

ORDINANCE NO. 1998-01

AN ORDINANCE ADDING TITLE 4 - WATER SYSTEM
REGULATIONS TO THE DISTRICT POLICY MANUAL

WHEREAS, the Board finds that it is desirable to compile existing regulations and fees relative to the water system of the District into a title within the District Policy Manual; and,

WHEREAS, the Board finds that it is desirable in doing so to modify said regulations to clarify its intent and to add regulations that are needed, all without changing existing fees and charges;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Rio Linda/Elverta Community Water District as follows:

Section 1. Title 4, Water System Regulations, as attached hereto is hereby added to the District Policy Manual as the Water System Regulations of the District governing the operation, use and service of the water system.

Section 2. All ordinances, resolutions and other policies of the District in conflict with the attached Title 4, save and excepting matters regarding fees and charges, are hereby repealed. If any existing fees and charges in effect on the date of adoption of this ordinance conflict herewith, said existing fees and charges shall remain in effect.

INTRODUCED by title only on this 20th day of April, 1998, by the following vote:

AYES, in favor hereof: Blanchard, Griffin, Paine, Wickham

NOES: None

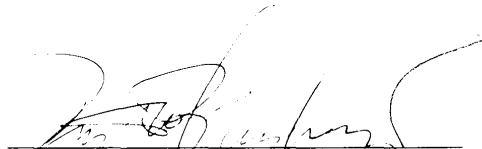
ABSENT: Quackenbush

ADOPTED by title only on this 18th day of May, 1998, by the following vote:

AYES, in favor hereof: Blanchard, Griffin, Paine,
Quackenbush, Wickham

NOES: None

ABSENT: None



President

ATTEST:



Secretary

Title 4

WATER SYSTEM REGULATIONS

Chapters:

- 4.01 ADMINISTRATIVE PROVISIONS
- 4.03 DEFINITIONS
- 4.05 ORGANIZATION AND ENFORCEMENT
- 4.07 SERVICE
- 4.09 CROSS-CONNECTION CONTROL
- 4.11 CONSUMER FACILITIES AND USE OF WATER
- 4.13 WATER CONSERVATION
- 4.15 WATER SHORTAGE EMERGENCY REGULATIONS
- 4.17 WATER SYSTEM EXTENSION & CONSTRUCTION
- 4.21 FIRE PROTECTION FACILITIES
- 4.23 ABATEMENT
- 4.31 FEES, CHARGES, AND BILLING

Chapter 4.01 ADMINISTRATIVE PROVISIONS

Sections:

- 4.01.010 Purpose
- 4.01.100 Title, Citation and Reference
- 4.01.200 Scope
- 4.01.910 Violation of Regulations Prohibited
- 4.01.920 Prosecution; Abatement
- 4.01.930 Damage to District Facilities
- 4.01.980 Amendment
- 4.01.990 Severability

4.01.010 Purpose. The purpose of this Title is to implement the provisions of Article 2, Chapter 1, Part 5, Division 12 of the Water Code of the State of California (Sections 31020 et seq.)

governing the conduct of the water enterprise and more specifically to obtain, divert, conserve, treat, and supply water (including flood and storm water) for domestic use, irrigation, sanitation, industrial use, fire protection, recreation, or any other public or private use. The Rio Linda/Elverta Community Water District intends to operate, improve and maintain its water enterprise pursuant to all applicable laws in a manner consistent to assure its rights under Section 54300 et seq. of the Government Code for financing of future improvements and to protect the public health and safety.

4.01.100 Title Citation and Reference. This Title shall be known as the "Water System Regulations of the Rio Linda/Elverta Community Water District," may be cited as "Water Regulations", and will be referred to herein as "these regulations."

4.01.200 Scope. These regulations establish the terms and conditions under which facilities will be installed and water will be supplied to consumers.

4.01.300 Compliance with Regulations. By applying for or receiving water service from the District, each consumer covenants and agrees to be bound by and to comply with all regulations of the District from time-to-time in effect.

4.01.910 Violation of Regulations Prohibited. No person shall violate these regulations with the intent (a) to cause damage or harm to the physical facilities of the water enterprise system, or (b) to obtain water without making payment therefore, or (c) to be foul the water, groundwater or watershed of the District.

4.01.920 Prosecution; Abatement.

(a) The District will prosecute violations of Sections 499, 624 & 625 of the Penal Code of California which make it a misdemeanor to tamper with or bypass water meters, to take water without payment, or to otherwise damage or obstruct the District's facilities.

(b) In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of the regulations of the District shall be deemed to be a public nuisance and may be abated as such.

4.01.930 Damage to District's Facilities. The consumer, by applying for water service from the District, covenants and agrees that, in addition to any right or remedy available to the District by law, the consumer will pay to the District its costs for repairing or replacing any of its facilities damaged by the consumer, his agents, or tenants, or as a result of construction or other work done on the consumer's property, including, without limitation, the sidewalks, driveways, curbs and gutters adjacent thereto, or as a result of installation of utility services to the consumer's property.

4.01.980 Amendment. These Regulations may be added to or amended by adoption of a resolution by the Board of Directors of the Rio Linda/Elverta Community Water District following a public hearing advertised pursuant to the rules of the Board of Directors.

4.01.990 Severability. If any section, or portion thereof, of this Title is found by a court of competent jurisdiction to be invalid or unconstitutional, the remainder of this Title shall remain in full force and effect.

Chapter 4.03 DEFINITIONS

Sections:

- 4.03.010 GENERAL
- 4.03.030 Terms Defined by State Agencies
- 4.03.050 Other Sources of Definitions
- 4.03.090 Common Definition
- 4.03.200 DEFINITIONS
- 4.03.210 Consumer
- 4.03.270 Standards, District Standards, Standards
and Specifications
- 4.03.290 Unimproved Land

4.03.010 GENERAL. For the purpose of this chapter, certain terms, phrases, words and their derivatives shall be construed as specified in this chapter. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

4.03.030 Terms Defined by State Agencies. Terms which are not specifically defined in this Policy Manual shall be construed as defined in Titles 17 and 22 of the California Code of Regulations.

4.03.050 Other Sources of Definitions. Terms which are not defined in this Policy Manual or the sources listed in 4.03.030 above, but which are defined in the most recently published version of the *Uniform Plumbing Code* as published by the International Association of Plumbing and Mechanical Officials, hereinafter referred to as "*Uniform Plumbing Code*," shall be construed as specified in that code.

4.03.090 Common Definition. Terms herein for which a definition is not otherwise prescribed either in this Policy Manual or in other sources referred to herein shall have their ordinarily accepted meaning within the context in which they are used. *Webster's Third New International Dictionary of the English Language, Unabridged*, copyright 1986 or a successive publication thereto, shall be considered as providing ordinarily accepted meanings.

4.03.200 DEFINITIONS. For the purposes of this Title, the following terms shall have the meaning prescribed therein:

4.03.210 Consumer. The owner of record of a parcel who obtains water service from the District or the authorized agent of the owner.

4.03.270 Standards, District Standards, Standards and Specifications. Plans and specifications for routine construction associated with the water system of the District as approved by the General Manager.

4.03.290 Unimproved Land. Land on which no improvements exist or land which although improved to a degree is being further improved and said further improvement is the cause for augmented water service and requires one or more land use approvals.

Chapter 4.05
ORGANIZATION AND ENFORCEMENT

Sections:

- 4.05.010 Enforcement and Interpretation by General Manager
- 4.05.020 Appointment of Engineers, Inspectors, and Other Employees
- 4.05.025 Public Officers.
- 4.05.030 Right of Entry
- 4.05.040 Stop Orders
- 4.05.060 Appeal of Determination or Order of General Manager
- 4.05.065 Limitation of Authority of the Board
- 4.05.070 Effect of Failure to Appeal
- 4.05.080 Scope of Hearing on Appeal
- 4.05.090 Staying of Orders
- 4.05.100 Decision of Board Final
- 4.05.110 Means of Enforcement

4.05.010 Enforcement and Interpretation by General Manager. The General Manager is hereby authorized and directed to enforce all the provisions of these regulations. The General Manager shall have the power to render interpretations of these regulations and establish rules and supplemental regulations in order to clarify the application of its provisions. Other officers of the District shall assist and cooperate with the General Manager in order to implement these regulations.

4.05.020 Appointment of Engineers, Inspectors, and Other Employees. For purposes of implementation of these regulations and in accordance with prescribed procedures, the General Manager may appoint such numbers of engineers, inspectors, and other employees as shall be authorized by the Board of Directors from time-to-time. The General Manager may deputize such appointees to act on his behalf to implement these regulations. Such appointees hereinafter shall be referred to as "deputy."

4.05.025 Public Officers. For purposes of enforcement of these regulations, the General Manager and appointees deputized

pursuant to Section 4.05.020 hereinabove shall be public officers as provided in §836.5 of the Penal Code of the State of California.

