively. The plans and specifications shall be reviewed annually by the District Engineer and approved by the District.

2.32.020 Construction of water system facilities. All replacements or repairs and all additions to the existing water system shall be constructed in accordance with the standards and specifications and uniform codes adopted by the District pursuant to this Chapter.

2.32.030 Adoption of Uniform Codes by resolution. The District may from time to time adopt by resolution the Uniform Administrative, Building, Building Standards, Housing, Fire, Mechanical, Dangerous Building and Plumbing Codes, as promulgated and updated from time to time by the International Conference of Building Officials, the Western Fire Chiefs Association and the International Association of Plumbing and Mechanical Officials, and as approved and adopted by the State of California.

### **Chapter 2.36**

#### **GENERAL USE REGULATIONS**

##### **Sections:**

- 2.36.010 Supply to separate premises.
- 2.36.020 Supply to multiple users.

- 2.36.030 Charges to multiple users.
- 2.36.040 Water waste.
- 2.36.050 Water Shortage.
- 2.36.060 Owner of facilities.
- 2.36.070 Responsibility for equipment on premises.
- 2.36.080 Damage to water system facilities.
- 2.36.090 Control valve on the customer's property.
- 2.36.100 Control of backflow and cross-connections.
- 2.36.110 Interruptions in service.
- 2.36.120 Ingress and egress.
- 2.36.130 Acceptance of Service as Provided.
- 2.36.140 Maintenance of Private Lines.
- 2.36.150 Water Pressure and Supply.
- 2.36.160 Resale of water.
- 2.36.170 Health and safety--Discontinuance of service.
- 2.36.180 Investigation--Right of entry.
- 2.36.190 Unlawful acts.

2.36.010 Supply to separate premises. No more than one dwelling or premises shall be served from each service connection, and there shall be only one service connection per dwelling or premises, except as provided for in the immediately following section. Each separate dwelling or building on a separate premises shall have a separate connection and service, except as provided for herein below.

2.36.020 Supply to multiple users.

- A. Separate houses, buildings, living or business quarters, such as motels, mobile home parks, apartments, commercial and shopping centers, condominiums and the like, under a single control or management and on a single premises may be served at the option of the District, by any of the following methods:
  - 1. Through separate service connections to each unit, provided that the pipeline system from each service is independent of the others and that they not be interconnected;
  - 2. Through a single service connection to the entire premises;
  - 3. In the event that any separate house, dwelling, building, living or business quarters is severed from the balance of the property or premises, the property or premises and the property or premises so severed shall be required to provide separate service connections, pursuant to the requirements of Chapter 2.16.
- B. The Water Department may require individual service connections for each separate house, building, dwelling, living quarters or business quarters when

the District determines that such a requirement is in the best interest of the District.

- 2.36.030 Charges to multiple users. Charges for water service to multiple users may be fixed from time to time by the Board by resolution or ordinance.
- 2.36.040 Water waste. It is unlawful for any person to wilfully or negligently use water supplied by the District, without reasonable control or supervision thereof, in such manner as to waste the same by flowing from the premises of the user onto other premises or onto the public streets or thoroughfares in excessive or unusual amounts; or to sprinkle or irrigate any yard, lawn or premises with water supplied by the District between the hours of twelve noon and five p.m., unless the water device being used is controlled by an automatic shutoff device or an individual is in immediate attendance and view; or to water any lawns with water supplied by the District except by the use of a hose held in the hand or a sprinkling device.
- 2.36.050 Water Shortage. During times of threatened or actual water shortage, the District will apportion its available water supply among its customers in accordance with policies as may be determined from time to time by the Board of Directors. In the absence of direction by the Board, the Manager, in consultation with the Coordinator, will apportion the supply in the manner that appears most equitable under circumstances then prevailing, and with due regard to public health and safety.
- 2.36.060 Owner of facilities. All facilities installed between the main and curb stop, including the service connection and curb stop, shall be and shall remain the property of the District and may be maintained, repaired or replaced by the Water Department without the notification, consent or interference of the owner or occupant of the dwelling, premises or property.
- 2.36.070 Responsibility for equipment on premises. All facilities installed by the District on private property or premises for the purpose of rendering water service shall remain the property of the District and may be maintained, repaired or replaced by the Water Department without the notification, consent or interference of the owner or occupant of the property or premises. The property owner, lessee, assignee or permittee shall use reasonable care in the protection of the facilities. No payment shall be made for placing or maintaining facilities on private property.
- 2.36.080 Damage to water system facilities. The customer shall be liable for any damage and the resultant water loss to the District's water service facilities when such damage results from causes originating at the customer's dwelling or on the customer's premises. The cost for repairing any such damage and water loss shall

be paid by the customer, and the cost shall be due and payable to the District upon the rendering of a bill therefor.

