

# **Agenda**

## **Sacramento Suburban Water District Facilities and Operations Committee**

3701 Marconi Avenue, Suite 100  
Sacramento, CA 95821

Monday, April 20, 2015  
5:00 p.m.

Public documents relating to any open session item listed on this agenda that are distributed to the Committee members less than 72 hours before the meeting are available for public inspection in the customer service area of the District's Administrative Office at the address listed above.

The public may address the Committee concerning any item of interest. Persons who wish to comment on either agenda or non-agenda items should fill out a Comment Card and give it to the General Manager. The Committee Chair will call for comments at the appropriate time. Comments will be subject to reasonable time limits (3 minutes).

In compliance with the Americans with Disabilities Act, if you have a disability, and you need a disability-related modification or accommodation to participate in this meeting, then please contact Sacramento Suburban Water District Human Resources at (916)679-3972. Requests must be made as early as possible and at least one-full business day before the start of the meeting.

### **Call to Order**

### **Roll Call**

### **Public Comment**

This is an opportunity for the public to comment on non-agenda items within the subject matter jurisdiction of the Committee. Comments are limited to 3 minutes.

### **Consent Items**

The committee will be asked to approve all Consent Items at one time without discussion. Consent Items are expected to be routine and non-controversial. If any member of the Committee, staff or interested person requests that an item be removed from the Consent Items, it will be considered with the action items.

### **1. Minutes of the March 30, 2015 Facilities and Operations Committee Meeting**

*Recommendation: Approve subject minutes.*

**Items for Discussion and Action**

- 2. Utilization of Suite 300 – Update**  
Receive report on status of utilizing Suite 300.
- 3. Improvement Standards and Technical Specifications**  
Receive report on updated specifications.
- 4. Amending Regulations Nos. 1 through 14, 16 and 17 of the Regulations Governing Water Service**  
Receive updated draft regulations and direct staff as appropriate.

**Adjournment**

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**Upcoming Meetings:**

Monday, April 20, 2015, at 6:30p.m., Regular Board Meeting  
Monday, May 18, 2015, at 6:30 p.m., Regular Board Meeting

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I certify that the foregoing agenda for the April 20, 2015, meeting of the Sacramento Suburban Water District Facilities and Operations Committee was posted by April 16, 2015, in a publicly-accessible location at the Sacramento Suburban Water District office, 3701 Marconi Avenue, Suite 100, Sacramento, California, and was made available to the public during normal business hours.

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Robert S. Roscoe  
General Manager/Secretary  
Sacramento Suburban Water District

# Agenda Item: 1

## Minutes

Sacramento Suburban Water District  
**Facilities and Operations Committee**  
Monday, March 30, 2015

### Call to Order

Chair Bob Wichert called the meeting to order at 6:00 p.m.

### Roll Call

Directors Present: Chair Bob Wichert and Kevin Thomas.

Directors Absent: None.

Staff Present: General Manager Robert Roscoe, Assistant General Manager Dan York, David Espinoza, Heather Hernandez-Fort, Dave Jones, and John Valdes.

Public Present: William Eubanks, Dan Finocchio, Andy Davidson and one unidentified gentleman.

### Public Comment

None.

### Consent Items

#### 1. Minutes of the January 21, 2015 Facilities and Operations Committee Meeting

Director Kevin Thomas moved to approve the Minutes; Chair Wichert seconded.

AYES:	Thomas and Wichert.	ABSTAINED:	
NOES:		RECUSED:	
ABSENT:			

### Items for Discussion and Action

#### 2. Request for Variance at 2134 Butano Drive

General Manager Roscoe presented the staff report explaining that staff's recommendation is to comply with District Regulations Governing Water Service, requiring an adequately sized water main be constructed at 2134 Butano Drive.

Mr. Andy Davidson, with Anton Development Company, stated the he feels confident that there is adequate flow using the existing 8" and 10" water mains.

Mr. Dan Finocchio, with Cunningham Engineering Corporation, explained how he did the hydraulic modeling, and responded to the Districts concern regarding the 20psi residual test. He explained that his company performed a friction loss calculation to see if they have adequate fire flow. Due to the existing main on the east and west sides of the project, they balanced the flows to the site using a roughly 60" diameter pipe, and applied the pump to both of those facilities. This minimized the velocity in the existing pipes creating velocity below 5 feet per second.

Mr. David Espinoza clarified to the Committee that one of the water mains is what is considered a backyard main, and informed the Committee that the District does not tap backyard mains for new development. Director Thomas asked staff when this section of backyard water main was scheduled to be replaced in the roadway. Staff stated the subject water main is AC material, and could be several years from replacement.

Mr. William Eubanks encouraged the District to follow District Regulations with no deviation.

GM Roscoe added to staff's argument that in the event of a fire, the fire department would need to hook up to the nearest hydrant which would create velocity exceeding 5 feet per second. Then, if or when a second fire hydrant hook up is required, bringing water in from both sides of the property would be used, decreasing velocity. If only one hydrant was used, or until the second hydrant is operated, excessive stress on the District water mains and/or force to the joints would occur, which increase with the square of the velocity.

Chair Wichert stated that the District has Regulations in place, and he is disinclined to grant the variance due to the Regulations. Director Thomas agreed that the District needs to stick to the Regulations.

The Committee denied the Grant for Variance for 2134 Butano Drive.

### **3. Review of District Regulations Governing Water Service**

GM Roscoe gave a brief description on the review process of the Districts' Regulations Governing Water Service. He informed the Committee that following a qualification based selection process, Coleman Engineering (C.E.) was hired to perform an independent review of the District's Regulations. C.E. Provided a summary spreadsheet with the recommended changes.

There was a discussion regarding the minimum easement width. Director Wichert suggested staff decide if they are recommending an actual minimum easement length, and if so, what that desired length would be. Director Thomas suggested the verbiage change to "desired easement of 20 feet."

GM Roscoe clarified that if it is a developer requested installation, the District would prefer a 20 foot easement. But to correct an existing situation, the District would be willing to accept less than the desired 20 feet. Director Wichert suggested that the

Regulations state that existing situations are on a case-by-case basis; however, a “20 foot for new construction” would simplify enforcement.

Director Wichert requested staff to clarify Regulation number 9, section N, “Minimum water main size for all NEW construction on Residential property shall be 8”. Single family on ¾” meter on 6-inch line is being required. Mr. Espinoza clarified that if there is a service, and there is not a fire hydrant required, then a 6” line is acceptable. Director Wichert requested for staff to clarify this in the Regulations.

The Committee recommended for staff to bring back the Draft Regulations Governing Water Service with changes to the next Facilities and Operations Committee Meeting for further review. Staff was further directed to provide additional information regarding required easement widths.

#### **4. 2015 Water Conservation Stage Declaration**

Mr. Bundesen presented the staff report. Director Thomas requested clarification on the total labor cost for the temporary staff. Mr. Bundesen clarified that the total labor cost consisted of \$13,000 for the duration of a 10 month period. Director Thomas also suggested taking advantage of an additional bill insert for community outreach on the District’s Water Stage Declaration and/or Water Conservation.

Chair Wichert inquired how the District was planning on enforcing the restriction on restaurants from serving water. Mr. Bundesen informed the Committee that the District created a window cling, advising to customers that “this restaurant will only serve water upon request.” Enforcement would be more of a word-of-mouth, whereas the District would respond to complaints in the same manner as any other water waste complaints.

Director Wichert also inquired about the Media Release requesting clarification on 2 days per week, versus the District’s current position. Mr. Bundesen clarified that if your district has a Water Shortage Contingency Plan (the District’s Regulation Governing Water Service, 15 Water Conservation), then your district has to adopt a stage that restricts watering days. Discussion ensued regarding evapotranspiration rate.

Mr. Eubanks requested further information on the 20% reduction in the proposed Stage 1 Water Warning Declaration compared to 20% reduction in SBX7. Mr. Bundesen clarified that the State Water Resources Control Board’s current request to conserve 20% of water consumption is due to the drought situation. He stated the SBX7 is a long term reduction strategy. Chair Wichert requested staff to present a report to the full Board clarifying the difference between the 20% reduction in the proposed Stage 1 Water Warning Declaration, the 20% reduction in SBX7, and the 20% reduction that the State Water Resources Control Board is requiring. He would like to see all of these percentages into a matrix in hopes to clarify any confusion.

Mr. Eubanks also had comments regarding fiscal impacts. Director Wichert directed staff to include fiscal impacts in the staff report that are consistent with the reduction in water sales associated with the 20% reduction in water use.

Director Thomas inquired about outreach to schools and park districts. He also inquired about cash for grass and reclaimed water. GM Roscoe helped clarify all of these inquiries.

The Committee recommended moving the proposed Stage 1 Water Alert Declaration along with the changes to Regulation 15, for consideration and acceptance by the full Board.

**5. Water Meter Asset Management Plan Update**

Mr. John Valdes gave a presentation on the Water Meter Asset Management Plan Update.

Director Wichert recommended projecting the graphs and images from a projector, in full color, for better clarity when presented to the full Board.

Director Thomas recommended that staff also discuss the 5 year rotation with the Asset Management Plan to potentially extend the life of some of the Asset Management Plans in order to save money.

The Committee recommended taking this item to the full Board with a recommendation of approval.

**6. Sacramento Metropolitan Air Quality Management District – Notice of Violation**

GM Roscoe presented the item. He reported that staff is in the process of updating the procedures to prevent violations in the future. Mr. York informed the Committee that staff has contacted the Sacramento Metropolitan Air Quality Management District requesting an analysis to potentially increase the limit on the amount of hours on District generators.

Director Wichert requested that staff update the procedures to either limit the time contractors are allowed to run the District generators, or somehow make them aware of the time left on a individual generator. Director Wichert suggested staff review our contracts to determine if they need to address risk transfer.

The Committee requested staff to convert this report into an updated staff report to present to the full Board as an Information Item.

**7. San Juan Unified School District Landscape Irrigation Services Customer Partnership proposal**

Mr. Bundesen presented the report and defended the goal of this partnership proposal. He clarified that the District will be able to track the usage by using fixed network meter reading equipment in the individual irrigation meters. These meters will be retrofitted at District cost, at roughly 25 different school sites.

The District proposes to allow a variance in the watering days for these participants, since the District is supplying them with an allocation based water rate. The proposed State Regulations for watering days are for residential customers, commercial/industrial/institutional; therefore, the District will still comply with State Regulations.

Director Thomas requested staff to report exactly how many meters will be installed. Director Wichert requested the fiscal impact, including the actual cost for all of the meters to be incorporated in the staff report to the Board.

The Committee recommended taking this item to the full Board with a recommendation of approval.

**8. Grant of Easement at 2163 Fulton Avenue**

GM Roscoe presented the report regarding staff installing infrastructure before easement was approved by the District Board, apologized for the oversight, and explained measures being implemented to prevent recurrence.

Responding to a question from Director Wichert, Director Thomas verified that in the 5 years he has served on the District Board, he has never had an issue like this presented, verifying that the District doesn't frequently make these types of errors.

The Committee recommended taking this item to the full Board with a recommendation of approval.

**9. Grant of Easement at 2600 Fulton Avenue**

GM Roscoe presented the report regarding staff installing infrastructure before easement was approved by the District Board.

The Committee recommended taking this item to the full Board with a recommendation of approval.

**Adjournment**

Chair Wichert adjourned the meeting at 7:39 p.m.



## Facilities & Operations Committee

### Agenda Item: 2

**Date:** April 15, 2015

**Subject:** Utilization of Suite 300 - Update

**Staff Contact:** John E. Valdes, Engineering Manager

**Recommended Committee Action:**

Receive an update from staff on the efficient utilization of the Marconi Administration Building.

**Discussion:**

At the Facilities and Operations (F&O) Committee Meeting on January 20, 2015, staff reported on the efforts to relocate all Engineering Department and GIS staff to the unleased Suite 300 area within the Administration Building. This would improve work efficiency and communication by having all engineering functions in one central location. The floor plan proposed at that time for Suite 300 is attached as Exhibit 1 to this staff report.

After further planning, a revised plan has been generated. See Exhibit 2 attached to this staff report for the current proposed Suite 300 floor plan. This revised plan would still move all engineering staff into Suite 300, but GIS staff would remain in their current location in Suite 100. Therefore, District staff would occupy less of Suite 300 than originally planned. In addition, with the revised plan staff would occupy fewer of the existing offices within Suite 300. This leaves the additional unoccupied area available for future expansion.

A total of \$180,000 was included in the CY2015 Operating Capital Budget for remodeling the Suite 300. Staff is still proposing to start remodeling Suite 300 with new carpet, new paint, etc. Several partitioned workstations are also included in the suite to accommodate specific staff. The only new construction is the new conference room where walls are needed for meetings.

At the F&O Committee Meeting in January 2015, the committee approved moving ahead with staff recommendations without presenting to the full Board as the improvements were a budgeted item, and also suggested considering using a space planner for Suite 300. In creating the current proposed layout, staff did obtain input from a company that specializes in modular furniture layouts and installation.



The current estimated cost for all remodeling work including electrical and communications, carpet, paint, building permit, etc., is approximately \$135,000 which includes a small contingency. However, the valuation of new construction that is required to be included in a permit application to the County of Sacramento is approximately \$55,000 (and this includes approximately \$12,000 in required ADA modifications). Staff has obtained competitive proposals for paint, carpet and workstations. Staff is proposing to sole source Spanda Construction as the project manager, who will obtain appropriate permits, competitive proposals for electrical and minor construction, and has knowledge of the most current handicap improvement requirements. Spanda Construction has conducted the previous construction projects at the Marconi facility with a high degree of satisfaction of both District staff and County inspection staff.

The F&O Committee had also recommended consideration of using an architect to determine if there might be a solution (to a concrete ramp) for providing handicap access from Marconi Avenue, should construction of such be necessary. Based on the estimated project costs, staff does not believe that the cost of remodeling the Marconi office will exceed the threshold amount (\$136,000) that would require further handicap access to comply with the Americans with Disabilities Act (ADA). However, there is a County requirement that 20% of project costs must go toward improving ADA requirements. In discussions with Spanda Construction, the District can meet the 20% threshold for handicap improvements by modifying the ramp leading to Suite 300, installation of restroom signage, and placement of braille signs at points of exit.

It is anticipated the project will begin by the end of April and completed by end of June 2015.

**Fiscal Impact:**

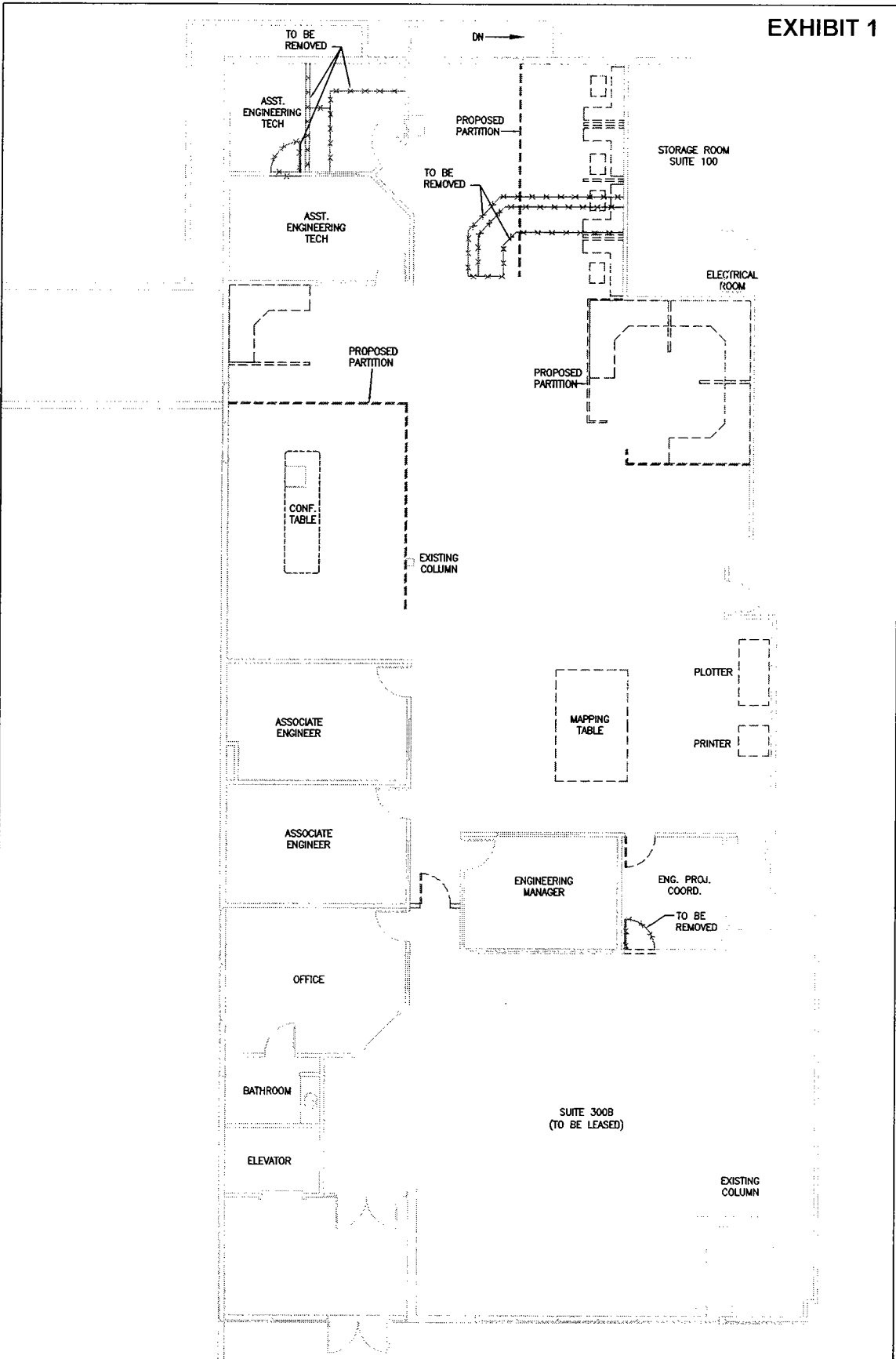
A total of \$180,000 was included in the approved CY 2015 OCB budget for remodeling the Administration Building.