4.05.030 Right of Entry. When it is necessary to make an inspection to enforce the provisions of these regulations, or when the General Manager or deputy has reasonable cause to believe that there exists upon a parcel a condition which is contrary to or in violation of these regulations, the General Manager or deputy may enter upon the parcel and/or buildings thereon to perform the duties imposed by these regulations; provided, however, that if such parcel or building is occupied that credentials be presented to the occupant and entry requested. If such parcel or building is unoccupied, a reasonable effort shall be made to locate the consumer or other person having charge or control of the parcel or building in order to request entry. If entry is denied, an inspection warrant may be obtained as provided by law.

4.05.040 Stop Orders. Whenever any maintenance, repair, replacement, or new construction work is being done contrary to the provisions of these regulations or other pertinent laws or ordinances implemented through the enforcement of these regulations, the General Manager may order the work stopped by notice in writing served on any such person engaged in doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the General Manager to proceed with the work.

4.05.060 Appeal of Determination or Order of General Manager. Orders, decisions or determinations made by the General Manager relative to the application and interpretation of these regulations may be appealed within 15 calendar days from the date of service or notification of said order, decision or determination. Said appeal may be filed in writing with the District essentially in the following form:

1. A heading in the words: "Before the Board of Directors of the Rio Linda/Elverta Community Water District";
2. A caption reading: "Appeals of [give the names of all appellants participating in the appeal]";
3. A brief statement setting forth the legal interest of each of the appellants in the parcel(s) or building(s) involved;
4. A brief description of the specific order, decision or determination appealed;
5. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed that the order, decision or determination should be reversed, modified, or otherwise set aside;
6. A brief statement in ordinary and concise language of any material facts claimed to support the contentions of the appellant;
7. The signatures of all parties named as appellants and their official mailing addresses;
8. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

The appeal shall be placed as a public hearing on the agenda of the next regular meeting of the Board of Directors which occurs 15 calendar days or later following the date of receipt of the appeal. Written notice of the time and place of the hearing shall be mailed

to each appellant certified mail postage prepaid at least 7 calendar days prior to the date of the hearing.

4.05.065 Limitation of Authority of the Board. The Board of Directors when ruling on an appeal may not set aside or modify the application of engineering design standards or District standards and specifications as provided in these regulations.

4.05.070 Effect of Failure to Appeal. Failure of any person to file an appeal in accordance with the provisions of Section 4.05.060 shall constitute a waiver of the right to an administrative hearing and adjudication of the order, decision or determination of the General Manager provided that said order, decision or determination has been rendered in writing and said writing is accompanied by a copy of Section 4.05.060.

4.05.080 Scope of Hearing on Appeal. Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

4.05.090 Staying of Orders. Except for orders issued pursuant to Section 4.05.040, any order, decision or determination of the General Manager shall be stayed during the pendency of an appeal therefrom when the appeal has been properly and timely filed.

4.05.100 Decision of Board Final. A decision of the Board of Directors regarding an appeal shall be final.

4.05.110 Means of Enforcement. The following shall constitute means of enforcement of orders issued pursuant to Section 4.05.040 and are not penalties for violation of these regulations:

1. Injunctive relief may be sought in a court of proper jurisdiction;
2. Nuisance abatement proceedings may be initiated pursuant to Chapter 4.23 hereinbelow;
3. As a means of abatement, District water service may be terminated immediately in order to prevent an immediate threat to the health and safety of the public or may cause irreparable harm to the riparian environment.

Chapter 4.07 SERVICE

Sections:

- 4.07.010 NEW SERVICE
- 4.07.011 Application for Service & Processing
- 4.07.012 Conditions Precedent to Service
- 4.07.013 Service Connection
- 4.07.014 Control Valve
- 4.07.015 Location of Service Connection
- 4.07.016 Land Use Approval Established
- 4.07.030 Plan Check and Inspection Fees and Charges
- 4.07.100 CHANGE OF SERVICE
- 4.07.110 Relocation
- 4.07.120 Enlargement
- 4.07.200 MULTIPLE SERVICE
- 4.07.210 General
- 4.07.220 Exception
- 4.07.230 Subdivision of Ownership
- 4.07.240 Connection Prior to January 1, 1998
- 4.07.250 Charges for Multiple Services
- 4.07.300 TEMPORARY SERVICE
- 4.07.310 Installation and Payment
- 4.97.320 Service through Fire Hydrants
- 4.07.400 SERVICE INTERRUPTION
- 4.07.410 Water Shut-off
- 4.07.420 Non-liability of District
- 4.07.500 DISTRICT ACCESS TO FACILITIES
- 4.07.700 INITIATION OF WATER SERVICE: GENERALLY
- 4.07.710 Application
- 4.07.720 Failure to Apply
- 4.07.800 TERMINATION OF WATER SERVICE
- 4.07.810 Termination by the District
- 4.07.820 Termination by the Consumer
- 4.07.830 Reinitiation of Service Prohibited
- 4.07.840 Temporary Shut-Off

4.07.010 NEW SERVICE

4.07.011 Application for Service and Processing.

(A) Application for Service must be made to the District in writing on the District's form by the consumer or his authorized agent. Applications must be supported by data as required by the

District, such as a map and/or legal description of the property to be served, a description or plan showing intended water fixtures, a plan showing yard, lawn and garden areas and an estimate of amount to be used. The size of the meter and service connection will be determined by the District.

(B) Applications requiring only fire service or requiring a service having a meter size equal to or less than one inch, which services can be connected to existing mains, will be processed in the order of the date the application is received, provided all requirements of the District are met. All other applications will be processed in the order of the date the application is received, provided the applicant meets all District requirements within 30 days of said date. If District requirements are not met within said 30 days, the application shall be null and void.

(C) Receiving an application shall in no way represent a commitment or agreement by the District to serve water. Said commitment will be made only at the time service actually commences or when the District executes a service Extension Agreement whichever shall first occur. In the case of a service extension agreement, the commitment of the District to supply water shall be limited to the number of connections to be installed pursuant thereto and in accordance with the terms thereof.

4.07.012 Conditions Precedent service. Metered water service will be provided subject to:

1. The existence of a water main of adequate capacity and pressure abutting the property to be served, or the construction of adequate mains, pumps and storage facilities under the provisions of these regulations.
2. Advance payment of the District's connection charge for service as provided in these regulations or as subsequently amended or adopted by the Board.
3. Approval by the County of Sacramento of a wastewater disposal system for the property to be serviced

4.07.013 Service Connection. A service connection is hereby defined as a pipe line from the water main to the property side of the curb line, including a meter box and other necessary fittings for the installation of the meter. All service connections and meters shall be and remain the property of the District, and shall not be molested by anyone other than an authorized employee of the District. Said meters and service connections shall be maintained, repaired and renewed by the District when rendered unserviceable through fair wear and tear, but that in the event that any replacement, repair or adjustment of any water service or meter shall be made necessary by the act or negligence of the consumer, his/her family or employee, any expense connected with said adjustment, renewal or repair shall be charged and collected

from the consumer. The District shall not be responsible for open or faulty fixtures or for broken or damaged pipes beyond the District meter.

4.07.014 Control Valve. The consumer to be served shall install a control valve on the pipe immediately following the connection point to the District meter. When old premises to which a service pipe has previously been connected are being altered, such control valve shall be installed by the consumer. If such is not already provided. Where any consumer to be served or being served has also a separate and different water supply connected with pipes served by those of the District, he/she must make suitable provision pursuant to these regulations whereby water from such separate and different supply may not enter the mains of the District.

4.07.015 Location of Service Connection. Water service will be provided at a meter abutting a major frontage of the property to be served at a point determined by the District. The consumer may indicate the point on his property where he desires service, but the final location shall be determined by the District.

4.07.016 Land Use Approval Established. An application for service to unimproved land shall not be processed to completion by the District unless the applicant presents to the District a document from the County of Sacramento verifying that a: (a) valid Building Permit has been issued; or (b) Preliminary Division of Land has been approved; or (c) Tentative Subdivision Map has been approved; or (d) Planned Unit Development Precise Development Plan has been approved.

4.07.030 Plan Check and Inspection Fees and Charges. Installation of a new service and continuation of service shall be conditioned upon payment of fees and charges as provided in Resolution No. 3-94 attached hereto.

4.07.100 CHANGE OF SERVICE.

4.07.110 Relocation. The District will relocate its facilities when requested to do so by the consumer provided such relocation is acceptable to the District and upon advance payment of the District's estimate of the cost thereof. If the actual cost of relocation exceeds the amount prepaid such excess will be paid on completion of the work.

4.07.120 Enlargement. Enlargement of meter and service connection will be made by the District on the following conditions:

- (1) The consumer or his authorized agent files an application therefore in accordance with Regulation 4.07.011; and
- (2) The consumer pays the charge for service applicable to such enlarged meter and service connection as provided by District rates, from which shall be deducted the current charges applicable to the meter and service line replaced, only if these charges have been previously paid.

4.07.200 MULTIPLE SERVICE

4.07.210 General. Except as otherwise expressly authorized by this regulation, a single service connection shall serve no more than one dwelling unit or one commercial, agricultural or industrial enterprise on a single parcel or lot.