2.36.090 Control valve on the customer's property. The customer shall provide a valve on his/her side of the meter/service installation to control the flow of water to the piping on his/her property/premises. The customer shall not use the service curb stop to turn water on and off for his/her convenience.

2.36.100 Control of backflow and cross-connections.

A. General. In accordance with the requirements and the regulations of the District, the County of Tulare, the State of California and the United States Environmental Protection Agency ("EPA") no water service connection to any dwelling or premises shall be installed or maintained by the District unless the public water supply is protected as required by said local, state and federal regulations and the requirements stated below.

B. Where Protection is Required. Backflow prevention devices shall be installed on the service connection to any dwelling or premises having:

1. Access to any auxiliary water supply;
2. Any substance handled under pressure in such fashion as to permit entry into the water system;
3. Any material dangerous to health or toxic substance that might possibly be introduced into the water system;
4. Any lawn or garden sprinkling system, not installed in accordance with the Uniform Plumbing Code;
5. Any swimming pool or spa system.

C. Type of protection. In general, types of backflow prevention devices shall be required as follows:

1. A service connection to a dwelling or premises having an auxiliary water supply, internal pressure boosting system, or internal systems containing water of deteriorated quality shall be protected by an approved double check valve assembly.
2. A service connection to a dwelling or premises handling dangerous or toxic materials such as industrial plants, wharves, hospitals, mortuaries, etc., shall be protected by an approved reduced pressure principle backflow prevention device properly located and installed.
3. A service connection to any sewage treatment plant or sewage pumping station shall be protected by an air-gap separation properly located and installed.

- D. **Responsibility for Installation, Inspection and Maintenance.** Backflow prevention devices required herein shall be approved by the District and shall be installed, inspected and maintained at the expense of the customer.
  - E. **Discontinuance of service.** The District may discontinue service of water to any dwelling or premises and may physically disconnect the customer's piping from the District's water distribution system if a backflow prevention device required by this section is not installed, tested and maintained, or if any defect is found in an installed backflow prevention device, or if it is found that a backflow prevention device has been removed or bypassed or if unprotected cross-connections exist on the premises; and service will not be restored until such conditions or defects are corrected.
  - F. **Right of Ingress and Egress to and from the Customer's Premises.** Water Department personnel and representatives of the EPA shall have the right of ingress and egress to and from the customer's dwelling or premises at all reasonable hours for any purpose reasonably related to the furnishing of water service and the exercise of any and all rights secured to it by law or these regulations, including inspection of the customer's piping and equipment as to compliance.
  - G. **Prevention of Flow From One Service Connection Through Another.** If premises are supplied by more than one water connection to the District's facilities, the customer shall be required to install an approved backflow prevention device at each service connection to prevent the backflow of water from one service through another.
  - H. **Exception.** Any installation of equipment, such as sprinkler systems, pools, spas, etc., installed in accordance with the Uniform Plumbing Code and providing backflow devices shall be exempt from this section.
- 2.36.110 **Interruptions in service.** The District shall not be liable for damage which may result from an interruption in service from a cause beyond the control of the Water Department. Temporary shut-downs may be made by the Water Department to make improvements and repairs. The District reserves the right to shut off the water to any dwelling or premises or to any part of the system as long as necessary and without notice to customers at any time when the exigencies of the occasion may require it. Whenever possible and as time permits, the Water Department will notify customers and other departments of the necessity of shutting off water and the probable length of time the water shall be shut off before taking such action. Any affected fire department will be notified promptly upon restoration of service.