**Strategic Plan Alignment:**

Facilities and Operations – 2.B. Monitor and improve the District’s efficiencies in operating and maintaining system infrastructure.

The relocation of certain engineering and GIS staff into a central area at the Marconi office would improve staff communication and efficiency and potentially reduce the District’s operating costs.

EXHIBIT 1



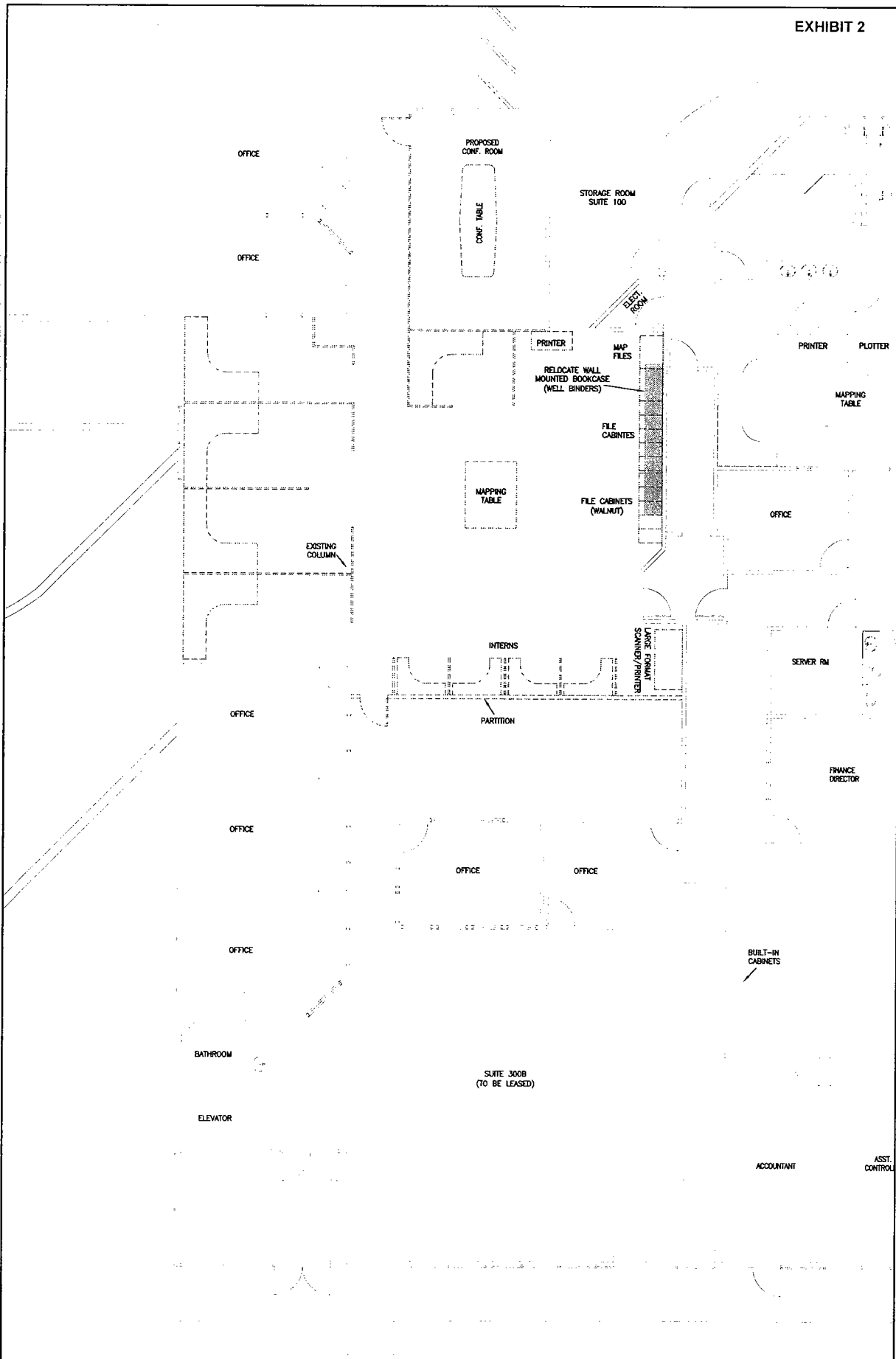
Sacramento Suburban Water District  
 3701 Marconi Ave Suite 100  
 Sacramento, CA 95821-5346  
 PH: (916) 972-7171 FAX: (916) 972-7639

DRAWING NAME: **MARCONI ADMINISTRATIVE OFFICE, SUITE 300**

**PROPOSED FLOOR PLAN**

DATE: 01/07/2015

CF NAME: MARCONI\_300\_PROPOSED



**Sacramento Suburban Water District**  
 3701 Marconi Ave Suite 100  
 Sacramento, CA 95821-5346  
 PH: (916) 972-7171 FAX: (916) 972-7639

DRAWING NAME: MARCONI ADMINISTRATIVE OFFICE, SUITE 300

PROPOSED FLOOR PLAN

DATE: 03/28/2015

CF NAME: MARCONI\_PROPOSED



## Facilities & Operations Committee Agenda Item: 3

**Date:** April 14, 2015

**Subject:** Improvement Standards and Technical Specifications

**Staff Contact:** David Espinoza, Associate Engineer

The District has Improvement Standards and Technical Specifications (Standards) that provide standards to be adhered to in the design and construction of water system improvements. The Standards consist of engineering design standards, standard construction details and standard construction specifications. The Standards are updated by the General Manager in order to reflect changes in construction methods and materials, to meet current regulations and to ensure that capital investments are made with an objective to maximize the useful life of water system infrastructure. While minor changes to the standards have been made over the years, this will be the first major update of the Standards since the former Arcade and Northridge Water Districts consolidated on February 1, 2002. Since 2002, the Standards have been modified with Special Provisions to District bid documents, but an update is needed to address projects initiated by developers. While the District is mostly built-out, there are still areas where new subdivisions will be constructed and commercial/residential parcels redeveloped.

In November 2014, following a qualification based selection process, Coleman Engineering (Coleman) was hired to perform an independent review of the District's Standards and to research easement requirements among other water purveyors. CE was tasked with an independent review of the Standards to see if they were consistent with other similar sized water agencies in the area. As part of their review process, CE met with each District department to discuss potential changes recommended by staff. In addition, District staff provided CE with examples of recent situations where there were challenges in trying to implement the current Standards while reviewing developer requests for water service. During the course of their review, CE did identify certain recommended changes and revisions to the District's Standards. None are considered significant. Various Standard Details have been requested by staff to be added to be consistent with current practice or to allow for expected revisions. The details added/updated are: Blow Off Detail, Air Relief Valve, 5/8" Meter for Condo/Duplex, 4-Plex Meter Detail, Hose Bib Connection, Placer Water Works Enclosure, and New In-Tract Service Line Installation. Various miscellaneous corrections/recommendations by staff were also discussed with CE. With the approval of the General Manager, the Standards will be updated utilizing both CE's and staff's recommendations.

The District's engineering staff has the responsibility of reviewing development projects as well as managing District funded capital improvement projects. In the process of reviewing developer plans or District CIP plans, it is not unusual for staff to encounter existing water lines on private property which lack a recorded easement. Without an easement the District has no legal right to have the existing water lines on private property, and more importantly, the liability of any potential incidents lies with the District.

CE's research into easements resulted in an Easement Research Summary Memorandum (Memo) (Exhibit 1). As revealed in the Memo, there was only one water purveyor with a set minimum width for easements. The remainder of water purveyors which were researched left easement widths to the discretion of engineering staff based on site specific conditions. Staff is recommending amending the Standards to allow for similar flexibility. The District's current minimum width is described in the Standards, Section D-3 Location of Water Mains and reads as follows:

All water mains and pipelines will be constructed and installed within improved streets, between curbs. Alternate locations will be permitted only with specific approval of the General Manger or his duly authorized representative and may require a dedicated water line easement, minimum 20-feet wide.

Staff is proposing to amend the language to read as follows:

*All water mains and pipelines will be constructed and installed within improved streets, between curbs. Alternate locations will be permitted only with specific approval of the General Manger or his duly authorized representative and may require a dedicated water line easement. The preferred minimum width for a dedicated water line easement shall be 20-feet. On a case by case basis, the General Manager has the authority to approve an easement of less than 20-feet.*

Most of the District-acquired easements are free of charge. Easements are granted either by developers during development of a project or by acquisition during the design phase of capital improvement project. During development of vacant land, the developer will anticipate the need for an easement and design the project accordingly. In this scenario, a 20-foot easement is practical if it is determined that a water line will need to be installed on private property. When staff is requesting an easement from a developer for an existing waterline on their property, the District is at a disadvantage and a narrower easement may be acceptable. The developer could decide not to continue with development and the District would continue to carry liability due to the lack of an easement. Staff believes an easement narrower than 20 feet is a reasonable compromise for both the District and the developer. Similarly, on capital improvement projects, the District is at a disadvantage when existing water lines are not within easements and there's a need for replacing the water lines. In such case, there's no point in retrieving an easement over the water main that is to be replaced shortly, instead staff may pursue an easement across another portion of the parcel. A 10-foot easement is a reasonable width and one which has been minimally challenged by owners and developers. The existing requirement for a 20-foot easement is seen as a precipitous encumbrance on an owner's land. Not only does an easement limit the owner/developer's ability to build on a parcel but it also devalues the parcel. The

amended language provides staff the ability to continue pursuing 20-foot easements on developer projects and capital improvement projects and at the same time provide the flexibility to negotiate for a narrower easement when situations dictate.

The General Manager has the authority to implement changes to the Standards without Board action. The Board has adopted an “Improvement Standards and Technical Specifications Policy” dated February 28, 2011. Section 200.00 of this policy states that: “In conformance with the California Water Code, Division 12, County Water Districts, the General Manager has the full responsibility and authority to set standards and specifications for the planning, design, construction, modification or repair of the water works system of the District.” Furthermore, it is stated in Section 300.00 of the policy that “The Improvement Standards and Technical Specifications will be maintained as a separate document and will be considered the procedures of this policy. The General Manager may review and change the Improvement Standards and Technical Specifications as necessary to meet the needs of the District.”

# EXHIBIT 1

## Memorandum

To: John Valdes  
From: Chad Coleman, P.E.  
Date: December 31, 2014  
Project: Sacramento Suburban Water District – Regulations Review  
Subject: Easement Research Summary

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The purpose of this memorandum is to summarize the following:

- Project Background
- Regulations Research
- Research Findings
- Construction Considerations
- Estimated Easement Costs
- Recommendations

### Project Background

Regulations drafted by similar water utility districts were reviewed in order to research the most appropriate and current regulations to present to SSWD. This effort is a part of a larger scope that involves the review of all District regulations for the purpose of updating and addressing some specific District concerns.

Furthermore, issues have arisen that have motivated a more comprehensive review of the regulations that pertain to common issues. At issue in this memo is a question of the type and size of easement should be required for construction and maintenance of water pipelines. Research was conducted and calculations were made to derive the following conclusions.

### Regulations Research

The following regulations were reviewed and used as comparisons for this issue:

- Contra Costa County Water District (CCCWD)
- Citrus Heights Water District (CHWD)
- El Dorado Irrigation District (EID)
- Sacramento County
- City of Sacramento

These water purveyors were selected as references due to their proximity to SSWD, their similar user types, and similar infill concerns. Contra Costa County Water District Regulations were also reviewed because it is understood that the CCCWD regulations were used as a basis of the current SSWD regulations.

### Research Findings

EID Board Policies and Administrative Regulations require a minimum easement width of 10-feet to accommodate future work on buried pipelines. There are numerous consistent references in the EID Regulations to 10-foot easements as their standard.

The remaining four District/City/County regulations were reviewed without finding specific references to standard easement widths. There were either general statements pertaining to water pipeline easements, or nothing specifying easement widths at all. No precedent was available from these remaining regulations that were helpful for comparison purposes.

Two other observations were notable. First, most regulations left the issue of easement widths open to the judgment of engineering staff and based on site specific conditions such as amount and condition of conflicting utilities. Second, we did find some references to narrower permanent easements and wider temporary construction easements.

### Construction Considerations

More important than the comparison of what other similar water purveyors are doing is the question of what minimum easement width is required by District staff to support future operations, maintenance, and construction repair activities.

It is assumed that if a buried pipeline is in need of future repair, District staff will either complete the repair using District equipment, rental equipment, or will contract the repair to a third party who is made aware of the easement constraints. In any case, the available easement width is something that should be known and can be planned for in the future construction operation.

The District currently has multiple excavating machines that are not more than 3-feet wide. These are typically used to access backyards, through existing gates and on sidewalks. If the future space is not constrained, it is assumed that larger equipment may be used up to and including a typical rubber tired backhoe. For comparison purposes, a Case 580 series backhoe is less than 7-feet wide.

Another viable approach is to hand dig water main repairs. Interviews with District Operations staff confirmed that this is a method that has been successfully employed multiple times in the past. District staff expressed no issues with the assumption that future repairs may be required to be excavated using hand tools.



It is likely that future repair and maintenance activity inside a 10-foot easement would be constrained. It is unlikely that all construction would be strictly contained inside a 10-foot easement area. However, it is also likely that in the event that the District is repairing a leak that the property owner would be cooperative and even appreciative of District efforts. Actual District experience with customers and property owners has demonstrated that slight encroachments outside easement areas have not been objectionable to property owners. During interviews with District Engineering, Operations, and Maintenance Staff, no one was able to recall an incident where the District has suffered financial damage as a result of exceeding the limits of their easements during maintenance and repair activities.

District staff did express that there is a history of making generous efforts to repair hardscape and landscape damaged by construction activities. This is likely a significant contributor to the positive reactions of the affected land owners. Without completing a great deal of analysis, it seems evident that it is cost effective for the District to remain generous with single property owners rather than acquire easements that are comparatively wide on entire pipeline alignments just to avoid the possibility of encroaching out of the easement during future repairs.

#### Estimated Easement Costs

In January 2014, the District retained the firm Overland Pacific & Cutler, Inc. (OPC) to value easements that were acquired in 2013. The OPC memo used historical data to estimate an average cost per square foot of both residential and commercial land that is used for easement purposes. We suggest that any discussion of standard District easement widths be made with consideration of the current cost of land in order to accurately assess the cost to benefit ratio.

In 2013, residential land was valued between \$3 and \$4 per square foot and commercial land was valued between \$9 and \$11 per square foot.