4.07.220 Exception. If separate service connections present substantial mechanical problems as conclusively determined by the District, service through a single connection will be furnished on the request of a consumer to any of the following:

- (1) a duplex, apartment building or other multiple unit residential structure in undivided ownership;
- (2) a commercial or industrial building in undivided ownership;
- (3) a building or group of buildings owned or exclusively occupied by a public entity or entities; and
- (4) a condominium served under a contract between the District and a responsible owners' association as defined in Section 11003.1 of the Business and Professions Code

4.07.230 Subdivision of Ownership. If the ownership of a structure receiving service through a single service connection is subdivided, new service connections shall be installed, and the fees and charges therefor shall be paid, to the extent necessary to provide a separate service connection to each separately owned unit or parcel.

4.07.240 Connection Prior to January 1, 1998. The preceding sections of this regulation shall not apply to dwellings which have been continuously served through a single service connection installed prior to January 1, 1998. The minimum and quantity rates for each dwelling unit so served shall be computed as though each unit were served with a meter of the size installed on the single service connection and as though the quantity delivered to each unit were the quantity of the water measured by the installed meter divided by the number of dwelling units connected thereto.

4.07.250 Charges for Multiple Service. The District will not render separate statements to each dwelling unit or enterprise served by a single meter. The consumer, irrespective in whose name the service is registered, will be responsible for all charges for

all services through the meter. Unit charges will be established for multiple units served through a single meter.

4.07.300 TEMPORARY SERVICE

4.07.310 Installation and Payment. Service which the District determines will be for less than one year and will not require installation of a permanent connection shall be provided upon payment of the total estimated cost of installing the connection and such reasonable deposit for service as may be required by the District.

4.07.320 Service through Fire Hydrants. Temporary service for construction or other approved purposes may be provided through hydrant meters upon written application to the District and the payment of a refundable damage or loss deposit of \$600.00, a permit charge of \$40.00, and water use fees as provided by District rate schedules.

4.07.400 SERVICE INTERRUPTION

4.07.410 Water Shut Off. District reserves the right to shut off water at any and all times for the purpose of making repairs, extensions or alterations of its water system. Whenever possible, advance notice of interruption of service will be given to all consumers affected. Consumers depending upon a continuous supply of water should provide themselves with emergency storage.

4.07.420 Non-liability of District. The District will exercise reasonable care and diligence to deliver to its consumers a continuous and sufficient supply of water under proper pressure and of good quality at the service connection to the consumer's premises. However, the District is not, and will not be, liable for any loss, damage, or inconvenience to any person by reason of shortage, insufficiency, suspension, discontinuance, shut off, increase or decrease of water pressure, or by a water quality problem.

4.07.500 DISTRICT ACCESS TO FACILITIES. By applying for or receiving water service from the District each consumer irrevocably licenses the District and its authorized employees and agents to enter upon the consumer's property at reasonable times for the purpose of reading, inspecting, testing, checking, repairing or replacing the District's meters and other facilities.

4.07.700 INITIATION OF WATER SERVICE: GENERALLY

4.07.710 Application. An application for the initiation or reinitiation of water service shall be filed with the District by the consumer or his agent prior to the use of water. Each applicant for service shall advise the District of the date service is

to begin, the post office address to which the water bill shall be mailed, the exact location of the property to be served and provide such credit information and deposit as the District may require. An applicant shall be required to make written application for service on a form provided by the District. Where the application is made by an agent of the consumer, a form signed by the consumer authorizing the agent to make said application shall be submitted directly by the consumer.

4.07.720 Failure to Apply. Anyone using water without having made application to the District for initiation or reinitiation of water service shall be held liable for the service from the date of any previous meter reading that most nearly coincides with the actual date the service was first used by such consumer. Such use of water may be subject to the misdemeanor prosecution provisions of Section 4.01.920 hereinabove.

4.07.800 TERMINATION OF WATER SERVICE

4.07.810 Termination by the District. The District may refuse to furnish water and/or discontinue service to any premise where:

- a. The consumer fails to comply with any of the District's regulations.
- b. The consumer fails, after notice from the District, to remove an obstruction that prevents reading of the meter.
- c. Equipment using water is found to be dangerous or unsafe.
- d. The use of water is found to be detrimental or injurious to the water service furnished to other consumers.
- e. Negligent or wasteful use of water exists which affects the District's water service.
- f. It is necessary to protect itself against fraud or abuse.

4.07.820 Termination by the Consumer. Water service will be terminated on any business day (not a Saturday, Sunday, or holiday) requested by the consumer, provided that the request is received by the District not later than two business days prior to the date of termination. The consumer shall be responsible for all service furnished by the District prior to the termination of service.

4.07.830 Reinitiation of Service Prohibited. It shall be unlawful for any person to turn on water after the same shall have been turned off as provided in these regulations, without the written consent of the District. Unauthorized resumption of service shall be deemed as tampering with District property and the consumer shall be responsible for all charges incurred for actions taken by the District to discontinue service until the bill is paid in full (including charges for any repairs for parts and labor, for discontinuation and restoration of service, and for a tampering charge of twenty-five dollars (\$25.00)).

4.07.840 Temporary Shut-Off. When the consumer requests in writing temporary discontinuation of service (120 days or less) a charge of \$10 shall be made for turning off the service and an additional \$10 shall be made for turning on the service. An additional charge of \$25.00 will be made for every after-hours service call made to the property. If an emergency situation exists, the General Manager may waive the requirement that the request be in writing. The charge for turning off and on the service may be waived on a one time basis by the General Manager if the consumer at the time of emergency discontinuation will provide and install a control valve on the consumer side of and adjacent to the District meter.

Chapter 4.09
CROSS-CONNECTION CONTROL

Sections:

- 4.09.010 GENERAL**
- 4.09.020 INCORPORATION OF COUNTY OF SACRAMENTO REGULATIONS**
- 4.09.030 INCORPORATION OF CALIFORNIA TITLE 17 REGULATIONS**
- 4.09.100 SEPARATION**
- 4.09.110 From Private Sources of Supply**
- 4.09.120 From Systems Carrying Hazardous Substances**
- 4.09.130 From Sewage Lift or Ejector Stations**
- 4.09.200 BACKFLOW PREVENTION**
- 4.09.210 Installation**
- 4.09.220 Existing Service Connections without Backflow Prevention Devices; Upgrading of Existing Devices**
- 4.09.230 Operation, Testing, and Maintenance**
- 4.09.300 COMPLIANCE WITH REGULATIONS**
- 4.09.310 Access for Inspection**
- 4.09.320 Noncompliance**
- 4.09.330 Liability**

4.09.010 GENERAL. The Rio Linda/Elverta Community Water District operates a public water supply under permit issued by the State of California Board of Public Health. In order to comply with the terms of the permit and all State regulations intended to protect the public water supply from contamination or excessive loss of supply, suitable corrective devices must be installed by the consumer or at his expense. This Chapter supplements and does not supersede local plumbing regulations, codes or ordinance, or State regulations relating to water supply. Installation of a backflow prevention device, where required by District, shall be a condition of water service.

4.09.020 INCORPORATION OF COUNTY OF SACRAMENTO REGULATIONS. The regulation of the Sacramento County Code Section 6.30.130, inclusive, hereinafter referred to as Rules and Regulations Relative to Cross-Connection Control for Public Water Systems, is hereby adopted.

4.09.030 INCORPORATION OF CALIFORNIA TITLE 17 REGULATIONS. The regulation of the California Department of Health, Title 17 California Administrative Code, Sections 7583-7622, inclusive, hereinafter referred to as Title 17, are hereby adopted.

4.09.100 SEPARATION

4.09.110 From Private Sources of Supply. The public water supply system must at all times be isolated from private sources of supply. This isolation may be accomplished by:

1. Abandoning the private source of supply, or
2. Installing a backflow prevention device capable of assuring equivalent protection as provided for in the State of California Regulations Relating to Cross-Connections (Title 17, Chapter V, Sections 7583-7622, inclusive of California Administrative Code.

4.09.120 From Systems Carrying Hazardous Substances. The public water supply system shall be separated by a air gap system from sewage treatment plant systems, chemical plant systems, or other systems carrying hazardous substances which may jeopardize the safety of the drinking water supply or at any private or public premise on which any material dangerous to health or any toxic substance in toxic concentration is or may be handled under pressure. The air gap shall be located as close as practicable to the service cock, and all piping between the service cock and receiving tank shall be exposed. All portions of the air gap system, including piping shall be accessible for inspection at any reasonable hour.

4.09.130 From Sewage Lift or Ejector Stations. At the service connection to any sewage pumping station, the public water supply shall be protected by a properly installed air gap separation system satisfactory to District, the plans for which must be approved in writing by the District's Manager prior to installation. For a single hose bib water service to the vicinity of a sewage lift station, the District may accept as satisfactory back-flow protection the installation of a double check valve assembly located as close as practicable to the service connection. The service hose bib and connecting riser must be located at the discharge end of the double check valve assembly. The system, including all piping, shall be completely exposed.