- 2.36.120 Ingress and egress. Representatives of the Water Department shall have the right of ingress and egress to the customer's dwelling or premises at reasonable hours for any purpose reasonably connected with the furnishing of water service.
- 2.36.130 Acceptance of Water as Provided. As a condition of new or continuing service by the District, applicants and customers shall accept whatever water volume at whatever pressure may be available. If an applicant or customer desires to limit the pressure furnished to the premises served, a proper pressure reducing device shall be installed at the sole expense of the applicant or customer. If an applicant or customer depends on a continuous supply or higher pressure for water emergency, then storage and pumping facilities with an approved air gap shall be provided at the sole expense of the applicant or customer.
- 2.36.140 Maintenance of Private Lines. The service connections extending from the curb stop to the premises to be served shall be installed and maintained by the owner of the property.
- 2.36.150 Water Pressure and Supply. The District shall assume no responsibility for loss or damage due to lack of water or pressure, either high or low, and agrees only to furnish such quantities and pressures as are available in its general distribution system.
- 2.36.160 Resale of water. Except by agreement with the District, no customer shall resell any of the water received by him/her from the District, nor shall such water be delivered to premises other than those specified in the application for service.
- 2.36.170 Health and safety--Discontinuance of service. If a condition on the customer's premises is found to be hazardous to the health and safety of the public arising from the use of water, the use and maintenance of any apparatus, appliances or equipment or otherwise, the Water Department may discontinue service to such premises without notice. The Water Department in such event shall make a reasonable effort to notify the customer of the discontinuance of service, and corrective action shall be taken by the customer before service will be restored.
- 2.36.180 Investigation--Right of entry. Any duly authorized agent of the Water Department shall have the authority to enter any building or premises for the purpose of investigating the premises or property of any applicant or consumer of water in order to determine and designate the rate to be applied to the premises or property and to view the water lines and equipment connected therewith. Except in emergency situations, such agents of the Water Department shall not enter any building, property or premises without the consent of the owner or occupant thereof, unless an investigation warrant authorizing such entry and investigation is first obtained. No person shall hinder or prevent the agents of the Water Department while in the performance of the duties described in this section

from entering upon and into any and all buildings, premises or property at all reasonable hours for the purpose of inspecting the same in order to carry out the provisions of this Chapter. No person except a duly authorized agent of the Water Department shall turn the water on or off from any building, dwelling, or premises, and no person shall tap, cut, or move any water line unless permission to do so has been granted by the Water Department supplying the water.

#### 2.36.190. Unlawful acts.

A. It is unlawful for any person to do any of the following:

1. Open any street hydrant or valve or tamper with or interfere with any street service, water connection, reservoir, pumping plant, or any water meter attached to any service line connected to the mains, water lines or hydrants of the District;
2. Turn on or off water mains or water lines of the District or occupy premises the water service to which has been turned on without authorization of the Manager after having been shut off for a violation of this Ordinance or other rules or regulations; or tap, break or damage any water main, water line, or other fittings of the District laid in any street, easement, right of way or other public place;
3. Tamper with, deposit, or cause to be deposited in any water main or line of the District any fluid or solid matter or substance of any kind or to do any act that might cause water to become polluted;
4. Make or add to any water connection, line, main or service not authorized by the Manager or Coordinator;
5. Take, pump or draw water from any water main, line, or hydrant of the District without first arranging with the Water Department for the same and paying the established rate therefor.

B. If an unlawful water connection, line, main, or service or water consumption is found to exist on any premises or property by the Manager, the Manager shall post in a conspicuous place on the premises or property a written notice specifying that the same are in violation of this section, giving the particulars thereof; and if the violation shall thereafter continue for forty-eight hours without correction, the Manager shall terminate water service to the premises or property, which water service shall not again be turned on until the violation has been cured in accordance with the specifications of the District and the charge for a renewal of service has been paid. In addition to and at the time of posting the notice, a copy thereof shall be mailed to the

person occupying the premises addressed to the address of the premises or dwelling located thereon or in lieu thereof, delivered personally to the occupant; and provided further that a copy shall be mailed to the owner of the property if he/she is not the occupant thereof.