#### Recommendations

Based on research, we recommend the following approach to the issue of defining minimum easement widths in the regulations:

- Specify 10-feet as the standard minimum permanent easement width.
- Include language stating that the District Engineer shall have the right to evaluate each and every case and to increase the standard easement width as site specific conditions dictate. This will give the District the ability to adjust for constraints such as conflicting buried utilities.
- The District may consider requiring a wider construction easement, likely 20-feet, in cases where future pipeline construction is planned but not a part of the current project. This will give the District the ability to perform future construction activities and then abandon the temporary easement without incurring the long term cost of a relatively wide permanent easement.



## Facilities & Operations Committee

### Agenda Item: 4

**Date:** April 14, 2015

**Subject:** Amending Regulations Nos. 1 through 14, 16 and 17 of the Regulations Governing Water Service

**Staff Contact:** Dan York, Assistant General Manager  
John E. Valdes, Engineering Manager

**Recommended Committee Action:**

Receive report on recommended changes to Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, and 17 the District’s Regulations Governing Water Service and provide input as appropriate. Direct staff to present the final draft to the full Board for review, together with a Committee recommendation on acceptance, at the May 18, 2015 regular Board meeting.

**Background:**

The Regulations Governing Water Service (Regulations) was on the March 30, 2015 Facilities & Operations Committee (Committee) agenda. Due to the number of items on the agenda, there was not a sufficient amount of time available to complete a review of the Regulations. The Committee directed staff to bring back the Regulations for further review.

The Regulations include seventeen different regulations. These include Regulation No. 3, Water Service Charges and Rates, and Regulation No. 7, Service Connections, as examples. The District is mostly “built out” but there are still areas where new subdivisions can and will be constructed. In addition, there is a lot of re-development and/or in fill development. In any one year, the District receives numerous requests for new or modified water service to various types of development (both residential and commercial). The District’s current Regulations were originally written to primarily address new subdivisions and/or new construction. They are not so easy to use when evaluating infill development and/or new water services in areas where water mains and other facilities already exist. District staff has always tried to use a “common sense” approach when implementing the Regulations.

In November 2014, following a qualification based selection process Coleman Engineering (CE) was hired to perform an independent review of the District’s Regulations. This was the first major review of the Regulations since the former Arcade and Northridge Water Districts consolidated on February 1, 2002.

CE was tasked with an independent review of the Regulations to see if they were consistent with other similar sized water agencies in the area. In addition, CE was asked to also consider consistency with the "10 State Standards" and American Water Works Association (AWWA) standards. The 10 State Standards were originally developed by the Great Lakes-Upper Mississippi River Board of State and Provincial Health and Environmental Managers to provide a set of standards for water treatment facilities. The "10" states directly involved are Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, New York, Ohio, Pennsylvania and Wisconsin along with the province of Ontario. In addition to these states and provinces, many others have also use the 10 State Standards as a guideline for their own standards.

**Discussion:**

The Regulations is a District Ordinance that provides the direction for governance of the business related functions necessary to operate the various processes performed to serve water to our customers. The Ordinance was adopted on April 18, 2004. Each year, staff typically reviews the ordinance and recommends changes for Board review and approval. These changes typically reflect updated information, clarity edits, updates to fees and rates, and incorporation of policy changes enacted by the Board.

This year, as part of an expanded review process, CE was hired to perform an independent review. As part of their review process, District staff provided CE with examples of recent situations where there were challenges in trying to interpret the current Regulations while reviewing developer requests for water service as the result of infill development as opposed to new development.

CE has now completed their review of the Regulations and provided the District with a summary listing of recommended changes and revisions. As part of their review process, CE also met with District staff to discuss potential changes recommended by staff. District legal counsel then reviewed the proposed changes and also offered additional recommendations for changes. Changes are recommended to Regulations No. 1 through 17, with the exception of Regulation No. 15, which is being addressed separately due to the Governor's third Drought Declaration. Attached is redline/strikeout version of each regulation with the proposed changes (Exhibit 1). To save paper, a clean version is available upon request.

After review and after any Committee issues are addressed, the revised Regulations will be presented to the Board at the May 18<sup>th</sup> regular Board Meeting as an upcoming policy review item. The Board will then have a full month to review the proposed changes before being asked to adopt the revised Regulations at the June 15<sup>th</sup> regular Board Meeting.

The following provides a summary of the edits to these regulations:

Regulation 1 is amended to add new definitions, modify and clarify others, and to delete definitions that are not used elsewhere in any other regulation.

Amending Regulations Nos. 1 through 14, 16 and 17 of the Regulations Governing Water Service

April 14, 2015

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- New definitions were added for Corporation Stop and Developer.
- Definitions were deleted for Backflow Specialist, Change of Ownership, Claim of Lien, Collectors Authorized by District, Intertie, Meter Setters, Planters, Standby Charges, Surcharges, and Unimproved Property.

Regulation 2 is amended to clarify customer responsibility for payments and the District's responsibility for refunds.

- Language was added regarding homeowner's associations that may be receiving water bills for individual homeowners.
- It has been clarified that, per State statute, there is a four year limitation on customer refunds.

Regulation 3 is amended to provide updates to charges for cost of service.

- New water service rates are included.

Regulation 4 is amended to address meters that cannot be read.

- In regard to meters that cannot be read, language has been added that refers to Regulation 2, Section D, and Regulation 16.

Regulation 5 is amended to clarify billing, payment and miscellaneous charges.

- Language has been added to clarify disputed bills and other charges, payment of outstanding water service charges upon property transfer, and delinquency related fees (penalty fees).

Regulation 6 is amended to add clarifying language regarding disconnection of water service and delinquency notices.

- Language has been added indicating that the District can disconnect water service upon failure to repair a leak after being notified.
- Language has been added to indicate that delinquency notices may be delivered by priority mail.

Regulation 7 is amended to clarify the requirements for new or additional service connections, final plan approval, and fire hydrant flow tests.

- Language has been added clarifying that a water service will be located at the front of a parcel if a District water main fronts the parcel.
- Language has been added clarifying what constitutes final plan approval by the District.

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- New Facilities Development Charges (as adopted at the March 2015 Board Meeting) are included.
- Language has been added clarifying that the District may elect to use the hydraulic model to perform a fire flow test.
- Language has been added to clarify the bacteriological testing requirements for new water mains and/or extension facilities.

Regulation 8 is amended to add clarifying language regarding number of meters, backflow protection requirements, and the location of meters.

- Language is added clarifying what customers/services are required to have a backflow protection assembly.
- Language is added clarifying the location of the meter and how it is governed.

Regulation 9 is amended to include clarifying language regarding water main sizing.

- Language is added indicating that a variance to the pipeline sizing requirements may be considered for infill development.

Regulation 10 is amended to clarify annexation charges.

- Language is added clarifying the costs that an applicant will pay for annexation to the District.

Regulation 11 is amended with minor edits.

Regulation 12 is amended with minor edits.

Regulation 13 is amended to clarify what constitutes interference with District facilities and what is allowed regarding fire hydrant use.

- Language is added clarifying that a fire hydrant permit applicant can be requested to cease using water at any time upon request of the District.

Regulation 14 is amended to add clarifying language regarding installation, upgrade, repair, and/or testing of backflow protection assemblies.

- Language is added clarifying when backflow prevention assemblies are required to be installed on existing or new services.
- Language is added clarifying the responsibilities for repair of existing backflow prevention assemblies.
- Language is added clarifying the testing requirements for backflow prevention assemblies.

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Regulation 15 will be addressed in a separate Board action.

Regulation 16 is amended with minor edits.

Regulation 17 is amended with minor edits.

**Fiscal Impact:**

Minor increase in revenue related to the increase in fees where the District's cost of service has been reevaluated.

**Strategic Plan Alignment:**

Finance – 4.A. Monitor District operations to ensure cost effective and competitive performance.

Finance – 4.B. Provide rates and connection fees that are fair, simple to understand, logical and meet revenue requirements of the District.

Approval of the amendments to the Regulations Governing Water Service will improve staff's ability to operate efficiently and allow District customers to better understand the regulations upon which staff bases decisions while implementing Board policy.

# Regulation No. 1

## Definitions

Adopted: July 19, 2004

Amended: November 17, 2008; December 21, 2009; April XX, 2015

1. Adequate and Reserve Capacity

The amount of capacity in District water mains sufficient to supply potable and all other types of water service to an Applicant's Parcel in accordance with the velocity and pipe size specifications set forth in Regulation 9, Sections N and O.

2. Administration Cost

A charge that is assessed to accounts to pay certain costs of providing special District services, for example large landscape irrigation agreements, wholesale water contracts, and duplicate billing to tenants.

3. Agent

A person or company designated by the Landowner to manage a property or to act on behalf of a Customer.

4. Applicant

A person or entity, including a developer of a subdivision or any individual Parcel, that files an application for services with the District.

5. Application for Water Service

A formal, written application requesting water service from Sacramento Suburban Water District to a specific Premises, in a form provided by the District, together with such plans, specifications, and payment of all fees that the District's then-applicable Regulations shall require.

6. Auxiliary Water Supply

Any water supply on or available to a Premises other than water supplied by the District.

7. AWWA

American Water Works Association, a national nonprofit association that provides scientific and educational assistance to public and private water purveyors for managing and operating water resources and facilities~~association of water purveyors.~~

8. Backflow

The reverse flow of water or any other fluid or substance or any combination or mixture thereof from a Customer's System into the District's water system caused by Cross-Connection with Auxiliary Water Supplies or with sources of possible contaminated water.

9. Backflow Prevention ~~Device~~Assembly

Equipment used to protect the District's water system against actual or potential Backflow. All Backflow Prevention ~~Devices~~Assemblies installed within the District shall comply with state and local laws and regulations, including District regulations.

10. ~~Backflow Cross-Connection Specialist~~Control Specialist

~~A person certified by the State of California to inspect Premises for potential Cross-Connection.~~<sup>[RM5]</sup>

11. Certified Tester

A person who is certified as a Backflow Prevention Assembly General Tester by Sacramento County or other agency having jurisdictional authority.

12. Change of Ownership

~~The transfer of legal title to a Parcel of real property to which the District provides water service from the legal owner to another party, notification of which must be made to the District by the transferor or the transferee.~~<sup>[RM6]</sup>

13. Check Valve Assembly

A mechanical device installed on either a main line or service line to restrict the flow of water in one direction only.

14. Claim of Lien

~~Written notice of a delinquent, unpaid sum of money owing to the District by any Water User recorded by the District in the official records of Sacramento County, and which becomes a debt secured by the Parcel that incurred the delinquent charge for services provided by the District.~~<sup>[RM7]</sup>



15. Contract

A written agreement between the District and a second party that defines and creates one or more obligations to take or to refrain from taking a certain action or actions.

16. Control Valve

A device used to control or shut off the flow of water, including to a Service Connection.

~~17~~<sup>[RM8]</sup>. ~~Collectors Authorized by District~~

~~A designated District employee or agency authorized by the District General Manager to collect monies for services provided by the District.~~

~~[JM9]~~

~~18. Corporation (Corp) Stop~~

~~A District Control water shut-off Valve located at the street water main, which . The Corp Stop cannot be operated from the ground because it is buried and there is nonot in a valve box~~<sup>[RM10]</sup>.

~~198.~~ Cross-Connection

Any connection or link between District's water distribution system and an Auxiliary Water Supply, piping system, plumbing fixture, appliance, container, receptacle, vessel or other device of any nature that may permit contaminated or used water or other fluid ~~which is of~~ questionable or unsafe quality, or any other substance of any nature other than the potable water supplied by District, to enter any part of the District's water distribution system.

~~204~~<sup>9</sup>. Cross-Connection Control Representative

A Certified Tester or Cross-Connection Control~~Backflow~~ Specialist authorized by the District to administer the Cross-Connection Control and Backflow Program.

~~210.~~ Curb Stop

A District Control water service shut-off vValve located in a water service pipe near the curb and between the water main and building. This valve is usually located in the main side of the service meter box and is operated with a valve key or wrench to stop and start flows in the water service line to the building. Lockable Curb stops are also used to lock out a water Valve used to control water to a Service Connection<sup>[A11]</sup>~~to a Service Connection at up to the Point of Responsibility~~<sup>[RA12]</sup>.

~~224.~~ Customer

Any Landowner, Tenant or other Wwater User who is entitled to service from or who pays a water bill to the District.<sup>[JM13]</sup>

| 232. Customer's System

Non-Responsible Facilities located and attached to the outlet side of the Point of Responsibility.

| 243. Developer

Developer and Owner shall mean one and the same.

| 253. District

The Sacramento Suburban Water District.

| 2654. District Board of Directors

The governing body of the District composed of five Directors elected by divisions of voters residing within the District's boundaries.

| 2765. District Water System

The water transmission and distribution system owned and operated by the District, including all piping, fittings, valves and other equipment used to supply water to Customers up to and including the Point of Responsibility.

| 286. Existing Non-Metered Water Service

Services installed on single-family residences prior to April 2, 1991 that do not include a Meter and which are billed on a flat rate. ~~As~~ <sup>also</sup> known as "flat rate service."

| 2987. Extension Facilities

~~Mainline extension~~ New pipelines and related water service facilities or plumbing equipment of whatever type installed for the purpose of improving existing District water service and/or extending it to unserved or annexed areas.

| 20298. Facilities Development Charge

A charge imposed by the District to cover a portion of the District's costs incurred for installing wells, pumps, and treatment, storage and transmission facilities to serve increased demand for water service within the District.

| 31029. Facilities Development Fund

Eighty percent of the fees received from Facilities Development Charges are placed in this fund to offset District costs for infrastructure necessary to meet requirements of the District Master Plan or to serve new development.

| 3210. Facilities Reimbursement Fund

Twenty percent of the fees received from Facilities Development Charges are placed in the fund to reimburse Applicants that upsize Extension Facilities as required by the District to meet planning requirements for future development and redevelopment as related to Master Plan requirements.

| 3324. Final Approval

The District's written certification that installed water facilities are in compliance with all regulations, plans and specifications, that all plans and supporting documents have been delivered to the District as its property, that all documents have been approved by the District, and that all required fees have been paid, as evidenced by a District form dated and signed by the District General Manager or his/her designated representative.

| 3432. Furnish Only Materials

Meters and related materials supplied by the District and required to be installed by an Applicant at its cost, which are supplied to an Applicant upon payment of furnish-only fees established by the District.

| 3543. Inactive Account<sup>[JMHI5]</sup>

An account applicable to a Parcel with an existing service connection to which the District is not currently supplying water service and for which water service bill is not being rendered<sup>[RM16]</sup>.

| 354. Intertie

~~A connection from the District's water system to another water purveyor's system to supply water for emergency, standby or permanent supply purposes<sup>[RM17]</sup>.~~

| 365. ISO (Insurance Services Office) Fire Suppression Standards

Fire demand pipe size requirements specified by the fire suppression rating schedule published by the ISO, Edition 6.80<sup>[AI8]</sup>, or most current edition.<sup>[JMHI9][RM20]</sup>

| 376. ~~LAFCo~~ (Local Agency Formation Commission (LAFCO))

A ~~state-mandated~~statutory, quasi-judicial, countywide commission responsible for approving boundary changes for, and the consolidation or reorganization of, local public agencies, including the District.[JM21]

387. Landowner

A person who possesses a fee interest in a Parcel located within the District's boundaries.

398. Meter

A device capable of measuring a ~~the~~ quantity of water delivered by the District to a Service Connection.

4039. Metered Rates

Water service fees and charges that are calculated from monthly consumption measured by a Meter attached to a Service Connection serving any Water User within the District.