4.09.200 BACKFLOW PREVENTION

4.09.210 Installation. All backflow prevention devices will be designed and installed as specified by the Rio Linda/Elverta Community Water District. At the time an application for a new water service is made in accordance with these regulations, the General Manager will review said application to determine, in accordance with applicable regulations, the need for a backflow prevention device on the consumer's service. If a backflow device is required, it shall be the consumer's responsibility, and expense, to provide for the installation of the device in accordance with District standards and at a location approved by the District, by one of the following methods:

1. **INSTALLATION BY DISTRICT** - A backflow prevention device may be installed by the District at the discretion of the District, and thereby at the consumer's expense. The consumer shall deposit, in advance, the District's estimated cost of the device and installation. The final billing to the consumer shall be the total cost of the work.
2. **INSTALLATION BY CONSUMER** - A backflow prevention device may be purchased and installed through arrangements made by the consumer; conditionally, the type and manufacture of the device shall be specified by the District. Installation is subject to inspection by the District.

4.09.220 Existing Service Connections without Backflow Prevention Devices; Upgrading of Existing Devices.

(A) The District will inspect the premises of existing service connections, and in compliance of the regulations shall determine if the premise(s) require a backflow prevention device. If it is determined that a backflow prevention device is required, the installation of a backflow prevention device shall be a condition of continued water service. Installation shall be accomplished by one of the two methods listed in Section 4.09.210 hereinabove. If a consumer fails to provide for the installation of the backflow prevention device within a reasonable time limit set forth in a written notification from the District, the District shall suspend water service to the property being served. Alternatively, at the District's option, and upon notification of the consumer, the District may install the backflow prevention device and charge the consumer the entire cost of the device and its installation.

(B) An existing backflow prevention device which fails to meet District standards and specifications shall be upgraded at the consumer's expense following the procedures in Section 4.09.210 hereinabove. Upgrading may include complete replacement of the backflow prevention device, installation of additional devices, or correction of on-site cross-connection hazards.

4.09.230 Operation, Testing, and Maintenance. Backflow prevention devices shall be operated, tested, and maintained by the

consumer pursuant to the maintenance program prescribed by the District. District personnel or contractors of the District shall inspect and test the backflow prevention devices upon installation and annually thereafter. Charges for inspection and testing shall be set by the District from time to time based on the size and type of device. The consumer may be furnished with test results upon written request.

4.09.300 COMPLIANCE WITH REGULATIONS

4.09.310 Access for Inspection. Rio Linda/Elverta Community Water District personnel and representatives of any governmental health agency shall have the right of ingress to and egress from the consumer's premises at all reasonable hours for the purpose of investigating compliance with this Chapter.

4.09.320 Noncompliance. If an consumer fails to comply with this Chapter, the District shall have the right to discontinue water service and, if it deems necessary, physically disconnect the consumer's piping from the District's distribution system.

4.09.330 Liability. The District shall not be liable for any injury to persons or damage to property which may result directly or indirectly from the installation or testing of any device to protect the District's public water supply from contamination.

Chapter 4.11
CONSUMER FACILITIES AND USE OF WATER

Sections:

- 4.11.010 GENERAL
- 4.11.100 PRIVATELY OWNED FACILITIES
- 4.11.110 Installation and Maintenance
- 4.11.120 Connection to Meters
- 4.11.130 Pressure Devices
- 4.11.140 Ground Wire Attachments Liability
- 4.11.150 District's Non-Responsibility
- 4.11.200 USE OF WATER
- 4.11.210 Responsibility of Control
- 4.11.220 Place of Use
- 4.11.230 Resale of Water Prohibited
- 4.11.240 Change of Use

4.11.010 GENERAL. It is the policy of the District that all District responsibility for water and facilities for the transmission thereof to the consumer's property ends at the outlet side of the water meter. It is the responsibility of the consumer to protect, maintain and operate all facilities and appliances beyond that point.

4.11.100 PRIVATELY OWNED FACILITIES

4.11.110 Installation and Maintenance. The consumer shall, at his risk, furnish, install, maintain, repair and retain ownership and control over the pipes and water receiving equipment leading from the outlet of the District's water meter, provided, however that if the consumer's pipes or equipment causes damage, nuisance or inconvenience to the District or its other consumers, the District shall have the right to compel the consumer or user of such pipes or equipment to adjust, repair or replace the same or to discontinue use of water from the District

4.11.120 Connection to Meter. The consumer shall be responsible for connecting his pipeline to the District's meter end. However, except for private fire protection services, the District at its discretion may make the necessary connection if the consumer's pipeline is placed before the meter is installed.

4.11.130 Pressure Devices. Where it is desired to reduce or increase the pressure under which water is supplied by the District, the consumer shall be responsible for installing and maintaining the necessary regulators, pumps, or relief valves. In such cases, the equipment shall be installed on the consumer's side of the meter and at his own risk and expense. Pressure reducers shall be required where the water pressure exceeds 90 psi (pounds per square inch) at the meter.

4.11.140 Ground Wire Attachments Liability. The District is not responsible for providing an electrical ground through water service equipment. Consumers shall not attach any ground wiring to plumbing which is or may be connected to District service equipment. The District may hold the consumer liable for any injury to its personnel resulting from a ground wire attachment.

4.11.150 District's Non-responsibility. The District shall not be responsible for any loss or damage caused the negligent or wrongful act or omission of a consumer or any of his tenants, agents, employees, contractors, licensees, or permittees in installing, maintaining, using, operating or interfering with any water receiving equipment. The District shall not be responsible for damage caused by faucets, valves, and other equipment which may be open at any time that water is turned on at the meter.

4.11.200 USE OF WATER

4.11.210 Responsibility of Control. Title to water furnished by the District, the risk of loss thereof and full responsibility for the carriage, handling, storage, disposal and use thereof shall pass from the District to the consumer at the outlet of the District's meters.

4.11.220 Place of Use. The consumer shall not use, or permit the use of any water furnished him by the District on any premises other than those specified in his application for service.

4.11.230 Resale of Water Prohibited. No water received from the District may be resold or delivered to others without the specific approval and authorization of the District.

4.11.240 Change of Use. No substantial change in the character of water use through an existing connection shall be made except by the filing and processing of a new service application. The District shall determine what constitutes a substantial change in the character of water use which shall include, but is not limited to, change from single-family dwelling service to multiple dwelling service or from residential use to commercial or industrial use.

Chapter 4.13 WATER CONSERVATION

Sections:

- 4.14.010 Purpose
- 4.14.100 Scope
- 4.14.200 REQUIREMENTS
- 4.14.210 New Construction and Replacement
- 4.14.220 New Development Landscape Requirements
- 4.14.222 Statement of Water Conservation Measures
- 4.14.224 Failure to Conform
- 4.14.230 Reclaimed Wastewater
- 4.14.240 New Technology
- 4.14.250 Restrictions
- 4.14.300 RECOMMENDATIONS
- 4.14.310 Existing Services
- 4.14.320 Landscape/Garden Areas
- 4.14.330 Irrigation Systems

4.14.010 Purpose. Water is a limited natural resource. It must be used efficiently and economically to meet the health and safety needs of the community. This regulation incorporates water conservation as an integral part of the District's total water management program.

4.14.100 Scope. Water conserving practices, methods and devices adopted in this regulation are intended to reduce per-capita consumption. By discouraging water wastage and encouraging water savings, the District hopes to conserve its present water supply. Included in this regulation are:

1. Water conservation education;
2. Support of water conservation legislation;
3. New construction requirements for water conserving toilets, showers, faucets;
4. A continuous leak detection/repair program;
5. Metering of all non-metered consumers;
6. A rate structure to encourage water conservation and reduce water waste;
7. Distribution of water saving devices and promotion of detection and repair of household leaks;
8. Establishment of water conserving landscape/gardening irrigation practices.

The Board recognizes that this policy does not foresee all the possibilities and will revise it as necessary

4.14.200 REQUIREMENTS

4.14.210 New Construction and Replacement. The following shall apply to all new construction and the remodeling of existing facilities that require a building permit:

1. The use of ultra-low flow toilets, (defined as 1.6 gallons or less).
2. A Pressure Reducing Valve on the main supply line from the meter which reduces household pressure to 50 PSI or less where normal system pressure exceeds 70 PSI;
3. Insulation of all hot water pipes and/or a hot water circulating system; and
4. Low-flow kitchen and lavatory faucets and shower heads.

4.14.220 New Development Landscape Requirements. Consumers shall comply with the regulations adopted by the County of Sacramento pursuant to the Water Conservation in Landscaping Act (Government Codes Sections 65591 et seq.). Continued conformance to the provisions thereof shall be a prerequisite for initiation and continuation of water service.

4.14.222 Statement of Water Conservation Measures. Consumers applying for a new service shall submit to the District all intended water-saving methods proposed for development.

4.14.224 Failure to Conform. Failure to conform to the provisions of Section 4.14.220 after the initiation of water service shall be considered a nuisance subject to abatement pursuant to Section 4.23.280.