## Chapter 2.40

### FLAT RATE SERVICE

#### Sections:

- 2.40.010 Eligibility
- 2.40.020 Billing Period
- 2.40.030 Payment of Bills
- 2.40.040 Penalties for Non-Payment
- 2.40.050 Returned Check
- 2.40.060 Opening and Closing Bills
- 2.40.070 Delinquency Date

- 2.40.010 Eligibility. All customers receiving a flat service charge at the time of the adoption of this Ordinance may, at the Discretion of the District, continue to be assessed the flat rate service charge which shall be determined from time to time by resolution of the Board of Directors.
- 2.40.020 Billing Period. Invoices shall be rendered semi-annually in accordance with the schedule adopted by resolution of the Board of Directors. The annual flat rate charge is due in advance payable in two equal installments.
- 2.40.030 Payment of Bills. Invoices shall be mailed or delivered to each customer at least thirty days prior to the semi-annual billing period and shall be due on the first day of the billing period and shall become delinquent on the thirtieth day of the billing period.
- 2.40.040 Penalties for non-payment. In addition to the discontinuance of service as provided in Chapter 2.04 of this Ordinance, penalties for non-payment of charges for water service shall become due on the date provided in Section 2.40.070 below.
- 2.40.050 Returned Check. If payment for services rendered by the District is made by a customer and is later returned by the District's bank for any reason, a returned check service charge shall be assessed by the District. The returned check shall be redeposited unless the check is marked "account closed". If said check is returned a second time, a returned check service charge shall again be assessed by the District. The returned check shall not be redeposited. If, after proper notification by the District, payment for the services, including the returned check



service charge or charges, is not made in cash, certified check or money order at the District office within forty-eight (48 hours) services are subject to discontinuance.

2.40.060 Opening and Closing bills. Opening and closing bills for less than the normal billing period shall be prorated.

2.40.070 Delinquency Date. Rates and charges which are not paid on or before the first day of the calendar month following the due date shall be delinquent, at which time a notice shall be sent advising that the service will be discontinued or a late payment charge assessed in the amount of one and one half percent of the delinquent amount if payment is not received within thirty (30) days.

## **Chapter 2.44**

### **Other Charges**

#### **Sections:**

2.44.010 Charges.

2.44.020 Connection/Reconnection Fee.

2.44.030 Standby (Readiness to Serve) Fee.

2.44.040 Facility Development.

2.44.010 Charges. The Board may from time to time by resolution establish fees to supplement service charges in order to meet its obligations to operate the system in a cost-effective manner, to assure adequate water for fire suppression, and to provide for growth in the service area as well as standby (readiness to serve) fees.

2.44.020 Connection/Reconnection Fee. The Board may from time to time by resolution establish Connection/Reconnection Fees to assure that such service does not impact upon the availability of service charge revenue for current operations.

2.44.030 Standby Fee. The Board may from time to time by resolution establish a Standby (Readiness to Serve Fee) for unimproved parcels within the District Service Area to assure adequate funding for fire hydrants and related system readiness to serve.

2.44.040 Facility Development Fee. The Board may from time to time by resolution establish a Facility Development Fee which shall be placed in a dedicated reserve account for system improvements and future growth.

**Chapter 2.48**

**CREDIT**

**Sections:**

- 2.48.010 Establishment and maintenance of credit.
- 2.48.020 Application of deposit to water bill.
- 2.48.030 Interest on deposit.
- 2.48.040 Return of deposit.
- 2.48.050 Inability to return deposit--Transfer to general fund.

2.48.010 Establishment and maintenance of credit. The District may require a security deposit of each applicant for water service, either from persons receiving water service or from the owners of the premises or property to which, or in connection with which, water service is rendered. The District may require a guarantee by the owner of the premises or property that bills for service to the premises or property or the occupants thereof will be paid.

2.48.020 Application of deposit to water bill. The District may apply, without notice, the amount of any deposit prescribed herein toward the payment of any water bill or other indebtedness which may become past due and owing the District and to unpaid bills for water service when such service has been discontinued.

2.48.030 Interest on deposit. No interest shall be paid on any deposit made with the District pursuant to the provisions of the District's rules, regulations and ordinances.

2.48.040 Return of deposit. The deposit made by any applicant or property owner may be refunded as follows:

- A. Upon discontinuance of service, the District shall refund any balance of the customer's deposit in excess of any unpaid bills or other indebtedness to the District.
- B. The customer's deposit may be refunded to the person making the deposit after one year at the discretion of the District.

2.48.050 Inability to return deposit--Transfer to general fund. Should the customer entitled to the refund of a deposit be unavailable at the time the refund is to be made, and should the District be unable to locate said customer for a period of one year following discontinuance of the customer's water service, or by the thirtieth day of June which is at least nine months thereafter, whichever shall first occur, the amount of said deposit shall be transferred to the general fund of the District and may be used for any purpose by the District. Should the customer demand a