~~410. Meter Setters~~

~~A prefabricated copper [JM22] assembly device constructed to house a water Meter with valves on the inlet and outlet side of the device [RM23].~~

421. New Service

A ~~metered water s~~Service Connection provided to a Parcel not previously served by the District or a reactivation of an ~~installed inactive s~~Service Connection that desires to ~~reconnect to the District Water System [A24] [JM25].~~

432. ~~Non-Residential Parcels~~ properties [A26] [JM27]

~~A. Any commercial, industrial, institutional and/or Non-Residential multi [RM28]-family parcel property based on the land use code obtained from Sacramento County. Multi-family parcels properties consist of the following:~~

~~B. For rate pruposes Non-Residential Multi [RM29]-family parcels consist of the following are defined as:~~

- ~~1. An improved Parcel containing five two or more residences each containing a family unit or group. [JM30]  
— (duplex, triplex, fourplex, etc).~~

4432. Non-Responsible Facilities

Water service facilities that the District does not own and for which it is not responsible to install, operate, use, repair, maintain or replace. Non-Responsible Facilities include all privately owned and maintained Service Connections located on any Parcel beyond the Point of Responsibility.

| 4543. Parcel

Any piece of real property within the District defined on a parcel or subdivision map or designated by any other legal means, and to which the Sacramento County Assessor has or will assign an assessor's parcel number.

| 4654. Plan approval

The District's services related to approval of an Applicant's final plans for an improved Parcel, as evidenced by the date and signature of an authorized District representative on the final plans.

| 4765. Planters

~~All non-lawn and non-turf portions of landscape areas located on a Parcel, excluding hard surfaces~~[RM31]-

| 4876. Point of Responsibility

- a. Metered Service: The connection point of the Customer's System at the outlet side of the Meter Setter where a Landowner's responsibility for all conditions, maintenance, repairs, use and replacement of water service facilities begins, and the District's responsibility ends.
- b. Non-Metered Service: The connection point of the Customer's System at the outlet side of either a Curb Stop or an unmetered Meter Setter where a Landowner's responsibility for all conditions, maintenance, repairs, use and replacement of water service facilities begins, and the District's responsibility ends.
- c. Private Fire Service: The connection point at the District's main shut-off valve connecting the District's water main and the inlet side of the Private Fire Service facilities where a Landowner's responsibility for all conditions, maintenance, repairs, use and replacement of water service facilities begins, and the District's responsibility ends.

| 4987. Point of Service

- a. Private Fire Hydrants: The District's Point of Service begins at the District's main shut-off valve located at the District's supply water main.

- b. Private System: The District's Point of Service begins at the District's main shut-off valve located at the District's supply water main.

[JMH32]

50498. Premises

A residential or non-residential Parcel together with all buildings, facilities, equipment, and other fixtures and personal property appurtenances [JMH33] located thereon.

514509. Principal Boundary

All boundaries of an Applicant's Parcel that abut one or more public rights-of-way.

5210. Private System

Non-Responsible Facilities utilized by a Landowner solely for private use on a Parcel. Private use can be, but is not limited to, fire suppression in the form of fire sprinklers or fire hydrants. Private systems shall be separated from a public system by an approved backflow device assembly. [JMH34]

5324. Residential Flat Rates

Non-Metered water service fees and charges that are calculated according to estimated water consumption, size of service line and the size of the Parcel per the Sacramento County Tax Assessor's parcel maps.

5432. Residential Parcel

An improved Parcel containing a single family residence, or an improved Parcel containing up to four residences each containing a family unit or group. A duplex, triplex, or fourplex shall be considered Residential Parcels. [JMH35]

55. Service Connection

The water piping system connecting a Customer's System with a District water main beginning at the outlet side of the Point of Responsibility, including all plumbing and equipment located on a Parcel downstream of the Meter outlet, Curb Stop or Meter Setter required for the District's provision of water service to that Parcel.

5643. Service Valve

The equipment located at the inlet side of the Point of Responsibility by which the District controls water service to a Parcel.

5754. Single Family Parcels Residential Parcels

- a. ~~Single Family Residence: An improved Parcel used as a place of residence by one family unit or group.~~
- b. ~~Duplex: An improved Parcel containing two residences each containing a family unit or group.~~
- e. ~~4 Plex: An improved Parcel containing four residences each containing a family unit or group.~~

5865. Standard Specifications and Plans

The District's specific requirements for water service plumbing, facilities, and equipment provided in, and the document entitled District's Improvement Standards and Specifications, ~~detailed drawings~~ approved by the Board of Directors and all subsequent amendments or replacements to any such requirements or documents.

5976. Standby Charges

~~A charge for service to a Parcel for emergency water that may be utilized on an as-needed basis by a Landowner.~~<sup>[UMH36][RM37].</sup>

60587. Surcharges

A limited-term, specific purpose charge assessed to all or to a class of Customers to repay certain costs incurred by the District, such as bond indebtedness issued to finance District capital projects.

61598. Tenant

A person or entity leasing or renting a Parcel or Premises from a Landowner.

62059. Unimproved Property

~~A Parcel that has not been improved with a Service Connection or other utility facilities.~~<sup>[RM38].</sup>

6340. Up-Sized Lines

Mainline facilities having capacity in excess of that necessary to supply existing water demand to a specific area, ~~Parcel~~ or ~~Parcels~~ with an Adequate and Reserve Capacity of water, but which ~~are~~ is deemed necessary by the District to provide an adequate future water supply to the area, ~~Parcel~~ or ~~Parcels~~. The District will bear the cost of an Up-Sized Lines.

6421. Water User

~~Any person or entity, whether or not a Landowner or Customer, to which the District supplies water.~~ [JM439]



## Regulation No. 2 Conditions of Service

Adopted: July 19, 2004

Amended: November 17, 2008; December 21, 2009; January 28, 2013; April XX, 2015

### A. Service Subject to District Regulations

Water supply and service will be provided by the District to Customers within defined District boundaries in accordance with regulations governing said service from time to time adopted and amended by the District's Board of Directors.

The District will exercise reasonable care and diligence to deliver to its Customers a continuous and sufficient supply of water under proper pressure and of good quality at the District Point of Responsibility ~~connection~~ to the Customer's Premises.

### B. Non-Liability of District

The District is not, and will not be, liable for any loss, damage, or inconveniences to any Customer by reason of shortage, insufficiency, suspension, discontinuation, shut off, increase, or decrease of water pressure, or by a water quality problem.

### C. Service Interruption

The District reserves the right at any and all times to shut off water delivery for the purposes of maintenance, emergency repairs, alterations, or improvements to the system. Whenever practical, advance notice of interruption of service will be given to all Water Users affected either by personal contact, mail, or ~~by~~ door hanger.

### D. Access Facilities

#### 1. Unrestricted Access

By applying for or receiving water service from the District, each Customer irrevocably licenses the District and its authorized employees and representatives to enter upon the Customer's property at all reasonable times for the purpose of reading, inspecting, testing, checking, repairing, maintaining, or replacing the District's Meters and Water System components ~~other facilities~~ appurtenances.

#### 2. Restricted Access to District Facilities District Water System

If access to District facilities— Water System are obstructed—restricted, the ~~responsible~~ Customer will be required to move or modify the obstruction to allow access by authorized District employees or representatives. The ~~€~~cost to move or modify an obstruction will be borne by the Customer. Removal or modification of any obstruction will be carried out in accordance with Regulation 16 hereof.

E. ~~Water Users~~Customers' Responsibility for Control of Water Delivered

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 Customer at ~~the outlet side of the~~ Point of Responsibility. In all cases where a Parcel is leased or rented, the Landowner will retain total responsibility for control of and payment for water delivered.

F. Place of Use of Water: Resale Prohibited

Except with the prior written authorization of the District, no Customer shall use, or permit the use of, any water furnished by the District on any Premises other than specified in his/her Application for Water Service, nor shall any Customer resell any water furnished by the District, unless his/her business uses water in the process of producing a product for resale. The bottling of water for resale is not considered a process of producing a product for resale and is expressly prohibited.

G. Electric Grounds

No electric circuit shall be grounded to the District's facilities or to any plumbing or metal in contiguity therewith. Any ~~Water User~~Customer who makes, or permits to be made, such a connection will be liable for damages to the District's facilities and for personal injury resulting therefrom. Ground Rods may be installed per Sacramento County Standards by District staff or contractor when electrical grounds are found connected to service lines during the course of District business.

H. Water User's Compliance with Regulations

By applying for and/or receiving water service from the District, each Applicant and Customer agrees to be bound by and to comply with all regulations in effect, adopted or amended by the District Board of Directors from time to time. An Applicant or Customer who violates any District regulation is subject to termination of District Water Service if he or she does not immediately ~~€~~ resolve the violation to the satisfaction of the District.

I. Responsibility for Payment

Each Landowner is responsible for regular monthly payment for all services rendered by the District to his, her or its Premises, whether an invoice is received or not, until the District receives a notice from the ~~Landowner~~Customer to terminate such service. (Gov.

Code Section 54347; Water Code Section 31007.5) A Landowner remains responsible for all District fees and charges incurred on his, her or its Premises regardless of the time or manner in which the charges were incurred. A Landowner remains responsible for payment of all such fees and charges whether or not the Landowner enters into a financial responsibility agreement with the District in accordance with Section I of Regulation 5.

In the absence of such notice to terminate services, and/or when the Landowner has been notified of the District's intention to discontinue services, or in the event the Premises are vacant and service has been discontinued in accordance with the provisions of Regulation No. 6 hereof, and the District has given notice of its demand for payment against the Premises by attaching such notice to the front of or to the principal entrance or any structure located thereon, then water service will not be continued, restored, or re-established until all unpaid bills, charges, fees, and penalties have been paid by the Landowner, ~~tenant~~Tenant, ~~a~~Agent, or by any subsequent Landowner, ~~tenant~~Tenant, or ~~a~~Agent.

In some cases instances a homeowner's association may be receiving the water bills for each individual property or unit within the association and making payment for water service on behalf of its members. If there comes a time, that the homeowner's association requests wants to transition the billing to the property owner each Landowner Customer in the association, they association first will be required need to obtain and provide documentation to the District showing they have the authority to make this request. If said documentation is not available then each individual property owner will need to complete a signed Application for Water Service from each Landowner Customer within the association as a condition of before the District providing water service to individual Landowner Customer can be placed in lieu of the homeowner's association their name. The District also will require the homeowner's association to remain responsible for water bills rendered for District Water Service to all common areas within the association.

#### J. Reimbursement

Upon written application of a ~~Customer or Landowner~~Water User, the District will consider a credit/refund against future water charges to the extent the ~~Customer or Landowner~~Water User has paid water charges erroneously levied by the District in excess of the proper water charge, provided that the credit will not apply to any excess charges levied more than four (4) years before the application for credit was filed. The basis for the four year limitation on refunds is based on the statute of limitations for claims made upon a written contract. Nothing in this Section J excuses a Customer or Landowner from complying with the Government Claims Act if he/she applies for a reimbursement of overpaid water charges.

#### K. Contracts

The District, at the discretion of the District General Manager and with the approval of the Board of Directors, may enter into a Contract with third parties for the supply or delivery of water and/or other services. The Contract may specify price, delivery conditions or limitations, schedule, duration, guarantees and/or liabilities as circumstances warrant, as determined in the best interest of the District.

## Regulation No. 3 Water Service Charges and Rates

Adopted: March 15, 2004

Amended: December 21, 2009; December 19, 2011; January 28, 2013; August 27,  
2013; April XX, 2015

### A. Charges for Water Service

The District charges all Customers on a monthly basis. Customers billed on a Residential Flat Rate are billed in advance, while Metered Rate Customers are billed in arrears. All charges are based on the District's costs of providing District Water Service. Therefore, the basis for charges and rates are categorized on the same basis as District costs. Explanations of each charge and the related District costs are as follows:

1. Flat Service Charge: This charge is based on connection size. The charge is intended to cover District operations and maintenance fixed costs, attributable to servicing Residential Flat Rate Customers.

Usage Charge: This charge is based on Parcel square footage. The charge is intended to cover District operations and maintenance variable costs, attributable to Residential Flat Rate Customers.

<b>Sacramento Suburban Water District Flat Rate Customers</b>						
	<b>01/01/09</b>	<b>01/01/14</b>	<b>01/01/15</b>	<b>01/01/16</b>	<b>01/01/17</b>	<b>01/01/18</b>
<b>Usage Charge</b> (\$/1,000 sq. ft.)	\$ 0.91	\$ 0.91	\$ 0.95	\$ 0.98	\$ 1.02	\$ 1.06
<b>Flat Service Charge</b>						
3/4" connection	\$ 14.89	\$ 14.89	\$ 15.49	\$ 16.11	\$ 16.75	\$ 17.42
1" connection	\$ 21.55	\$ 21.55	\$ 22.41	\$ 23.31	\$ 24.24	\$ 25.21
1 1/2" connection	\$ 40.69	\$ 40.69	\$ 42.32	\$ 44.01	\$ 45.77	\$ 47.60
2" connection	\$ 40.19	\$ 40.19	\$ 41.80	\$ 43.47	\$ 45.21	\$ 47.02

2. Meter Service Charge: This charge is based on meter size. The charge is intended to cover District operations and maintenance variable costs attributable to servicing Metered Rate Customers.

Usage Charge: This charge is based on water usage. The charge is intended to cover District operations and maintenance fixed costs attributable to Metered Rate Customers, including the cost of water. The Usage Charge is based on ~~one hundred~~ (100) cubic feet of water (748 gallons.).

Sacramento Suburban Water District Metered Rate Customers						
Meter Usage Charge (\$/CCF) – 1CCF = 748 gallons	01/01/09	01/01/14	01/01/15	01/01/16	01/01/17	01/10/18
Non-Residential-Off-Peak Rate (Nov-Apr)	\$ 0.81	\$ 0.81	\$ 0.84	\$ 0.88	\$ 0.91	\$ 0.95
Non- Residential. - Peak Rate (May-Oct)	\$ 1.01	\$ 1.01	\$ 1.05	\$ 1.09	\$ 1.14	\$ 1.18
Residential - 1st Tier (0-10 CCF)	\$ 0.80	\$ 0.80	\$ 0.83	\$ 0.87	\$ 0.90	\$ 0.94
Residential - 2nd Tier (11+ CCF)	\$ 1.00	\$ 1.00	\$ 1.04	\$ 1.08	\$ 1.12	\$ 1.17
<b>Meter Service Charge</b>						
5/8" meter	\$ 3.60	\$ 3.60	\$ 3.74	\$ 3.89	\$ 4.05	\$ 4.21
3/4" meter	\$ 5.25	\$ 5.25	\$ 5.46	\$ 5.68	\$ 5.91	\$ 6.14
1" meter	\$ 8.50	\$ 8.50	\$ 8.84	\$ 9.19	\$ 9.56	\$ 9.94
1 1/2" meter	\$ 16.60	\$ 16.60	\$ 17.26	\$ 17.95	\$ 18.67	\$ 19.42
2" meter	\$ 26.40	\$ 26.40	\$ 27.46	\$ 28.55	\$ 29.70	\$ 30.88
3" meter	\$ 49.20	\$ 49.20	\$ 51.17	\$ 53.21	\$ 55.34	\$ 57.56
4" meter	\$ 81.75	\$ 81.75	\$ 85.02	\$ 88.42	\$ 91.96	\$ 95.64
6" meter	\$ 163.15	\$ 163.15	\$ 169.68	\$ 176.46	\$ 183.52	\$ 190.86
8" meter	\$ 293.40	\$ 293.40	\$ 305.14	\$ 317.34	\$ 330.04	\$ 343.24
10" meter	\$ 472.50	\$ 472.50	\$ 491.40	\$ 511.06	\$ 531.50	\$ 552.76
12" meter	\$ 700.40	\$ 700.40	\$ 728.42	\$ 757.55	\$ 787.85	\$ 819.37

3. Capital Facilities Charge (Applies to Residential Flat and Metered Rate Accounts): This charge is based on meter or connection size and property location. This charge covers District capital improvement charges and debt the periodic principal payment and interest payments due on District debt expense.

Sacramento Suburban Water District All Customers						
Capital Facilities Charge	01/01/09	01/01/14	01/01/15	01/01/16	01/01/17	01/01/18
5/8" meter	\$ 19.25	\$ 19.25	\$ 20.02	\$ 20.82	\$ 21.65	\$ 22.52
3/4" meter or connection	\$ 28.70	\$ 28.70	\$ 29.85	\$ 31.04	\$ 32.28	\$ 33.57
1" meter or connection	\$ 48.00	\$ 48.00	\$ 49.92	\$ 51.92	\$ 53.99	\$ 56.15
1 1/2" meter or connection	\$ 95.65	\$ 95.65	\$ 99.48	\$ 103.46	\$ 107.59	\$ 111.90
2" meter or connection	\$ 153.10	\$ 153.10	\$ 159.22	\$ 165.59	\$ 172.22	\$ 179.11
3" meter or connection	\$ 287.30	\$ 287.30	\$ 298.79	\$ 310.74	\$ 323.17	\$ 336.10
4" meter or connection	\$ 478.95	\$ 478.95	\$ 498.11	\$ 518.03	\$ 538.75	\$ 560.30
6" meter or connection	\$ 957.60	\$ 957.60	\$ 995.90	\$ 1,035.74	\$ 1,077.17	\$ 1,120.26
8" meter or connection	\$ 1,723.80	\$ 1,723.80	\$ 1,792.75	\$ 1,864.46	\$ 1,939.04	\$ 2,016.60
10" meter or connection	\$ 2,777.45	\$ 2,777.45	\$ 2,888.55	\$ 3,004.09	\$ 3,124.25	\$ 3,249.22
12" meter or connection	\$ 4,117.65	\$ 4,117.65	\$ 4,282.36	\$ 4,453.65	\$ 4,631.80	\$ 4,817.07

B.