4.14.230 Reclaimed Wastewater. The District may require the use of reclaimed or other suitable water for irrigation where such water is available at reasonable cost.

4.14.240 New Technology. The District may require the use of other recycling or water saving facilities as practical and as technology permits.

4.14.250 Restrictions.

A. Conformance to the following restrictions is a condition of water service:

1. Open hoses are not permitted. Automatic shut-off nozzles are required.
2. Washing down of sidewalks, driveways, parking lots, or other paved surfaces is prohibited except to alleviate immediate fire or sanitation hazards.

3. All swimming pools, spas, ponds, and fountains shall be equipped with recirculating pumps.
4. Plumbing leaks, improperly adjusted sprinklers, or other water conduits/fixtures that require repair or adjustment must be corrected to the satisfaction of the District.

B. When a District representative determines that a person is in violation of the District's conservation plan, the following corrective action will be initiated:

1. First violation: verbal or written notification that a violation has been determined and how it shall be corrected.
2. Second violation: written warning indicating that a verbal and/or written notice was given initially and that the consumer has neglected to correct the problem following the notice, warning that a subsequent violation will result in citation and fine.
3. Third violation: written notification indicating that a \$25.00 charge will be added to the consumer's next water bill.
4. All subsequent violations: water service will be discontinued. To reestablish service, a reconnection charge must be paid by the violator to the District.

4.14.300 RECOMMENDATIONS

4.14.310 Existing Services. The following are recommended water conservation measures:

1. Reduce toilet water use by installing ultra-low flow toilets or plastic bottles, water dams or special flushing devices in the exiting tank.
2. Install low-flow showerhead or flow restrictors.
3. Install low-flow faucets or aerators on existing kitchen/lavatory faucets.
4. Install pressure reducing valves where pressure exceeds 70 PSI.
5. Install insulation on hot water lines and around hot water heaters.
6. Installation of water conserving washers (front loading or adjustable level) and dishwashers.

4.14.320 Landscape/Garden Areas. The following are recommended water conservation measures:

1. Plant native and drought resistant varieties according to their environmental needs.
2. Group together plants having similar irrigation requirements.
3. Minimize irrigation runoff and encourage deep rooting by proper soil preparation to absorb and drain water.
4. Mulch to minimize evaporation and runoff.

5. Use ground plants to minimize evaporation losses.
6. Reduce runoff by minimizing the use of artificial slopes and by terracing natural or cut slopes.

4.14.330 Irrigation Systems. Different soils have different watering needs. Some soils require deep and infrequent watering. However, the quick draining nature of clay soils typically found in this area necessitates more frequent but shorter waterings with good mulching to prevent evaporation. Temporary irrigation systems are recommended until new plants become established. Permanent irrigation systems, using domestic water, should meet the following criteria:

1. Separate irrigation zones for plant groupings with different water requirements.
2. Site the system to avoid watering walks, driveways and streets.
3. Automatic control (including moisture-sensing devices) to regulate the frequency, duration and time of watering. Irrigation is encouraged during off-peak hours and when watering is most effective.
4. A minimum co-efficient of uniformity of 75%. This assures a uniform distribution of water.
5. Application not to exceed 1/3" of water per hour. Accomplish this by uniform low rate or intermittent application.
6. System pressure to be consistent with equipment recommendations.
7. An irrigation piping system that is separate from domestic piping to facilitate the transfer of the irrigation system to a reclaimed water supply should it become available.
8. A suitable connection in the irrigation piping system to install a meter to monitor irrigation consumption if necessary.

Chapter 4.15
WATER SHORTAGE EMERGENCY REGULATIONS

Sections:

- 4.15.010 EFFECTIVE PERIOD AND APPLICABILITY**
- 4.15.100 LIMIT ON NEW CONNECTIONS**
- 4.15.200 EXCEPTIONS**
 - 4.15.210 Fire Hydrants**
 - 4.15.120 Meters Less than One Inch**
 - 4.15.130 Preexisting Agreements**
 - 4.15.140 Preexisting Amendments to Agreements**
 - 4.15.150 Rescission of Unperformed Agreements**
- 4.15.300 SUPERSEDES OTHER REGULATIONS**

4.15.010 EFFECTIVE PERIOD AND APPLICABILITY. This Chapter is effective on the date the Board of Directors by resolution declares that a water shortage emergency condition prevails in any portion of or throughout the District. This Chapter shall continue in effect until the supply of water available for distribution within said area has been augmented sufficiently to meet the demands of said area and the Board of Directors finds and declares that said water shortage emergency condition has ended.

4.15.100 LIMIT ON NEW CONNECTIONS. New connections to the District's water distribution system may be limited to such number that the quantity of water to be furnished by the District through such new connections shall not exceed the safe capacity of the system based on District forecasts of use.

4.15.200 EXCEPTIONS. Anything In section 4.15.100 of this regulation to the contrary notwithstanding, new connections may be made to the water distribution system of the District as indicated hereinbelow.

4.15.210 Fire Hydrants. New connections solely for fire hydrants.

4.15.220 Meters Less than One Inch. New connections to the existing water distribution system which require a meter size not larger than one inch and which do not require the installation of a new main.

4.15.230 Preexisting Agreements. New connections pursuant to the terms of connection agreements which, prior to the effective date of this regulation, had been executed, or had been authorized by resolution of the Board to be executed, on behalf of the District:

4.15.240 Preexisting Amendments to Agreements. New connections made pursuant to amendment of connection agreements previously executed provided that the quantity of water to be furnished by the District is not thereby increased:

4.15.250 Rescission of Unperformed Agreements. New connections for use of quantities of water made available by reason of rescission of unperformed connection agreements.

4.15.300 SUPERSEDES OTHER REGULATIONS. During the effective period of this regulation, it shall supersede and control over any other regulation of the District in conflict herewith.

Chapter 4.17
WATER SYSTEM EXTENSIONS AND RELOCATIONS

Sections:

- 4.17.010 EXTENSIONS
- 4.17.020 To Serve New Consumers Without Direct Access
- 4.17.030 Interconnection Between Mains
- 4.17.040 Size and Design
- 4.17.050 Preliminary Engineering and Planning
- 4.17.060 Cost of Preliminary Engineering and Planning
- 4.17.070 Estimate is Not a Commitment to Serve Water
- 4.17.100 PAYMENT
- 4.17.110 By Extendor
- 4.17.120 By District
- 4.17.200 EXTENSION AGREEMENTS
- 4.17.210 General
- 4.17.220 Small Extensions
- 4.17.230 Land Easements and Rights of Way
- 4.17.240 Reimbursement Agreement
- 4.17.300 EXTENSION CONSTRUCTION
- 4.17.310 Construction by Extendor
- 4.17.320 Conditions of Construction by Extendor
- 4.17.330 Construction by District
- 4.17.340 Construction Costs
- 4.17.400 RELOCATION
- 4.17.410 To Accommodate Streets and Highways
- 4.17.420 Improvements Under Assessment Proceedings
- 4.17.430 Required by Public Drainage Works
- 4.17.440 Required by Underground/Overhead Utilities

4.17.010 EXTENSIONS

4.17.020 To Serve New Consumers Without Direct Access.

Extension of the District's water distribution system including, without limitation, mains, storage tanks, pumps and pumping stations, fire hydrants and appurtenances, shall be constructed to serve new consumers whose lands do not have direct access to or do not abut a street or easement containing an adequate distribution main supplied from adequate pumping or storage facilities. Property

with direct access to a street or easement containing an adequate distribution main, but which does not have a major frontage on the street or easement, will be served at such street or easement at the discretion of the District, provided that such property and adjacent properties cannot be further subdivided or developed.

4.17.030 Interconnection Between Mains. If the Board of Directors finds that an interconnection between two of its water mains will benefit the District, it may, in its sole discretion, construct said interconnection without entering into a main extension agreement and without all or a portion of the costs thereof being advanced by an applicant for water service as provided by these regulations. The costs of such extensions shall be allocated among the various parcels of land susceptible of service therefrom on such fair basis as shall be determined by the General Manager and approved by the Board of Directors, taking into consideration the area of each parcel, its potential water requirements and its frontage, if any, on the said interconnection. Said allocated cost shall be paid to the District prior to the commencement of water service to said parcel of land and shall be in addition to the initial charges for service required by these regulation.

4.17.040 Size and Design. All extensions of the District's water distribution system shall be designed by the District and constructed in accordance with the District's plans and specifications. The location, size, type and design of all such extensions shall be sufficient to provide adequate water service for the entire area that can economically be supplied therefrom as conclusively determined by the District.

4.17.050 Preliminary Engineering and Planning. Upon request, made on a form supplied by the District, the District will prepare a written estimate and preliminary plan of extension or modification of water service. The request must be accompanied by a detailed plan showing the area of proposed service, the proposed water demand, the name and address of the consumer, developer and engineer of the project or development and other project information as may be required by the District. To the extent that they are available, the developer shall supply the District with all master plans, estimates of future water requirements and details of building construction for the purpose of designing the fire protection elements of the water system.

4.17.060 Cost of Preliminary Engineering and Planning. The cost of preliminary engineering and planning shall be included as part of the cost of extending service except that in the event the cost of preparing an estimate exceeds %100, the District will require payment therefor which payment shall become due and payable upon presentation of a bill for same to the applicant. Should the District determine that the cost of preparing an estimate and accomplishing other engineering and planning work reasonably be

expected to exceed \$500.00, the applicant shall be required to execute and advance funds for same pursuant to the District's usual form of agreement for this purpose.

4.17.070. Estimate is Not a Commitment to Serve Water.

Preparation of an estimate or any other preliminary engineering and planning work undertaken by the District in connection with the applicant's proposed project is not to be interpreted by the applicant as a commitment or agreement by the District, partial or otherwise, to serve water. Said commitment will be made only at the time service actually commences or when the District executes a service extension agreement whichever shall first occur. In the case of a service extension agreement, the commitment of the District to supply water shall be limited to the number of connections to be installed pursuant thereto and in accordance with the terms thereof.

4.17.100 PAYMENT

4.17.110 By Extendor. The applicant for water service shall: (1) pay all costs of designing and constructing such extensions of the District's water distribution system as are required by these regulations; (2) install, or pay the District's cost of installation, of all service lines; and (3) pay the initial charge for water service pursuant to these regulations.

4.17.120 By District. The District may in its discretion pay that portion of the costs of extending its distribution system referred to in these regulations equal to the difference in cost between the size required by the extendor's development and the size that the District requires under its long-range master plan when all the following conditions are present:

- (1) The main to be extended replaces a presently inadequate distribution pipeline;
- (2) The location of the facility to be constructed is one of those described in the future plans of the District as may be developed and amended from time to time; and
- (3) The Board of Directors has determined that it is within the district's financial ability to finance its share of the improvement.

4.17.200 EXTENSION AGREEMENTS

4.17.210 General. After the preparation of preliminary cost estimate and plans pursuant to these regulations and at the time Extendor desires to secure a commitment of water service and proceed with construction, the applicant shall submit a written application for service pursuant to these regulations. Upon applicant meeting all requirements, the District shall prepare an Extension Agreement. The agreement shall specify the terms of payment,

estimated cost of extension, requirements for easement or property, special service conditions and other details .

4.17.220 Small Extensions. When the estimated cost of the work to be performed by the District is less than \$10,000 (exclusive of District fees), the General Manager of the District is authorized to prepare an agreement with the applicant. All of such agreements shall be in writing in the District's usual form, and signed by the applicant and on behalf of the District by the General Manager.

4.17.230 Land Easements and Rights of Way. All extensions of the District's distribution system shall at all times be the property of, and be controlled by, the District. District facilities shall be located only in dedicated and accepted public streets or rights of way or within easements owned by the District. No facilities will be constructed until all rights of way, easements and facility sites as required by the District shall have been conveyed to the District at the sole cost and expense of the extendor. in the event such rights of way, easements or lands are not conveyed by the extendor, the extendor shall pay the District its entire cost of acquisition thereof, including appraisers' fees, escrow charges, title insurance premiums and regal expenses.

4.17.240 Reimbursement Agreement. If an extension is made at the expense to the consumer which may serve other property than that of the consumer paying the cost for the extension, the District shall determine the potential for additional services available. Should such a potential exist, the District shall determine the proportionate percentage of the expense to be bared by the primary applicant/consumer. The remaining cost shall be shared by future secondary applicants who subscribe to service and such percentage determined by the District shall be collected from secondary applicants (upon their request for service) and the cost share as determined by the District shall be reimbursed to the primary applicant following such transaction. The reimbursement policy shall be in force continuously but no longer than ten (10) years from the commencement of service to the primary applicant/consumer.

4.17.300 EXTENSION CONSTRUCTION

4.17.310 Construction By Extendor. The extendor may, if he elects, construct extensions to the District's water distribution system, with materials furnished by the District, provided, however, the District reserves the right to construct, with its own personnel or by private contract, any of the following: (1) Pumping plants, storage facilities and main transmission lines; (2) Small extensions; (3) Extensions involving complicated connections to, or interference with, the District's existing facilities.

4.17.320 Conditions of Construction by Extendor. Construction by the extendor shall be subject to each of the following conditions: (1) Prior to commencement of construction the extendor shall execute an extension agreement, advance all costs of materials to be furnished and work to be performed by the District, pay all charges as required by Regulation 4.17.240 and furnish the District with a corporate surety performance bond satisfactory to the District in an amount equal to 100% of estimated cost of the construction by the extendor; (2) All work shall be performed by a competent and experienced contractor licensed for underground construction and with experienced laborers; (3) All work shall be performed in a good, workmanlike and safe manner and in accordance with the plans and specifications of the District, under its inspection, and to the satisfaction of its Chief Engineer. Risk or loss or damage to materials shall be borne by the extendor until the facilities constructed are accepted by the District; (4) All facilities shall be maintained by the contractor that installed the same for one year, or such longer period as shall be specified by the District, following the acceptance thereof by the District; and (5) The extendor shall indemnify and hold the District, its officers, employees and agents harmless from any liability, arising out of or in any way connected with, such work done by, or on behalf of, the extendor, his employees, agents or contractors.

4.17.330 Construction By District. Subject to the rights of the extendor as set forth In Regulation 4.17.310 and 320, the District will construct extensions of its water distribution system. Such work shall be performed by the District's personnel or by private contract as determined by the District. Such work will be commenced only after the extendor has executed an extension Agreement , advanced the total estimated cost of all facilities, paid all charges and provided all easements as required by these regulations.

4.17.340 Construction Costs.

(A) The District shall determine its actual cost of all extensions. Costs shall include labor, material, overhead, engineering, legal and administrative expenses allocable to such work.

(B) If the actual cost of such work should exceed the amount paid to the District therefor, the District will invoice the extendor for the excess. If such invoice is not paid promptly, the District shall have the right to refuse water service through such facilities or to said extendor.

(C) In the event the actual cost of such facilities is less than the amount advanced to the District, the District will promptly refund such difference.

4.17.400 RELOCATION

4.17.410 To Accommodate Streets and Highways. The District will relocate or reconstruct existing facilities to accommo-

date construction widening or relocation of streets and roadways and will release easements no longer considered useful to the District on the following conditions: (1) The entire cost of the relocation or reconstruction shall be paid by the party requesting the same if the party is not the County of Sacramento; (2) The new location is such that it will not in the opinion of the District be subject to future relocation; and (3) There shall be conveyed to the District without cost such easements or rights of way for new facilities locations as the District shall consider necessary.

4.17.420 Improvements Under Assessment Proceedings. The District will not bear any part of the cost of any relocation or alteration of its facilities made necessary by improvements undertaken pursuant to improvement act or other assessment proceedings. The public agency undertaking such proceedings shall make arrangements with the District for any such relocation or alteration of the District's facilities which work will not be performed by the District until after it receives satisfactory guarantees of reimbursement of its full actual costs. The amount of said costs shall be paid to the District promptly after they are ascertained. The public agency shall furnish the District with such plans, specifications, surveys, drawings and time schedules related to the improvement work as shall be necessary to enable the District conveniently and efficiently to effect necessary relocation or alteration of its facilities.

4.17.430 Required by Public Drainage Works. The District will at its own expense undertake reasonable and normal relocation of its water distribution lines as required by routine drainage projects undertaken by a public agency. Extensive relocation of water distribution lines or relocation of a major transmission line, pumping station, regulation structures and appurtenances, will be undertaken by the District only on a cost-sharing basis mutually satisfactory to the District and the public agency undertaking the drainage project.

4.17.440 Required by Underground/Overhead Utilities. The District will not bear any part of the cost of relocating or altering any of its facilities to accommodate the construction of publicly or privately owned gas lines, telephone and electric cables, sanitary sewers, or other underground or overhead utilities. The District will undertake such relocation or alteration of its facilities only after the District's cost thereof is paid to the District, or such payment is guaranteed to the District's satisfaction.

Chapter 4.21 FIRE PROTECTION FACILITIES

Sections:

- 4.21.010 GENERAL
- 4.21.100 HYDRANTS
 - 4.21.110 Hydrant Installation
 - 4.21.120 Installation by District
 - 4.21.130 Installation by Contractor
 - 4.21.140 Hydrant Permits
- 4.21.200 PRIVATE FIRE PROTECTION FACILITIES

4.21.010 GENERAL. The District will provide water service for fire hydrants and other facilities used exclusively for fire protection, at such pressures and at such rates of flow, as are available from time to time from the District's operation of its storage, transmission and distribution facilities. The District shall not be liable for any damage in any manner arising out of the non-availability of water or water pressure, at any hydrant or facility used for fire protection.

4.21.100 HYDRANTS

4.21.110 Hydrant Installation. Public fire hydrants will be installed and connected to the District's mains when requested by the public fire protection entity having jurisdiction or when required as a condition of a building permit or subdivision. Fire hydrants installed under this Chapter shall belong to the District.