**B. Service Charges**

1. For each new account to be established, a service charge shall be assessed and added to the first or opening water bill for payment in accordance with the following provisions:

Service charge with water service already on.	\$ <del>6.00</del> <u>5.00</u>
Service charge during regular business hours, which requires restoration of water.	\$25.00

2. The following dispatch service charges shall be assessed in accordance to Section K.2, Regulation 5 and Section C, Regulation 6:

Dispatching personnel to deliver delinquency notice	\$35.00
Dispatching personnel to terminate water service	\$50.00

- ~~3.~~ Other than in an emergency, to locate a service or shut-off water service after regular business hours the District will charge its actual cost of time and material ~~for this service, but not less than a minimum charge of \$125.00~~235.00.

~~C.3.~~ C. Temporary Turn-On Charge

When water service has been terminated for non-payment or put into an inactive status, and temporary (24-hour maximum) service is required for third-party inspection purposes, a non-refundable charge of ~~\$20.00~~30.00 shall be paid before service is turned on.

~~D.~~ D. Cross-Connection Control Program

A monthly charge shall be paid to fund the District's Cross-Connection Control Program (CCCP). This charge shall be billed monthly to each Landowner whose Parcel contains a Backflow Prevention Assembly (Assembly). The Assembly is the property of the Landowner. The services covered by this charge shall include, but are not limited to, administering the program, monitoring the program, notifying Customers for testing and retesting, compiling results and submittal of results to the State Water Resources Control Board Division of Drinking Water Department of Public Health (SWRCBDDPHDDW). The charge shall be determined each year based on program expenses and the number of Assemblies within the District. The current monthly charge for the CCCP shall be ~~\$24.00~~24.00 per Assembly for all connection sizes.

If a Customer requests or the District is required to test an Assembly, the District will impose an Assembly test charge of \$72.00 per Assembly, plus labor and materials if repairs are required. The charge includes the fee for the required County tag.

~~E.~~ E. Privately-Owned Fire Protection Systems

A monthly charge shall be paid for water service at un-metered connections to the District's Water System that are equipped with a detector check assembly satisfactory to the District and ~~DDW the State Water Resources Control Board's Division of Drinking Water~~DPH and which supplies water to privately-owned and maintained sprinklers used exclusively for fire-fighting, irrespective of the quantity of water used and based on the size of the fire service assembly as follows:

Private Fire Service						
Size	01/01/09	01/01/14	01/01/15	01/01/16	01/01/17	01/01/18
2-inch	\$ <del>13.65</del>	\$ <del>11.35</del>	\$ 11.80	\$ 12.28	\$ 12.77	\$ 13.28
3-inch	\$ <del>25.60</del>	\$ <del>21.30</del>	\$ 22.15	\$ 23.04	\$ 23.96	\$ 24.92
4-inch	\$ <del>41.65</del>	\$ <del>34.70</del>	\$ 36.09	\$ 37.53	\$ 39.03	\$ 40.59
6-inch	\$ <del>82.90</del>	\$ <del>69.05</del>	\$ 71.81	\$ 74.68	\$ 77.67	\$ 80.78
8-inch	\$ <del>146.65</del>	\$ <del>122.15</del>	\$ 127.04	\$ 132.12	\$ 137.40	\$ 142.90
10-inch	\$ <del>229.15</del>	\$ <del>190.85</del>	\$ 198.48	\$ 206.42	\$ 214.68	\$ 223.27
12-inch	\$ <del>255.35</del>	\$ <del>212.70</del>	\$ 221.21	\$ 230.06	\$ 239.26	\$ 248.83

~~F.B.~~ F.B. Security Deposits

Whenever an Applicant's or Customer's credit rating or payment history is or becomes unacceptable to the District because of poor credit history, non-payment of water bills, or frequent delinquent bill payment, a cash deposit may be required in accordance with the schedule set below:

1. Residential Customers shall be required to pay the sum equal to two (2) months water charge, but not less than ~~\$70.00~~90.00 (cost of ¾" flat base charges).
2. Business Customers shall be required to pay the sum equal to three (3) times the estimated water bill, but not less than ~~\$170.00~~180.00 (cost of 1" meter base charges).

The District may apply the security deposit to any account of a Customer ~~owing to the District~~ that is delinquent for more than 30 days and will notify the Customer of such application. Water service may be terminated if the account is not fully paid and the security deposit replenished, subject to the conditions and procedures described in Regulation 6, Section B.

The security deposit will be returned to the Customer without interest upon termination of the service and payment of all rates and charges owed to the District by the Customer, or at such earlier time as the District may determine that the credit of the Customer is satisfactory. Security deposits that remain unclaimed after five (5) years from the date the deposit became refundable will become property of the District.



For the purpose of this Regulation 3, the District shall determine whether a Customer's credit is satisfactory. The credit of a Customer who has paid all rates and charges without ~~delinquency~~fault for twelve months shall be deemed satisfactory.

**G-C. Application of Payments**

Any monies received on an account will be applied first to the oldest outstanding charges.

**H. Returned Payments**

The District shall levy a charge for each returned payment as defined in Regulation 5, Section C. The amount shall be the District's actual Bank Service Charge plus \$7.00.

**I. Meter Testing Fee**

This charge will be assessed to accounts that request a meter test with results within the range set by AWWA per Regulation 4, Section D. The fee will be ~~\$135~~\$235.00 per meter test for large meters (3" and above) and \$65.00 for small meters (1" and below).

**J. Bacteriological Testing**

The District will assess actual time and material costs but not less than a minimum charge of \$25.00 for each bacteriological test as defined in Regulation 7, Section H.8.

**K. Annexation Fees**

The District will charge annexation fees for each Parcel located outside of the District's legal boundaries that desires to be annexed into the District. The fee will be charged on an time and materials basis and reflect all District costs to apply for and complete the annexation of a Parcel, including without limitation staff time, attorneys' and consultant fees, LAFCO application fees, and costs of studies and environmental review. Upon application for an annexation into the District, staff will estimate the costs to process the annexation and the applicant shall deposit the estimated costs with the District. Upon conclusion of the annexation proceedings, if a portion of the deposit remains, it will be refunded to the applicant. If the District has expended the entire deposit and advanced additional funds to pay costs of the annexation proceedings, the applicant will repay the entire amount of any funds advanced by the District as a condition of LAFCO's recording of the Certificate of Completion approving the annexation and of the District's approval of the applicant's Application for Water Service.

**L. Water Conservation Violation**

In accordance with Section B of Regulation 15, the following charges may be imposed for a Water User's violation of the District's water conservation regulations:

1. A charge of \$50.00 will be added to the next billing for serving the second water conservation violation as defined in Regulation 15, Section B.
2. A charge of \$100.00 will be added to the next billing for serving the third water conservation violation as defined in Regulation 15, Section B.

M. Variance Application Service Fees

1. A service fee of \$300.00 will be charged to any person or entity for a filing variance application as provided in Regulation 17, Section B.
2. If an Applicant desires a hearing at a special Board of Directors meeting, a fee of \$1,200.00 will be charged as provided in Regulation 17, Section E.

N. Multiple Unit Charge

An additional monthly per unit charge will be imposed on all multi-family accounts (i.e. duplex, triplex, etc.) billed by the District on a flat rate basis as defined below.

Multiple Unit Charge						
	01/01/09	01/01/14	01/01/15	01/01/16	01/01/17	01/01/18
Per Unit Charge	\$ 8.03	\$ 8.03	\$ 8.35	\$ 8.69	\$ 9.03	\$ 9.39

O. Facility Use Fees

District Facilities may be used only upon approval of the General Manager. Interested parties must apply for use of District Facilities by completing the District's "Facility Use Application." All charges for use of District Facilities, including insurance requirements, are as noted on the Application and are dependent on facility location, event duration and recovery of all District costs required for the event.

P. Public Information Request

A charge of \$0.10 per page shall be charged for requests for copying of disclosable District records. Additional charges and terms of reproduction and delivery of copies of records are provided in the District's Records Inspection, Retention and Disposal Policy, PL-Admin 002.

Q. Construction Water Charge

Water provided by the District for construction purposes will be charged subject to conditions of the service or project and in conformance with Regulation 12. The following charges will apply:

1. For a subdivision, \$16.00 per lot plus the permit fee of \$50.00, paid at plan approval. The contractor/developer will be required to pay \$2,300.00 deposit for the hydrant meter with backflow assembly ~~or backflow assembly~~ provided by the District prior to taking water from the assigned ~~District hydrant~~.
2. For development use other than a subdivision, \$3.00 per 1,000 square feet plus the permit fee of \$50.00, paid at plan approval. The contractor/developer will be required to pay \$2,300.00 deposit for the hydrant meter with backflow assembly ~~or backflow assembly~~ provided by the District prior to taking water from the assigned ~~District hydrant~~.
3. For construction water taken through a District Fire Hydrant Meter, and not administered in 1 or 2 above, the contractor will be required to pay \$1.10 per hundred cubic feet of water taken, a \$50.00 permit fee, and \$2,300.00 deposit for the hydrant meter with backflow device.
4. Use of District Fire Hydrants is authorized by a permit issued by the District only, as conditioned in Regulation 13, Section D. Illegal use of a Fire Hydrant may be subject to a \$100.00 charge.

R. Plan Check Fee

An hourly rate of \$90.00 shall be assessed for review of an Applicant's construction plans as ~~defined~~ provided in Regulation 7 under Part H.1. The minimum plan check fee shall be \$900.00.

S. Supervision and Inspection

An hourly charge of \$75.00 shall be used to calculate the deposit for supervision and inspection of new or upgraded water facilities to be connected to the District system, as provided in Regulation 7, Section H.6. The minimum fee for Supervision and Inspection shall be \$600.00.

T. Hydrant Flow Test

A completed application for hydrant flow test and \$350.00 fee shall be paid in advance to supervise and perform a fire hydrant flow test and to provide written results of the test to the person or entity requesting it.

U. Service Line Charge

The charge for the installation of a new metered water service line from an existing water main as provided in Regulation 7, Section H.2. shall be not less than \$3,000.00. The estimated charge shall be paid to the District prior to scheduling the installation.

V. Service Line Relocation

The District charge for the relocation of an existing service line from an existing water main to the Applicant's parcel as provided in Regulation 7, Section H.3. shall be not less than \$3,000.00. The estimated charge shall be paid to the District prior to scheduling the relocation.

W. Abandonment of Service and Reinstallation of Abandoned Service

The District charge for abandoning an existing water service from the existing water main as provided in Regulation 7, Section K shall be calculated on a time and materials basis, with a minimum charge of \$3,000.00. The estimated charge shall be paid to the District prior to scheduling the abandonment. In addition, if requested by a Landowner, the District will restore an abandoned service connection by charging on a time and materials basis, with a minimum charge of \$3,000.00.

X. Administration Fee

This fee will be assessed to those accounts that participate in certain District programs, including without limitation the Large Irrigation Service, Wholesale Water, and Owner/Tenant Billing Agreement. Each fee is based on actual District costs for administering the individual program and is reviewed at least annually.

Y. Locking Device Replacement Fee

If the District has installed a locking device on a water meter, curb stop or service valve and such a device is damaged or removed, then the following charges shall be imposed on the Landowner:

- Lock \$10.00
- Standard Locking Device \$254.00
- Advanced Locking Device \$35.00

If installed locking devices on the same service connection continue to be damaged or removed, the District reserves the right to abandon the service. Charges for service abandonment and any subsequent reinstallation of service will be on time and materials for the abandonment of the service as provided in Section W of this Regulation 3. The charges will be added to the Customer's water bill and must be paid before service is restored.

Z. Penalty Charge

A 10% charge will be assessed on a bill that has not been paid at the time the next billing is generated as provided in Regulation No. 5.K.

## Regulation No. 4 Meter Reading

Adopted: July 19, 2004

Amended: December 21, 2009; April XX, 2015

### A. Measurement of Water Supplies

All metered water supplied by the District will be measured by means of Meters installed, owned, and maintained by the District. In accordance with Regulation No. 3, 100~~the~~ cubic ~~feet~~ is the unit of measurement for Metered Service, and the amounts charged for Metered Service shall be based on the current rates established by the District's Board of Directors for each hundred cubic feet of water consumed ~~established by the District's Board of Directors~~.

### B. Frequency of Meter Reading

Meters normally will be read monthly. Because it is not always possible to read Meters at equal intervals, the period between reading dates may vary. Special readings will be made on commencement and termination of service and as required by special circumstances.

### C. Meters that Cannot be Read

When a Meter cannot be read because of an obstruction or other circumstances rendering the Meter inaccessible or unreadable, the Customer will be notified, ~~and if~~ the problem lies with Customer or Premises, then the Customer shall correct the condition in accordance with Regulation 2, Section D and Regulation 16. A bill resulting from an inaccessible or unreadable Meter may be estimated for the billing period in accordance with Regulation No. 5, Section E. The account will be adjusted, if necessary, once a correct reading is obtained. Failure of a Customer to correct the obstruction within a reasonable amount of time may result in disconnection of service.

### D. Testing Meters

The District will test the accuracy of a Meter upon a Customer's written request. The District may require the Customer to pay the cost of a meter test. The Customer may witness the test. If a Meter is found to be working improperly, it will be repaired or replaced by the District at no cost to the Customer. If it is determined that the Meter is registering more than the actual quantities passing through the Meter as performed in accordance with the meter test procedure of the AWWA, then a credit will be applied to the Customer's account. In accordance with Regulation 2, Section J. ~~A~~ credit will not be issued for any overcharges levied more than four (4) years before the error was

| identified. If the Meter tests within the range as-set by AWWA, then the Customer may be charged for the cost of the meter test in accordance with Regulation 3, Section I.

## Regulation No. 5 Billing, Payments, and Miscellaneous Charges

Adopted: July 19, 2004

Amended: November 17, 2008; December 21, 2009; January 28, 2013; April XX,  
2015

District water service is a privilege and is maintained by prompt payment of all fees and charges and compliance with all District regulations and applicable laws governing water service. Under California law, the responsibility for paying District fees and charges results from possession of the property on which water is used, rather than from any personal obligation. California law also requires that each Parcel connected to the District water system pay its fair share of the costs to operate and maintain the system. Based on these legal principles, it is the District's policy to minimize the costs of administering the water system and to ensure each Parcel pays its fair share for operating and maintaining the District water system by requiring Landowners to be financially responsible for all fees and charges imposed on their Parcels for the privilege of receiving District water service, whether the Landowner occupies the Parcel or rents or leases it to another person or entity.

### A. Billing

#### 1. Flat Rate Service

Bills for flat rate water service will be mailed at the beginning of the monthly period. If the Customer owns and resides at the subject Premises, the District shall mail the bill to the Premises address or another address designated by the Customer. If a Landowner rents or leases the subject Premises, the District shall mail the bill to the Landowner's designated address or to his or her designated Agent. If a Premises is leased or rented, the District will mail a duplicate bill to a tenant at the Premises address only in accordance with the procedure provided below in section I. (Gov. Code section 54347, Water Code section 31007.5) Non-receipt of a bill shall not relieve a Landowner of any payment obligation to the District.

#### 2. Commercial Metered Rate Service

Bills for commercial metered rate water service will be mailed monthly, following the reading of the Meter, to the mailing address of each Landowner or designated lessee. The Landowner or his/her designated lessee shall be responsible to keep the District advised of the address to which bills are to be mailed. Non-receipt of a bill shall not relieve a Landowner or the lessee of any payment obligation to the District.