4.21.120 Installation by District. When a hydrant is installed in which the work is performed by the District, the holder of the building permit, developer of the subdivision, or otherwise District-authorized consumer or agency will reimburse the District the actual cost of labor, materials, engineering, inspection and usual overhead expenses in the installation of the hydrant assembly, hydrant lateral, control valve, and the connection to the District facilities.

4.21.130 Installation by Contractor. In the event the District declines to perform such installation, the contractor shall adhere to the terms and conditions as set forth in the Dis-

trict's "Standard Details and Construction Notes" and thereby satisfy the District with plan review, revisions, and plan approval. The responsible party will in addition thereto pay all costs determined by the District which include but are not limited to plan review, engineering, inspections, usual overhead expenses, and applicable fees; and upon completion of the work, will execute a deed and convey legal title including any interest in real property to the District at no cost to the District.

4.21.140 Hydrant Permits. In the event that the District authorizes any person other than the public fire protection agency to use any hydrant of the District for the purpose of securing water, said person shall obtain a hydrant permit, a hydrant meter, and pay the appropriate fees for the purposes stated by the applicant. In the event of an emergency, the Fire District of jurisdiction and/or the Rio Linda/Elverta Community Water District shall have the right to overrule the use of such hydrant(s) by consumer who purchased a permit.

4.21.200 PRIVATE FIRE PROTECTION FACILITIES. A private fire protection system is defined as that water supply system which is totally intact and on the land of the Consumer and which is constructed to service an in-building fire sprinkler system only. In order to attach such a system to existing water mains of the District, the following conditions must be met:

- a. The land to be served is within the geographical area of the District.
- b. The District possesses an adequate supply of surplus water capable of serving a private fire system.
- c. In applying for such service, the consumer has complied with all the applicable requirements of these regulations.
- d. The private fire suppression system is for the sole and exclusive benefit and use of the consumer and is located entirely within the consumer's property.
- e. The private fire suppression system will be used exclusively for the suppression of fire or for the testing of the fire prevention system.
- f. The type and location of the said private fire suppression system has been approved by the responsible fire protection agency.
- g. The consumer assumes full responsibility for all maintenance and repair of the said system outside of the public right-of-way.
- h. The size and design of the service connections, detector check, cold water fire service type meter, and the reduced pressure device shall all be determined by the District taking into consideration such factors as the ISO requirements and the AWWA requirements.
- i. The District reserves the right to disconnect such system or to require cold water/fire service type meter as defined in AWWA Standards C703-79 to be installed in lieu thereof in the event that

water is taken through the detector check assembly for any other use than fire fighting or testing.

j. The District may require payment for estimated water usage in the event of water consumption for purposes other than fire protection; such events may be determined by incidents of plumbing breaks or leakage or other means of water passage as determined.

Chapter 4.23 ABATEMENT

Sections:

- 4.23.010 Violation a Nuisance
- 4.23.020 Other Nuisances
- 4.23.030 Notices
- 4.23.100 Summary Abatement in Case of Emergency
- 4.23.200 Notice to Abate
- 4.23.210 Effect of Failure to Abate
- 4.23.220 Hearing; Resolution of Findings
- 4.23.230 Abatement by District
- 4.23.250 Record of Expenses; Hearing; Assessment
as Lien
- 4.23.260 Collection of Assessed Costs
- 4.23.280 Termination of Water Service as Alternative

4.23.010 Violation a Nuisance. Violation of any of the provisions of these regulations is a nuisance subject to abatement.

4.23.020 Other Nuisances. The procedures for abatement established in this Chapter may be used to abate any nuisance which pursuant to law may be abated by the District.

4.23.030 Notices. Notices required in this chapter shall be mailed by certified mail (return receipt not required) to the owner of the subject property and to said owner's mailing address shown on the records of the Assessor of the County of Sacramento. Further, a copy of such a notice shall be posted conspicuously upon the property. Further, when the address for purposes of billing for water service differs from the address shown in the Assessor's records, a notice shall also be mailed (certified mail not required) to said billing address. Failure of the owner (or other person to whom notice is given) to receive a notice required in this chapter shall not affect the validity of any proceedings conducted pursuant to this chapter.

4.23.100 Summary Abatement in Case of Emergency. When the conditions which constitute the nuisance pose an immediate threat to the public peace, health, or safety, or may cause irreparable harm to the environment, the Board may order the nuisance abated immediately by adopting by four-fifths (4/5) vote the resolution prescribed in Section 4.23.230 of this code.

4.23.200 Notice to Abate. Upon making a determination that a nuisance exists upon a parcel within the District, the General Manager shall issue a notice to abate the nuisance. Said notice shall briefly describe the conditions which constitute the nuisance and shall order the abatement of the nuisance within thirty (30) days. A notice to abate may be issued simultaneously with, and as a part of, any other notice of violation of this code or other law, ordinance, or regulation.

4.23.210 Effect of Failure to Abate. If the owner or other authorized person fails to abate the nuisance within the time period indicated in the notice issued pursuant to Section 4.23.200 hereinabove, the General Manager may determine to proceed with abatement proceedings as provided hereinbelow. A notice shall be issued directing the owner or the owner's authorized agent to appear before the Board of Directors at a stated time and place to show cause why the Board should not order the nuisance abated.

4.23.220 Hearing; Resolution of Findings. At the time fixed in the notice, the Board shall hear the testimony of all competent persons desiring to testify respecting the condition constituting the nuisance, including the estimated cost of abatement and any other matter which may be pertinent. At the conclusion of the hearing, which may be continued, the Board shall by resolution declare its findings. If the Board finds that sufficient evidence exists to support a determination that a nuisance exists, it may include in the resolution a declaration that the nuisance exists and an order directing the owner of the property upon which the nuisance exists to abate the nuisance within thirty (30) days after the date of the hearing. A notice containing said resolution shall be issued within seven (7) days from the date of the hearing.

4.23.230 Abatement by District. If the nuisance has not been abated within the time prescribed, the Board by resolution may order the General Manager to abate the nuisance. The General Manager may direct any District employee, contracting agent, or other representative to enter upon the private property in a manner consistent with Section 202 (c) of the *Uniform Building Code* for purposes of abating the nuisance.

4.23.250 Record of Expenses; Hearing; Assessment as Lien. The General Manager shall keep an account of the cost of abatement and shall render an itemized written report to the Board showing the cost of abating the nuisance. Before the report is submitted to the Board, a notice of the written report shall be issued as provided in Section 4.23.030 hereinabove at least ten (10) days prior to the meeting at which the report is to be submitted. At the time fixed for receiving and considering the report, the Board shall consider objections to the cost items raised by the person liable to be assessed for the cost of abatement. The Board may then make such modifications in the report as it deems desirable, after

which, by resolution the report shall be confirmed. If the consumer does not pay the expense of abating the nuisance within ten (10) days after the District issues a notice of confirmation of the costs of abatement, the cost shall become as special assessment against the real property upon which the nuisance was abated and a personal liability of the owner of the property. Such assessment shall constitute a lien upon the property. Such lien shall attach upon recordation in the office of the County Recorder a certified copy of the resolution of confirmation.

4.23.260 Collection of Assessed Costs. A certified copy of the confirmed report shall be given to the Assessor and Tax Collector, who shall add the amount of the assessment to the net regular tax bill levied against the property. A certified copy shall also be given to the County Auditor who shall enter the assessment on the county tax roll opposite the parcel of land. The amount of the assessment shall be collected at the time and in the manner of ordinary property taxes. If delinquent, the amount is subject to the same penalties and procedure of foreclosure and sale provided for ordinary property taxes. All laws relating to the levy, collection, and enforcement of county taxes shall apply to such special assessment. The Board may enforce the personal liability of the owner by directing counsel to file suit in a court of competent jurisdiction to collect the cost of abatement.

4.23.280 Termination of Water Service as Alternative. Where the District's interests can be effectively accomplished through termination of water service until such time as the condition on the property creating the nuisance is eliminated, such termination may be ordered in lieu of actions by the District to physically abate the nuisance.

Chapter 4.31
FEES, CHARGES AND BILLING

Sections:

- 4.31.010 STATEMENT OF POLICY
- 4.31.020 ADOPTION OF FEES AND CHARGES
- 4.31.100 CONNECTIONS
- 4.31.110 Connection Fees
- 4.31.200 WATER SERVICE CHARGES
- 4.31.210 Service Charges
- 4.31.220 Security Deposits
- 4.31.225 Billing Address
- 4.31.230 Bill Due Dates
- 4.31.240 Billing Periods
- 4.31.250 Receipt of Payments
- 4.31.260 Advance Payments
- 4.31.270 Disputed Bills
- 4.31.280 Late Notice
- 4.31.285 Service Discontinuation
- 4.31.290 Liens
- 4.31.295 Collection Fees and Charges
- 4.31.300 METER REREADS, TESTS AND ADJUSTMENTS
- 4.31.310 Testing the Accuracy of Meters
- 3.31.320 Meter Rereads
- 3.31.330 Reimbursement

4.31.010 STATEMENT OF POLICY. As provided in Section 31007 of the Water Code of the State of California, rates and charges shall be so fixed as to yield an amount sufficient to do each of the following: (1) pay the operating expenses of the district; (2) provide for repairs and depreciation of works owned or operated by the District; (3) pay the interest on any debt; and (4) so far as possible, provide a fund for the payment of the principal of the debt as it becomes due.