3. Residential Metered Rate Service  
Bills for residential metered rate water service will be mailed monthly, following the reading of the Meter. If the Customer owns and resides at the subject Premises, the District shall mail the bill to the Premises address or another address designated by the Customer. If a Landowner rents or leases the subject Premises, the District shall mail the bill to the Landowner's designated address or to his or her designated Agent. If a Premises is leased or rented, the District will mail a duplicate bill to a tenant at the Premises address only in accordance with the procedure provided below in section I. (Gov. Code section 54347, Water Code section 31007.5) Non-receipt of a bill shall not relieve a Landowner of any payment obligation to the District.

B. Payment

Bills are due and payable upon receipt. Payment can be made via ~~the District's web site, customer service telephone, shall be by~~ mail or in person at the District Office, 3701 Marconi Avenue, Suite 100, Sacramento, California 95821, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. For billing disputes, see Section H hereof.

C. Returned Payments

The District shall levy a fee in accordance to Regulation 3, Section H for each check payment, electronic payment or credit card payment tendered to the District for water service charges that is returned unpaid.

D. Charges Against Deposits

The District may deduct the amount of any delinquent bill, including delinquent charges, against a security or any other deposit made to the District by the Customer liable for such bill.

E. Estimated Bills

If a Meter fails to register correctly or cannot be read, a water service bill will be based on the District's estimate of the quantity of water delivered, taking into consideration seasonal water demand and any other factors that are material and reasonable in determining a fair charge.

F. Prorated Bills

For water service bills calculated for less than a full billing period, flat rate Customers will pay a prorated amount from the first day of the billing period to the date of termination of service, or from the commencement of service until the last day of the billing period. For water meter fees and charges the bill will be calculated based on actual quantities used from the last billing date to the date the account is closed, plus the prorated charge for the fixed portion of the bill.



## G. Vacancies in Multiple Family Residences

No credit will be allowed or approved for any vacancies of multiple family residential water service accounts, unless each unit is separately metered or has a separate connection.

## H. Disputed Bills and Other Charges

Should a Customer dispute a current bill for water service, a written explanation must be received before the next regular billing. ~~All disputed bills must be paid before the due date to avoid discontinuance of water service.~~ District staff will review the account in question and contact the owner of the property to resolve the issue. If staff rules in favor of the Customer, the Customer's account will be credited for the disputed item. If the Customer is dissatisfied with the District's resolution, the Customer may appeal the staff decision to the District General Manager. If dissatisfied with the District General Manager's decision, then an appeal may be made to the District Board of Directors. All decisions made by the District Board of Directors are final. A Customer is required to pay any undisputed portion of a water service bill by the due date except as otherwise provided in Regulation 6, Section B.

If a Customer disputes any other rate, fee, charge, refund or reimbursement levied or rendered by the District, the Customer must comply with the formal claims presentation requirements of the Government Claims Act (Government Code sections 810 and following) and the District's local claims procedures ordinance, Ordinance No. 02-02. In all cases where a dispute requires a Customer to file a formal complaint, the District's action on the claim will be final and no appeal will be allowed.

## I. Duplicate Bill to Tenant; Tenant Non-Payment

1. The District will prepare and mail a duplicate bill to a €Tenant, provided the Landowner of the Premises at which the €Tenant resides satisfies all of the following terms and conditions:
  - a. The Landowner signs a financial responsibility agreement in the form provided by the District, in which the Landowner agrees to guarantee payment of any fees and charges incurred by his, her or its €Tenants as a result of District water service provided to the Landowner's Premises.
  - b. The Landowner pays a monthly duplicate mailing fee set by the District to reflect the costs of generating and mailing the duplicate bill.
  - c. If a €Tenant defaults on the payment of any fee or charge, the Landowner will promptly pay the fees and charges due upon receipt of a notice of delinquency.

2. The District reserves the right to require a Landowner to assume sole liability for payment of fees and charges if there is a history of non-payment of bills by a Tenant of that Landowner's tenants.

J. Payment of Outstanding Water Service Charges Upon Property Transfer

Consistent with the legal principles set forth in the preface of this Regulation 5, a Landowner who acquires real property in the District is responsible for paying any outstanding District fees and charges owing on the acquired Parcel regardless of the time or manner in which those charges were incurred. The District reserves the right to refuse to open an account and to provide water service to a Parcel until the acquiring Landowner pays all outstanding fees and charges. It will be the acquiring Landowner's sole responsibility to pursue any legal remedies it may have to seek reimbursement of such outstanding fees and charges from any former Landowner or occupant of the acquired Parcel. All prospective Landowners considering acquiring a Parcel within the District are urged to call the District prior to acquiring that Parcel to determine the status of its water service account.

K. Delinquency-Related Fees

1. Late FeePenalty ChargesFee

The District shall levy a charge in accordance to Regulation 3, Section Z1 if a District bill for water service is not paid in full by the time the District processes the next month's water bills, which in no case will be any earlier than 19 days after the bill was mailed or otherwise presented to a Customer. If a bill becomes delinquent, then a latepenalty fee in the amount of 10 percent of the unpaid portion of the bill will be assessed on the account and will appear on the Customer's next water bill. The amount of a delinquent water bill and the assessed latepenalty charge will continue to appear and be marked as delinquent on a Customer's bill until paid in full. The District may terminate a Customer's water service for non-payment as provided in Regulation 6.

The District also will charge interest at the rate of one-half of one percent per month on all delinquent water service bills until the principal, penalty charge and any accrued interest is paid in full. The amount of accrued interest on any delinquent water bill also will appear on a Customer's bill until it is paid in full.

In cases where a ~~penaltylate~~ fee is imposed on a water bill that has become delinquent, the District will have the discretion to waive the ~~penaltylate~~ fee in circumstances where a Customer<sub>;</sub>

- (a) ~~has filed a dispute of the subject water bill in accordance with the time limits and procedures provided in Section H of Regulation 5;~~

(b) ~~qualifies for an exemption from water service termination under Subsection 5, Section B of Regulation 6; or~~

(e) upon receiving the month's bill showing the previous month's water bill as delinquent, contacts the District by no ~~late~~later than 19 days after receipt of the next month's bill to offer a reasonable and substantial excuse for non-payment of the previous month's bill, requests a waiver of the ~~late~~penalty chargefee, and is willing to immediately pay the full amount of delinquency (less the assessed ~~late~~penalty chargefee) by telephone or in person. In determining whether to grant or deny a Customer's request to waive a ~~late~~penalty chargefee, the District may request additional information from the Customer documenting the excuse and may consider the Customer's payment history and waiver request history.

## 2. Notice of Termination or Turn Off

The District shall levy a charge in accordance to Regulation 3, Section B.2 if a District employee must be dispatched to deliver a notice of termination due to delinquency, or terminate water service due to a delinquency or an illegal restoration of a water service in a disconnect status.

Regulation No. 6  
Disconnection and Restoration of Service

Adopted July 19, 2004

Amended: November 17, 2008; December 21, 2009; January 28, 2013; April XX,  
2015

A. Disconnection by the District

The District reserves the right to disconnect any connection to the District Water System and to discontinue water service for any of the following reasons:

1. A ~~Water User~~Customer fails to comply with any of the District's regulations.
2. The District is furnishing service without a proper application on file.
3. There is evidence of unlawful tampering or interference with the District Water System.
4. The District or a state or county public health officer finds that there exists a condition hazardous to the health and safety of any ~~Water User~~Customer of the District.
5. A Customer fails, after notice from the District, to remove an obstruction that prevents reading of his/her Meter or observation or repair of any connection at the Point of Responsibility, per Regulation 2, Section D.
6. Failing to install or upgrade an authorized Backflow Prevention ~~Device~~Assembly per Regulation 14, Section G.
7. Committing unlawful acts as defined in Regulation 13.
8. For failure to conserve water as provided under Regulation 15.
9. Failure to provide access to property for operation and maintenance of District facilities upon request.
- ~~9-10.~~ Failure to repair a leak on a Customer's System after being notified by the District.

B. Nonpayment of Bills

The District reserves the right to terminate a Customer's water service for non-payment of any bill rendered by the District upon the following conditions:

1. A District bill for water service becomes delinquent because it is not paid in full by the time the District processes the next month's water bills, which in no case will be any earlier than nineteen (19) days after the bill was mailed or otherwise presented to the Customer, and the Customer is otherwise not excused from the delinquency as provided in Section K-2, Regulation 5 and this Section.
2. When an account is two billings delinquent, ~~the~~ District mails to the Customer at his or her last-known address a 15-day notice of impending service termination at least nineteen (19) days after the delinquent bill was mailed, and at least fifteen (15) days before water service is to be terminated. The 15-day notice will be included in the third bill statement.
3. The District gives final notice of a delinquent water bill and pending termination at least forty-eight (48) hours before water service is to be terminated. The 48-hour termination notice will be delivered to the Parcel where the service is provided and left at the front of or the principal entrance to any structure located thereon. At the District's discretion, this notice may be delivered by priority mail, certified mail/return receipt requested or overnight delivery service. By delivery in this manner the notice may be left where the Customer's typically receives mail delivery. The 48-hour period will commence upon delivery of the notice.
4. During the notice periods described above in subsections (2) and (3), the Customer fails to make full payment of the delinquent charges and any late fees, penalties or other charges accrued thereon, or to make satisfactory arrangements with the District for payment of those amounts.
5. Government Code section 60372 provides general procedures for terminating utility service by public agencies. Subdivision (b) states exceptions to the general rule provided in subdivision (a) that a public agency may terminate utility service for non-payment upon proper notice of the delinquency and impending termination. The exceptions in subdivision (b) are limited to: (1) the time during which a public agency is investigating a Customer dispute or complaint; (2) any extension period a public agency has given a Customer for paying a past due bill; or (3) a licensed doctor's certification that the Customer's life will be threatened if the utility service is terminated, and the Customer is unable to timely pay the bill and is willing to enter into an amortization agreement not exceeding 12 months to repay the delinquent balance.

C. Charge for Service Restoration After a Termination

The District will levy a termination charge in accordance with Regulation 3, Section B.2, which will be added to a bill for any service that has been terminated due to delinquency. The District will impose this charge in addition to the dispatch charge in accordance with

Regulation 3, Section B.2 if the District must deliver a 48-hour delinquency notice. A Customer must pay current all charges and fees before water service will be restored, except as provided in subsection B.5: hereof.

Upon service termination, if the District has installed a locking device and such a device is damaged or stolen, then a charge sufficient to cover the District's cost for replacing said device will be added to the Customer's water bill and must be paid before service is restored in accordance with Regulation 3, Section Y.

D. Termination of Service by Customer

The District will terminate water service on any business day during regular business hours (not a Saturday, Sunday, or Holiday) requested by a Customer, provided that the request is received by the District at least two (2) business days prior to the requested date of termination. The Customer must advise the District if the Premises is occupied. If the Premises is occupied, a 10-day notice of termination will be delivered to the Premises and left at the front of or to the principal entrance or any structure located thereon. Prior to termination, a 48-hour notice to terminate will be delivered to the Premises and left at the front of or the principal entrance to the residence or other structure located on the Premises. If the Premises is unoccupied, a 48-hour notice to terminate will be delivered to the Premises and left at the front of or the principal entrance to any structure located thereon. After the 48-hour period water service will be terminated. The Customer will be responsible for all service furnished by the District prior to the termination of his, her or its service.

E. Notice of Lien

When a Customer's water bill becomes delinquent and/or when the District terminates water service as provided in Sections A and B above, or when the District has determined that the recovery of the amount due may be uncertain due to abandonment of a Parcel and/or Service Connection, then the District may file with the Sacramento County Recorder a Notice of Lien, setting forth the legal description of the Parcel, the amount of the obligation owed, specifying that the same is owed to the District, and that all delinquent service charges, together with late fees, penalties and interest, are a lien against the Parcel to which the service was provided. (Govt. Code section 54354.) The District also may choose to collect any delinquent charges by any other legally-permitted means within its authority.

F. Restoration of Service

For service that the District has disconnected or terminated, a Customer desiring to restore such service shall pay current all delinquent rates, fees, and charges, and if the District so determines, pay a security deposit in accordance with section F of Regulation No. 3. In addition, as condition for restoring service, the District may require the Customer to upgrade the existing water service. The extent of upgrade shall be at the District's discretion, and shall conform to District Specifications and Standard Detail No.

13 for Single Family Residence and Nos. 14, 15 and 16 for Metered Services. A Backflow Prevention ~~Device~~ Assembly will be required with each Meter that serves any non-domestic use, including for irrigation. Installation of such devices shall comply with Sacramento County Standard Drawing #8-8A, Drawing #8-8B and Drawing #8-8C for Backflow installation only.

Regulation No. 7  
New or Additional Service Connections

Adopted: July 19, 2004

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March 18, 2013; April 21, 2014; April XX, 2015

Requirements for New or Additional Service Connection

Water Service from Sacramento Suburban Water District is not transferable or assignable and is subject to full compliance with the District's Regulations Governing Water Service, including the following terms and conditions:

A. New or Additional Service Connections Generally

No New Service shall be connected to the District Water System unless there exists a District water main in a street or right-of-way fronting an Applicant's property accessible to the proposed location of the Applicant's service. ~~A Water-s New Services will be moved from the backyard to located only in the front of a Parcel yard if an existing -water mainline replacement project fronts~~<sup>[RM1]</sup> the eCustomer's property. ~~No A-water-s New Services shall only remain be permitted in a backyard applications when no other viable option is available for~~<sup>[RM2]</sup> any reason. ~~The~~<sup>A</sup> District water main available to serve a New Service shall have Adequate and Reserve Capacity and pressure to provide safe and reliable water service for domestic and fire protection use as solely and conclusively determined by the District. The District, in determining the adequacy of the existing facilities, will take into consideration all factors such as the water requirements of the project to be served by a nNew Service~~connection~~, the flows required for fire protection, and whether the use of the water will significantly impair service to existing Customers. If the District determines that the New Service will not be connected into the District Water System unless the Applicant provides such adequate extensions or additions as may be necessary in accordance with District regulations, Master Plan and technical specifications, then the District shall determine the location, capacity, and design of such extensions or additions and provide its determination to the Applicant. In making this determination, the District may consider all factors, including but not limited to, anticipated future land uses, water requirements, the desirability of looping water mains to increase reliability and adequacy of service, required flows needed for fire protection, and the long range plans for capital improvements of the District Water System. The District's determination will be conclusive on the Applicant.

B. No Prior Service

1. Adequate Main Abuts Applicant's Parcel



A New Service will be connected provided the following conditions are fulfilled:

- (a) The Parcel to be served is within the District's geographical boundaries or is annexed to the District in accordance with an order of the ~~Sacramento County Local Agency Formation Commission (LAFCO)~~;
- (a)
- (b) The Applicant's Parcel is or has been made subject to applicable bonded indebtedness of the District, if any;
- (c) The District possesses adequate water supply to serve the Applicant's requested needs;
- (d) A District water main of Adequate and Reserve Capacity exists in a public right-of-way fronting the Principal Boundary or Principal Boundaries of the Applicant's Parcel, where the public right-of-way is less than 80 feet wide. For public rights-of-way 80 feet or wider, a water main of Adequate and Reserve Capacity shall exist fronting the Applicant's Principal Boundary from within the area measured from the centerline of the public right-of-way to the Applicant's property line contiguous to the public right-of-way; and
- (e) An Application for Water Service has been filed with the District in compliance with Section D, hereof.

2. No Adequate Main Abuts Applicant's Parcel

Service will be connected provided the following conditions are fulfilled:

- (a) The Parcel to be served is within the District's geographical boundaries or is annexed to the District in accordance with an order of LAFCO;
- (b) The Applicant's Parcel is or has been made subject to applicable bonded indebtedness of the District, if any;
- (c) The District possesses adequate water supply to serve the Applicant's requested needs;
- (d) The Applicant will provide a main of Adequate and Reserve Capacity at his/her own cost and expense, which main shall be constructed in a public right-of-way fronting the entire frontage of the Applicant's Parcel. Should the Applicant's Parcel front two or more rights-of-way, the Applicant shall be required to install the main along the Parcel's Principal Boundary as designated in the District's Master Plan as the right-of-way necessary to provide for future extension of the District's Water System ~~capabilities and facilities~~. Should the Applicant be required to service the Parcel from a right-of-way other than the principal right-of-way (service shall also

mean fire service if required by the applicable fire agency), then the Applicant shall be required to install water mains of Adequate and Reserve Capacity along both the principal and the service frontage. All provisions for main extensions shall be in accordance with all applicable District Regulations, Master Plans, Plans and Specifications; and

(e) An Application for Water Service has been filed with the District in compliance with Section D, hereof.

### C. Prior Service

1. A Parcel to which service has been discontinued will be re-connected upon the filing of a new application together with the payment of all fees and the upgrade of all District facilities affected by the re-connection as required by District Regulations.
2. If any one of the following, but not limited to, conditions exists on an Applicant's Parcel, the District will require an upgrade of the existing service before reconnection to the District Water System will be permitted:
  - (a) An improvement on the Parcel requires an increase in water pressure or quantity. The District's increase of water pressure or quantity determination shall be based on the quantity of added water use facilities to be installed as a result of the improvement. The Applicant's engineer shall submit to the District a record of all the plumbing fixtures and flows required to serve all existing and proposed improvements on the Applicant's Parcel. Based on this information, the District shall determine, if the existing service is adequate to serve the Premises. The District shall use AWWA Standards to determine the adequacy of all services and the consequent need for upgrades.
  - (b) An improvement on the Parcel requires increased water pressure or quantity in order to satisfy ISO Fire Suppression Standards as more specifically described in Regulation No. 9, Section O, hereof.
  - (c) An improvement changes a multiple unit Premises from master-metered to individually-metered units.
3. In those cases when service has not been interrupted but the Parcel has been improved, the provisions and requirements of Regulations Nos. 7 and 9 hereof shall apply if any one of the conditions described above in subparagraph 2 exists.

### D. Application for Service

1. The District will not provide or continue service to any Parcel unless the present Landowner has filed an Application for Water Service with the District.

2. Application for service shall be made in writing on forms provided by the District and signed by the Landowner.
3. Applications shall be supported by plat maps and a legal description of the Parcel, and a project description that includes construction type and number of living units, plan of water distribution, project approval by the appropriate fire service district, the planned service date, the name and billing address of the Landowner, the domestic water requirements in gallons per minute, and the total fire-flow requirements, as well as the location of existing and/or proposed fire hydrants to meet applicable fire-flow requirements.
4. The failure of an Applicant to request the connection of his or her Parcel to the District Water System within one year of the District's Plan Approval shall automatically terminate the application and entitle the Applicant to the return of all fees paid except the plan check fee, any annexation fee, and any permit other fees as described in Subsection G hereof. A request for refunding of fees shall be made in writing to the District.
5. The Applicant must deposit with the District, on or before the Plan Approval date, an amount equal to the cost of all Extension Facilities proposed to be constructed by the District, together with all service charges, fees, and Facilities Development Charges in effect on the date of the Final Approval.
6. Any decision by the District's staff concerning an application for service is appealable to the District Board of Directors or the Board's Facilities and Operations Committee. An Applicant's appeal must comply with the applicable requirements provided in Regulation 17, Procedures for Variance Application.
7. In situations where a retail municipal water supplier must allocate service connections due to supply limitations, Government Code section 65889.7 requires the District to provide a service priority to proposed residential developments that include units affordable to lower income households, as such are defined in Health & Safety Code sections 50052.5, 50053 and 50079.5. The District currently has sufficient supplies to serve all anticipated new demands and given its largely built-out condition, expects to have sufficient supplies to meet all future new demands. If, however, an allocation of new services becomes necessary, the following states the District's low income housing priority policy. An application for service to a proposed development that includes housing units affordable to lower income households, as defined by Government Code section 65589.7(d)(1), shall not be denied, conditionally approved, or the amount of service applied for reduced without specific written findings that the denial, condition, or reduction is necessary due to one or more of the following:
  - a. The District does not have "sufficient water supply," as defined in paragraph (2) of subdivision (a) of Section 66473.7, or is operating under a water

shortage emergency or distribution capacity to serve the needs of the proposed development, as demonstrated by a written engineering analysis and report;

- b. The District is subject to a compliance order issued by the State Department of Public Health that prohibits new water connections;
- c. The Applicant has failed to agree to reasonable terms and conditions relating to the provisions of service generally applicable to development projects seeking service from the District, including, but not limited, the requirements of local, state, or federal laws and regulations or payment of a connection fee or capacity charge imposed pursuant to Government Code section 66013.

In accordance with Water Code section 10631.1, the District will include in its Urban Water Management Plans projections of water use by single- and multiple-family housing needed for low income families.

#### E. Water Main Sizes

1. The size of water mains to be installed in accordance with this Regulation 7 shall be in compliance with the provisions of Regulation 9, Sections N and O hereof.
2. Whenever Extension Facilities are required to be installed in accordance with this Regulation 7, the District may require, in accordance with its approved Master Plan and for the purposes of public convenience, necessity, and safety, the installation of an Up-Sized main ~~Line larger than the size required to serve the Applicant's Parcel or Parcels ("Service Connection")~~. Whenever the District requires the installation of such an Up-Sized Line, the line shall be designed in accordance with one of the following procedures at the District's option:
  - (a) An Applicant, with approval from the District, shall have his or her engineer design the ~~Up-Sized~~ Line. The Applicant shall competitively bid and in accordance with the lowest responsive and responsible bid, construct the extension facility in accordance with the following conditions:
    - (1) The Applicant's engineer will prepare a spreadsheet detailing the Applicant's cost of installation of the line size required in accordance with provisions of Regulation 9, Sections N and O.
    - (2) The Applicant's engineer will prepare a spreadsheet detailing the cost of the installation of the Up-Sized Line.
    - (3) The Applicant's engineer shall design plans and specifications for both the main size required in accordance with District Regulations and the Up-Sized Line. The design of the water mains shall be

according to District Standards with plan review, revisions, and Plan Approval by District staff.

- (4) The District shall pay to the Applicant, when the job is completed and accepted by the District, the difference in cost between the cost of the Up-Sized Line based on the lowest responsive and responsible bid and the cost of the installation of the line of the size required to adequately serve his or her Parcel, based on the average of the three lowest responsive and responsible bids. The District shall pay for the Up-Sized-\_\_Line in accordance with Regulation 9, Section L.
  - (5) The Applicant shall pay to the contractor the full cost of the main installed.
  - (6) The Applicant shall pay all of the District's fees, charges and costs ~~as related to~~required for the installation of the water main.
  - (7) The Applicant shall comply with all applicable regulations of the District and any amendments adopted from time to time by the Board of Directors.
- (b) The District shall design plans and call for separate bidding to construct the Extension Facilities as follows:
- (1) District staff will prepare spreadsheets detailing the cost of installing the line size required in accordance with provisions of Regulation 9, Sections N and O.
  - (2) District staff will prepare spreadsheets detailing the cost of installing the Up-Sized Line.
  - (3) The Applicant shall pay to the District the full cost of the installation of the line of the size required to adequately serve his or her Parcel, based on the average of the three lowest responsive and responsible bids, and the District will pay the difference for the cost of the Up-Sized Line as contained in those bids. Applicant's payment to the District shall be no later than 30 calendar days after the District has awarded the project.
  - (4) The Applicant shall comply with all rules and regulations of the District and any amendments adopted from time to time by the Board of Directors.

#### F. District Final Plan Approval

The date of the District's final Plan Approval is defined as that date when the District shall, after receipt of all applicable fees, charges, applications and grants of easements, date and sign the Applicant's plans as approved for construction, or where no Extension Facilities are required, on that date when the District shall, after receipt of all applicable fees, charges, application and grants of easements, approve and date the said application. Should Applicant not obtain District's approval of his or her plans, the Applicant shall not be allowed to connect to ~~any~~the District Water System facilities until he or she has obtained final Plan Approval. The District's Final Plan Approval is subject to all time limits and other restrictions provided in this Regulation 7 and such approval does not create any vested right in an Applicant except to the extent provided herein.

#### G. Expired Plans/Un-Built Projects

If construction of the required extension has not begun on the one-year anniversary date of Plan Approval or the District receives a written statement from an Applicant that the project will not be built, the District shall deem the plans void. The District will refund collected fees upon the Applicant's written request, except for plan review, hydrant permit, construction water, annexation, and fire hydrant flow test fees. Should an Applicant resubmit plans for approval, the District will review the plans in accordance with this Regulation 7 and Regulation 9. New and/or additional fees will be calculated and assessed for review of resubmitted plans. New Plan Approval shall be per Section F hereof.

#### H. Charges for New or Improved Service Connections

##### 1. Plan Check Fee

A charge shall be assessed by the District for the review of the Applicant's construction plans for new or improved water service. The charge will be assessed at the rate of \$90.00 per hour for each District employee assigned to the review. In addition, the District may charge staff time or consultant fees at cost for any additional services required as part of the review, including but not limited to, hydraulic analyses, site verification, and research. The District shall estimate the cost of reviewing such plans and notify the Applicant of the estimated costs for the services required. The Applicant shall deposit with the District the estimated plan check costs as a condition precedent to plan review. In the event that the actual cost for plan checking incurred by the District exceeds the amount deposited, the Applicant shall pay the excess fees due to the District before final Plan Approval. The charge for Plan Review shall be in accordance with Regulation 3, Section R.

##### 2. Service Line Charge

The District charge for the installation of a new-metered water service line from the existing water main to an Applicant's Parcel shall equal the District's actual cost of materials, installation, labor, equipment, and normal overhead charges.

The charge for the installation of a new Sservice Lline Installation shall be in accordance with Regulation 3, Section U.

3. Service Line Relocation

The District charge for the relocation of a service line from the existing water main to an Applicant's Parcel (which will be relocated according to current specifications) shall equal the District's actual cost of materials, installation, labor, equipment, and normal overhead charges. The charge for relocation of a Sservice Lline Relocation shall be in accordance with Regulation 3, Section V.

4. Water Meters

District charges for installing and setting water meters will consist of the District's actual cost of materials, labor, equipment, installation, and overhead. The installation of a metered nNew Metered-Service shall be charged according to Section H.2 of this Regulation 7, provided that all applicable conditions of the District's Regulations have been satisfied. When the only service rendered is restoring water service by reinstalling a Meter, a charge will be assessed in accordance to Regulation 3, Section I for each reinstallation.

5. Facilities Development Charge

To cover a portion of the District's costs incurred for the installation of wells, pumps, and storage and treatment facilities, and to provide a fund for reimbursement of a portion of Customers' costs of Extension Facilities pursuant to Regulation No. 9, Section A, a Facilities Development Charge will be imposed in accordance with the following following schedule for each new or improved service:for each new or improved service:

<u>Service Size</u>	<u>Facilities Development Charge*</u>
<u>5/8"</u>	<u>\$3,130.00</u>
<u>3/4"</u>	<u>\$4,672.00</u>
<u>1"</u>	<u>\$7,802.00</u>
<u>1 1/2"</u>	<u>\$15,558.00</u>
<u>2"</u>	<u>\$24,902.00</u>
<u>3"</u>	<u>\$46,720.00</u>
<u>4"</u>	<u>\$77,882.00</u>
<u>6"</u>	<u>\$155,718.00</u>

<u>8"</u>	<u>\$249,158.00</u>
<u>10"</u>	<u>\$358,202.00</u>
<u>12"</u>	<u>\$525,600.00</u>

\* Each year the Facilities Development Charges will be adjusted to reflect cost changes in materials, labor or real property applied to projects or project capacity. This adjustment in cost is not considered a change in the Facilities Development Charge methodology. The cost adjustment shall be made by applying one or more specific cost indexes or other periodic data sources. A specific cost index or periodic data source must be:

1. A relevant measure of the average change in prices or cost over an identified time period for materials, labor, real property or a combination of the three;
2. Published by a recognized organization or agency that produces the index or data source for reasons that are independent of the Facilities Development Charges methodology;
3. Publicly-available and generally recognized in the utility industry as an authoritative resource for calculating periodic cost adjustments; and
4. Shall be adopted from time to time by Resolution of the Board

The effective date of the recalculated Facilities Development Charges will be April 1<sup>st</sup>. A comprehensive review and update of Facility Development Charge methodology shall occur at least every five years.

Private Fire Protection

<u>Size of Each Private Fire Service Connection</u>	<u>Private Fire Protection Connection Fee **</u>
<u>4 Inch and under</u>	<u>\$1,750.00</u>
<u>6-inch</u>	<u>\$1,825.00</u>
<u>8-inch</u>	<u>\$1,900.00</u>
<u>10-inch</u>	<u>\$1,975.00</u>
<u>12-inch</u>	<u>\$2,050.00</u>

\*\*Each year the Private Fire Protection Connection Fee will be adjusted to reflect cost changes in materials, labor and other relevant costs. The cost adjustment shall be made by applying one or more specific cost indexes or other periodic data sources. A specific cost index or periodic data source must be:

1. A relevant measure of the average change in prices or cost over an identified time period for materials, labor, real property or a combination of the three;



2. Published by a recognized organization or agency that produces the index or data source for reasons that are independent of the Facilities Development Charges methodology;
3. Publicly-available and generally recognized in the utility industry as an authoritative resource for calculating periodic cost adjustments; and
4. Shall be adopted from time to time by Resolution of the Board.

The effective date of the recalculated Private Fire Protection Connection Fee will be April 1<sup>st</sup>. A comprehensive review and update of Private Fire Protection Connection Fee shall occur at least every five years.

Service Size	Facilities Development Charge*
5/8"	\$2,762.00
3/4"	\$4,122.00
1"	\$6,884.00
1 1/2"	\$13,726.00
2"	\$21,970.00
3"	\$41,220.00
4"	\$68,714.00
6"	\$137,386.00
8"	\$219,826.00
10"	\$316,034.00
12"	\$463,725.00

\* Each year Facilities Development Charges will be recalculated using data as of or for the year ended December 31<sup>st</sup> of the prior calendar year which will include adjustments for (1) new water system facilities, (2) facilities no longer in service, (3) changes in cost indices and depreciation, (4) changes in work in progress and available reserves, (5) changes in outstanding debt principal, and (6) changes in the number of 3/4 inch equivalent meters. The effective date of the recalculated Facilities Development Charges will be April 1<sup>st</sup>.

Private Fire Protection

Size of Each Private Fire Service Connection	Facilities Development Charge**
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4 Inch and under	\$1,750.00
6 inch	\$1,825.00
8 inch	\$1,900.00
10 inch	\$1,975.00
12 inch	\$2,050.00

~~\*\*Each year the Facilities Development Charges for Private Fire Protection will be recalculated to recover District costs associated with plan review, inspection, instruction and maintenance of private fire service connection using data from the prior calendar year. The effective date of the recalculated Facilities Development Charges for Private Fire Protection will be April 1<sup>st</sup>.~~

The District will determine the Facilities Development Charge for services greater than twelve (12) inches at time of application.

- (a) In the event that the Facilities Development eCharges assessed to the Applicant impose a financial burden on his or her project, the Applicant may request that the District enter into a deferred payment plan on the all of following terms:
- (1) The written application includes a request for deferment of the payment of all or part of the Facilities Development Charge.
  - (2) The District Board of Directors must approve the request.
  - (3) The request is accompanied by a surety bond or an irrevocable letter of credit in an amount equal to the Facilities Development Charge imposed on the Applicant as specified above, and the specified security is issued by a surety or financial institution authorized to do business and in good standing with the appropriate agency of the State of California.
  - (4) The deferment request is accompanied by an executed Contract on a form provided by the District, which Contract includes the provisions of this subsection and provides for the payment of such Facilities Development Charges as may be in effect on the date of ~~said~~ payment, together with interest at the legal rate. The Contract also will provide that the Applicant will pay the Facilities Development Charge in full no later than a date that is no more than 12 months from the date of the filing of the Service Application with the District.

- (5) The written application and accompanying plans must comply with all applicable District Ordinances, Regulations, Plans and Specifications.
- (6) The deferment rights granted to an Applicant, if any, are not assignable except upon the District's written consent.

6. Supervision and Inspection Charges

A charge shall be assessed for District supervision and inspection of water system improvements based upon hourly rate of \$75.00 per hour. At the time of service application, the District will estimate the minimum cost for District supervision and inspection of the proposed water system improvements, which the Applicant shall deposit with the District in advance of Plan Approval, in addition to all other charges owing under the District's regulations. In the event that actual supervision and inspection costs for supervision and inspection incurred by the District exceed the amount deposited, the Applicant will pay the excess fees due to the District as a condition precedent to final District acceptance of the water system improvements and connection of service. Should any additional costs be required due to damage to District facilities by Applicant's contractor during construction, the cost shall be billed separately to the contractor. The contractor's payment of billed damages shall be due as a condition of commencing water service and final District acceptance of the improvements. The charge for Supervision and Inspection shall be in accordance with Regulation 3, Section S.