It is intended by this Chapter to require the district to pay the interest and principal of its debt from the revenues of the water system. The Board of Directors has determined that it is desirable to have all expenditures for operations and debt service funded independently of property tax revenue in order to assure consistent and safe operations.

4.31.020 ADOPTION OF FEES AND CHARGES. The Board of Directors may establish fees and charges related to providing water service and water to any property within the District. Said fees and charges shall be established or amended by a resolution adopted pursuant to Section 54354 et seq. of the Government Code.

4.31.100 CONNECTIONS

4.31.110 Connection Fees. Fees for connection to the District Water System as indicated in Resolution No. 3-94 attached hereto shall be paid prior to the installation of a new service connection.

4.31.200 WATER SERVICE CHARGES

4.31.210 Service Charges. Fees for water service from the District Water System shall be as indicated in Ordinance No. 1.10 attached hereto.

4.31.220 Security Deposits. As provided in Section 4.07.710 hereinabove, a security deposit may be required at the time of initiation of service. The following policies shall apply:

A. At the time of application pursuant to Section 4.07.710 the applicant may establish credit through one of three options:

1. Have a previous record with the District for a period of at least one year of having paid water bills promptly when due. If such is evidenced then no deposit shall be required.
2. Provide the District with a letter of previous electric service within the last 12 months where credit was established and maintained with the District's criteria. Letter must be received within ten (10) working days after application for water service.
3. Pay a deposit of \$30.00

B. Maintenance of Credit. A consumer's credit may be deemed to be no longer maintained to the District's satisfaction if such consumer has one or more delinquent charges during a 12 month period, or if the service has been discontinued for nonpayment. In the event of such delinquency, the consumer may be required by the District to reestablish credit and will be subject to a deposit requirement as indicated in paragraph "A." above.

C. Increased Deposit Required Where Credit Not Maintained. Where a consumer or applicant for service does not satisfactorily establish and maintain credit in accordance with District policy, a deposit may be required in addition to an existing deposit in order to increase the total amount retained. The District may discontinue service if consumer fails to make such deposit as requested by the District. The deposit amount required may vary depending on the consumer's previous bills and history but shall not exceed twice the highest bill.

D. Deposit Retention and Refunds. Deposits will normally be held for a period of one year. Deposits will be credited to the consumer's account at the end of the deposit period if consumer has maintained a record of paying his/her account promptly and is in no way indebted to the District. Upon termination of service, the District will return the deposit less the amount of any charges remaining unpaid.

4.31.225 Billing Address. The District shall be responsible, but not limited as such, to render each bill only to one mailing address only for each account in which a consumer has established. The consumer is responsible for notifying the District of any name and/or address changes. Consequences or expenses which may arise from the consumer providing erroneous information or failure to provide needed information shall deem the consumer fully responsible for such resulting indebtedness due to the District.

4.31.230 Bill Due Dates. All water charges are due and payable upon presentation and are delinquent after date stated on bill (if delinquent date is not stated on the bill, it is considered past due on the 15th day after bill is rendered).

4.31.240 Billing Periods. All bills (with the exception of some closing bills) will be rendered bimonthly. Opening and closing bills will be prorated according to water consumption and time period if less than the minimum cubic feet and less than two months. Meters will be read at regular intervals for the preparation of regular bills. Meters will be read for opening and closing bills as arranged with District staff upon notification by consumer. In the event that a consumer does not notify the District of moving, or an otherwise change in consumer responsibility for water service, the District may charge the consumer's account based on total water consumption and time period up to the date of which the District was made aware of such change. In the event that weather or emergency conditions prevent meter reading schedules, the District shall charge minimum water rate relative to the consumer's account.

4.31.250 Receipt of Payments. Consumer payments of bills shall be considered paid upon receipt of such payment in the District office only; this includes payments sent via postal delivery. Postmarked dates are not accepted as paid dates. District employees working outside of the District office shall not be obligated to accept payments unless authorized by the District. Late charges and/or discontinuation of service may be applicable if payments are not received by the date stated on the bill. Water service also may be discontinued for nonpayment of a bill for water service rendered (from the District) at a previous location if the bill is not paid within ten (10) days after presentation at consumer's new location.

4.31.260 Advance Payments. Advance payments (overpayments) may be deposited with the District if the consumer so submits. The overpayment will result in a credit balance on the account until charges incurred offset that balance. The District shall not be required to pay any interest or yield on such overpayment.

4.31.270 Disputed Bills. Any request for review of a disputed bill must be made in writing. Dispute of a bill shall not justify nonpayment thereof and the bill shall be paid in full when due pending investigation and settlement of the dispute.

4.31.280 Late Notice. Immediately following the due date as provided in Section 4.31.230, a late notice shall be mailed to consumers who have not submitted payment. A late charge shall be applied.

4.31.285 Service Discontinuation. Ten (10) days following the mailing of late notices, the District may discontinue water service for delinquent charges which remain unpaid. A written notice shall be served at the property of the water service forty-eight (48) hours prior to discontinuation of service. A notification charge may be applied. The District shall not be obligated to serve the 48-hour notice person-to-person; rather, placement of the notice shall be in a conspicuous area such as a door, fence, or any area determined to be most accessible and safe by the District representative. The District shall not be obligated to adjust notification time or other procedures due to consumers absence for any reason and consequential delay of receipt of such notice. Notice at the property shall be deemed sufficient to permit service termination for non-payment regardless of who occupies the property. Following the 48-hour period, service may be terminated for non-payment and a discontinuation charge shall be applied. Service may be reinstated pursuant to Section 4.07.710 following payment of delinquent charges.

4.31.290 Liens. Water delivered to real property by said Rio Linda/Elverta Community Water District shall be deemed an improvement to said real property, and the legal charge therefore shall constitute a lien thereon which shall only be discharged by payment thereof. The District acting through its General Manager or other officers, shall file in the office of the County Recorder of Sacramento County, California, a verified delinquent list of all unpaid balances due the District for water furnished, including all charges and fees including a lien charge, which had not been entered in previously recorded delinquent lists, which list shall show, among other things, the names of the consumers to whom such balances were charged and a brief description of the several and respective lots or parcels of land on which deliveries had been made for the account of such consumers, severally and respectively. Thereupon public notice shall be deemed given of the amounts due

the District for water from the several lots and parcels of land so mentioned. Such amounts shall be deemed to constitute liens on said lands, severally, and respectively, and an action to foreclose such liens may be brought in the name of the District in the Superior Court of such county. One action may be brought on all lands described in any such list. In the event of such foreclosure action, the District shall be entitled to legal interest from the date of filing and also to a reasonable attorney's fee in such action, the same to be taxed as costs. A release of any such lien shall be sufficient if signed the President of said Board of Directors or by the General Manager of the District.

4.31.295 Collection Fees and Charges. The following fees and charges shall be applied as indicated:

LATE CHARGE	\$ 5.00
SERVICE DISCONTINUATION/RESTORATION CHARGE	\$10.00
AFTER HOURS RESTORATION CHARGE (restoration requested between 4 p.m. and 7 a.m. and on weekends and holidays)	\$25.00
LIEN CHARGE	\$32.00
RETURNED CHECK CHARGE (applied upon return)	\$10.00

4.31.300 METER REREADS, TESTS AND ADJUSTMENTS

4.31.310 Testing the Accuracy of Meters. A consumer may, with a minimum of seven (7) working days written notice, request the District to test the water meter serving the premises. The charge for this service is:

1" or smaller meter	\$10.00
larger than 1"	\$20.00

This payment will be refunded if the test indicates that the meter registers more than 2% fast. Additionally, if the meter was found in error as stated, the consumer's account may be adjusted for the overcharge or other undercharge. The adjustment shall be the equivalent of the average water usage for that consumer at that time of year. If the consumer has no history for that time of year in which to calculate the average, a minimum charge shall be assessed. Such adjustment shall be retroactive for no greater than three (3) billing periods or six (6) months. The meter shall be replaced with a new meter if it register more than 2% slow.

3.31.320 Meter Rereads. A consumer may, within two weeks following presentation of the first billing notice (each period), request the meter to be reread. The consumer is limited to one such request each billing period without charge. The consumer is limited to two such requests per year without charge. Additional requests shall require a fee of \$10.00 per request. Additional requests may be refused by the District if the District determines such requests

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to be unnecessary. Any reread which results in an adjustment of the bill will not be counted in the limits specified herein.

3.31.330 Reimbursement. Upon written application of a consumer, the district will allow a credit against future water charges to the extent the consumer has paid water charges erroneously levied by the District in excess of the proper water charge, provided that the credit will not apply to charges levied more than two years before the application for the credit was filed.