Should the need for an inspection occur weekdays ~~after~~ between 4:30 p.m. and to 8:00 a.m. the following day, or on weekends or holidays, the requested inspection shall be scheduled through the District to ensure the availability of personnel for the time requested. Overtime costs for inspections outside of normal business hours by District personnel shall be calculated and paid by the Applicant in advance of scheduling the after-hours work. The overtime charge shall be at least one and one-half (1½) times the standard hourly rate for inspection.

7. Fire Hydrant Flow Test

When requested by the local fire agency having jurisdiction over a project within the District, a fire hydrant flow test will be performed to determine the flow available at the test date. The flow test will only demonstrate the pressure and distribution capabilities at the time and under the conditions existing when the test is performed. The District will not guarantee that the flow test results obtained will be consistent with flows available at all times and under all conditions.

Flow tests will be performed either in the field or using the District's updated water model. Tests will be performed by District staff as time allows but not to exceed 4- weeks after a request is made. For design purposes, Fire flow tests completed by using the water model will be run with the most conservative

assumptions reasonable in order to establish the be-assumed projected the worst case conditions prevailing scenario of in the District's water system and are the most conservative for design purposes.

A charge will be assessed for the District to supervise and perform the test and to provide written results. The charge shall be in accordance with Regulation 3, Section T.

8. Bacteriological Testing

After installation and disinfection, the District will sample a-all new mainline eExtension Facilities and have the sample tested by a certified laboratory for bacteria. The Extension Facilities mainline will be super-chlorinated and flushed using at least three (3)-times the volume of water in the mainline facilities before bacteria testing is to begin. After flushing is complete, the first set of bacteria testing will be collected from the Extension Facilities. Twenty-four (24) hours after the first collection, a second set of bacteria testing will be collected. If the new mainline eExtension Facilities fails to meet applicable federal, state and local bacteriological standards, the Applicant will be responsible for re-disinfecting and re-testing those new Extension Facilities until they pass. A charge for this test and any required retests will be assessed in accordance to Regulation 3, Section J.

9. Backflow Prevention Assembly Test Charge

A charge will be assessed for the District to test all Backflow Prevention Devices Assemblies as part of a new development to verify the operating status of each such device. If the a bBackflow Prevention Assembly does not pass the first inspection, the contractorApplicant will be required to repair the bBackflow Prevention Assembly and re-test it at the contractorApplicant's expense. The Eachinitial backflow test charge shall be in accordance with Regulation 3, Section D.

10. Environmental Document Charge

Whenever the District determines that an environmental impact report or other environmental document is required for a proposed eExtension fFacility necessary to serve an Applicant's Parcel, the District will estimate the cost of preparing such a document, including overhead expenses, preparation, and hearings. In addition to all other costs that may be due to the District for provision of service, the Applicant shall deposit with the District the estimated Environmental Document Charge as a condition precedent to the District's approval of an environmental document. In the event that the actual cost to prepare an environmental document exceeds the amount deposited, the Applicant will pay the excess amount before Final Approval. If the deposit exceeds the cost, the District will refund the balance.

In the event that the Applicant delivers to the District a certified copy of an environmental document duly approved and filed by the County of Sacramento relevant to the Applicant's Parcel, the District may determine, in its sole discretion, that the provisions of this paragraph ~~may do not~~ apply.

11. Furnish-Only Fees

Meters, as shown on the standard detail drawing of the District's Improvement Standards and Technical Specifications adopted by the Board of Directors and any revision thereto, are required on all new or improved ~~domestic~~ Service Connections and shall be Furnish-Only Materials by the District. The District will charge ~~furnish-only fees~~ for Furnish-Only Materials to an Applicant in accordance with the number, the cost, and the District's inventory and overhead cost for furnishing the required Meter(s).

I. Water Service

The District shall make water service available to an Applicant's new or improved Service eConnection subject to the following terms and conditions:

1. No service shall be granted or continued unless an Applicant has filed an application for service on a District-furnished form.
  - (a) All new construction and improved Parcels shall have a Meter installed street side of property on the Principal Boundary no more than one foot behind a sidewalk or curb. Backyard meters will only be installed if no waterline is available in Sacramento County ROW.
  - (b) Monthly water billing shall be computed on actual consumption based on the Metered Rates in Regulation No. 3.
  - (c) A separate Service Connection and Meter shall be installed on each Parcel. A separate Service Connection may include multiple meters except as otherwise limited by this Regulation 7.
  - (d) If a Parcel is found to be served by more than one Service Connection, it will be at the sole discretion of the District, in consultation with the Customer, to determine how the parcel will receive water through a metered connection(s). The owner of the parcel will be responsible for the cost of any changes to the service configuration, including the abandonment of any existing unused Service Connection or the upgrade to District current standards of additional Service Connections as determined necessary by the District.
  - (e) The minimum water service size for a new residential Service Connection shall be one inch in diameter.

- (f) No more than one Service Connection per Single Family Residential Parcel will be permitted unless otherwise determined by the District.
  - (g) Each residential unit is required to have ~~it's~~its own District-approved Service Connection.
  - (h) A separate metered irrigation service shall be required for all non-residential units.
  - (i) No credit will be allowed for vacancies in multiple family residential units.
  - (j) All non-residential services and including multi-family residential structures containing (3-5 or more units fed from a single connection point) services shall have water meters with an approved ~~b~~Backflow ~~device~~Prevention ~~a~~Assembly.
2. Use of a 5/8" meter shall be limited to multi-family residential units fed by a single water service such as, but not limited to, duplexes, triplexes, fourplexes, apartment buildings with five or more residential units, and condominiums.
  3. Voluntary Meter Installation on an Existing Residential Service
    - (a) At a ~~Landowner's~~Customer's request, the District will install a permanent Meter on an existing un-metered Service Connection for a residential Parcel at no direct charge. However, should the Parcel be within a current main replacement project area that is scheduled for a new water service installation a new meter will be installed only after the installation of the new water main.
    - (b) Upon installation of a Meter, the District will compute and charge the Parcel's water bill based on actual consumption at the Metered Rates stated in Regulation No. 3.

J. Connection to Facilities Extended by District

1. If an Applicant for water service to a Parcel fronting Extension Facilities built with District funds desires to connect to such facilities, he or she shall deposit with the District, together with a New Service application, a portion of the total cost of designing and installing the Extension Facilities. The Applicant's cost share shall be determined by comparing the length of the Applicant's frontage along the right-of-way in which the water service facilities will or have been located to the total combined frontage along said right-of-way of all Parcels served by the Extension Facilities. The District also will calculate and charge all other applicable fees and charges established by District Regulations.

2. If an Applicant chooses, payment of the costs and charges to connect to District-constructed Extension Facilities as defined in Regulation 9, Section A may be deferred for a period not to exceed 12 months from the date on which the District approves the Application for Water Service, provided:
  - (a) The Applicant requests the District defer the charges in writing before the date the application is approved, and
  - (b) The full amount of such fees and charges together with interest thereon at the legal rate is guaranteed by a surety bond issued by a surety company acceptable to the District, and the Applicant executes an agreement to make such payment together with interest at the legal rate within the 12-month deferment period, and
  - (c) The deferment is not transferable.
3. Reimbursement for eligible costs of Extension Facilities as defined by Regulation 9, Section A will not be made until all connection charges have been paid by the Applicant.

K. Abandonment of Service Line

The District charge for the abandonment of an existing water service from the existing water main to the Applicant's Parcel shall equal the District's actual cost of materials, labor, equipment and normal overhead charges. The charge for service abandonment shall be in accordance with Regulation 3, Section W.

L. Existing Services

All Service Connections that are not directly affected by an improvement, but which exist on a Parcel to be improved, shall be upgraded to current District Standards if the Landowner intends to use such service(s) in the future. If the unaffected Service Connection(s) will not be used, the Landowner shall be required to abandon such service(s) in accordance with District Standards. This requirement applies to all services that serve other buildings or appurtenances on the Parcel being improved.

District-required upgrades of existing Service Connection(s) shall include, but are not limited to, repair, upgrade and/or replacement of existing facilities to current District Specifications and Standard Details.

Credit will be given for existing unused services on improvement projects affecting the Parcel. Credit will be given in the amount of the existing Facilities Development Charge on the Plan Approval date, subject to abandonment of the unused Service Connection(s)

as required herein. Credit will only apply to new Facilities Development Charges and will not exceed the total for the project.

| M. Existing Services on Split Parcels

| After a parcel split, the existing service will serve only the Parcel on which it is installed. If any unserved portion of a split Parcel will be developed, the Landowner shall be required to install a New Service on such Parcel(s) in accordance with all applicable District ordinances, rules, regulations, plans and specifications.



# Regulation No. 8

## Location and Number of Meters

Adopted: July 19, 2004

Amended: December 17, 2007; December 21, 2009; April XX, 2015

### A. Number of Meters

A Service Connection and Meter shall be established for each Parcel in accordance with the provisions of Regulation 7, Section I. A Backflow Prevention ~~Device~~ Assembly shall be required on all non-residential services, irrigation services, and multi-family structures with (three-five or more units) fed from one sService Connectionpoint, and on all residential Meters used for business purposes as determined by the District. No more than one service shall serve a single Residential Parcel unless a Customer requests multiple Meters and, as determined by the District, the Parcel's service needs require multiple Meters.

### B. Location of Meters

The location of Meters shall be governed by the following:

1. Meters shall be installed along the Principal Boundary of a Parcel no more than one foot behind the Sacramento County right-of-way. The Meter shall be installed at a location convenient to Applicant and to the District, but shall be installed in accordance with the District's applicable detailed drawings and specifications.
- ~~2. The Meters shall be installed outside of driveways or areas used by heavy equipment and, when applicable, within an area with sufficient space for installation of a Backflow Prevention Device~~ Assembly.
- ~~2. Meter shall be installed street side of property no more than one foot behind Sacramento County right of way (ROW). No meters shall be installed in backyards unless no water main is available in ROW. However, upon installation of new water main in ROW; meter and appurtenances will be moved to street side of property on an agreed location with property owner.~~

### C. Size of Meter

The size of Meter for each Service Connection may be selected by the Applicant in accordance with AWWA Standards for recommended maximum flow rates for continuous operation of coldwater-type Meters that are in effect at the date of the service application. In general, the meter size shall match the service line size to the Parcel or as shown in the District's Specification and Standard Details. In no case will a meter be

installed that is less than one nominal size increment smaller than the service line size without approval of the General Manager or designee.

Residential buildings that have fire sprinklers shall not be allowed to downsize their meter without approval from design engineer and the Sacramento Metropolitan Fire District.

D. Change of Size

A Meter will be replaced with a different sized Meter upon a Customer's request. Any Facilities Development Charges in excess of the current value of the existing size service shall be paid by the Customer, together with any District costs for any necessary modifications or changes to the service line to accommodate the new Meter. If the Customer is downsizing from an existing Meter, no Facilities Development Charges will be refunded. In general, the meter size shall not be less than one nominal size increment smaller than the service line size to the Parcel.

E. Damage to Water Meter

Damage to an undersized water Meter caused by an Applicant's choice of Meter shall be corrected by the Applicant, who shall pay the costs of a replacement Meter, any related plumbing and the cost of the damaged Meter, and any additional Facilities Development Charges if a larger Meter is installed.

Regulation No. 9  
Extensions of and Additions to District Facilities

Adopted: July 19, 2004

Amended: December 21, 2009; December 20, 2010; January 28, 2013;  
April XX, 2015

A. Extension Facilities

Extension Facilities are a water distribution system, including without limitation, water mains, storage tanks, pumps, wells, and appurtenances, which provide for water transportation and/or production to a Parcel or Parcels not presently served by an adequate water supply as the same is defined in Sections N and O hereof. There are two classes of such facilities, namely:

1. Applicant's Cost: In those situations where the District does not maintain a main line ~~capable of providing Adequate and Reserve Capacity supply of water~~ in a street or public right-of-way completely fronting the Applicant's Parcel(s), the Applicant shall install, at Applicant's sole cost, Extension Facilities of the size defined in Sections N and O fronting his, her or its Parcel(s) in the public right-of-way. As used in this Section, street or public right-of-way shall be plural when the Applicant's Parcel(s) fronts streets or public rights-of-way on two (2) or more sides. In this situation, the Applicant shall provide Extension Facilities on the Principal Boundary that correlates to the District Master Plan as a necessary extension to provide for future extension of the District ~~capabilities and facilities~~ Water System. Should the Applicant be required to service the Parcel(s) on the other right-of-way, then the Applicant shall be required to also provide a water main of Adequate and Reserve Capacity along this frontage; said mains shall be of the size defined in Sections N and O hereof from a point where a water main of Adequate and Reserve Capacity exists to the point most distant from that main on the Principal Boundaries of the Applicant's Parcel(s).
2. District's Cost: There will be situations where additional water demand will require the installation of additional Extension Facilities beyond Applicant's ~~p~~Principal ~~b~~Boundaryies or ~~of~~ Up-Sized Lines, or where future development will require the installation or construction of such facilities that otherwise would be prohibited from construction for a period of time by the County of Sacramento. In such cases, the District may, at its cost, authorize the construction of such Extension Facilities or Up-Sized Lines as are deemed necessary by the Board of Directors to comply with the current District Master Plan.

B. Location, Design, and Specifications of Extension Facilities

The location, design, and specifications of all Extension Facilities shall be determined by the District's Master Plan and by the application of the provisions of this Regulation and Regulation 7, and the application of the District's Standards and Specifications and Plans and all revisions thereof.

C. Ownership and Operation

Extension Facilities constructed in accordance with the District's requirements shall, upon acceptance by the District, be owned, operated, and maintained by the District as part of its water storage and distribution system. As a condition of approval of Extension Facilities, the Applicant will convey the new facilities to the District if constructed at Applicant's cost. Prior to acceptance by the District in writing, ownership and responsibility of all Extension Facilities shall remain the Applicant's or the Applicant's contractor, agent or other authorized representative. The Applicant shall provide and fund a one-year guarantee bond or similar security on all Extension Facilities. The guarantee period shall beginning on the date of final acceptance by the District.

D. Location of Existing Facilities

All existing facilities located on an Applicant's Parcel or Parcels that are situated above ground or at ground level shall be relocated below ground as specified in the District's ~~Technical Standard~~ Specifications and Plans~~Standard Details~~. All such relocations shall be at Applicant's cost.

E. Location of Extension Facilities

Extension Facilities shall be located as determined in the District's sole discretion on land granted to or owned by the District in fee, in a public right-of-way, or in an easement granted to and accepted by the District. The Applicant will, without cost to the District, cause to be conveyed or granted such lands and/or easements as the District determines to be necessary for the Extension Facilities. The land and/or easement shall be conveyed to the District free and clear of all liens and encumbrances. An Applicant's failure to cause to be conveyed or granted the lands and/or easements required by the District as a condition of acceptance of Extension Facilities shall be grounds for the District to refuse to provide water service to the Applicant or cause discontinuance of any existing service until such facilities are furnished.

F. Payment of Cost of Extension Facilities

Except for the incremental cost of any required Up-Sized Lines or other facilities to be built at the District's cost in accordance with Section A.2, the Applicant shall pay all costs of constructing the Extension Facilities required to serve his, her or its Parcel or

Parcels in accordance with the provisions of Section A.1- hereof and Regulation 7. In cases where the District constructs the Extension Facilities in accordance with Section A.2- of this Regulation 9, the District's actual costs and party responsible for construction will be determined solely by the District. The District's actual costs for any facilities ~~and~~ shall include labor, materials, equipment, engineering, inspection, and usual overhead expenses related to such work.

G. Deposit of Installation Costs

The Applicant shall deposit with the District, as a condition precedent to written District approval of plans for Extension Facilities, a sum equal to the estimated total cost of those facilities, including all charges defined in accordance with provisions of Regulation 7, Section F hereof. The required deposit shall be in cash or ~~an~~ irrevocable letter of credit, in a form and issued by a bank or financial institution acceptable to the District. Upon completion of the work, and if the ~~amount deposit theretofore~~ paid to ~~or deposited with~~ the District is less than the actual cost of the work, the difference shall be paid by the Applicant prior to the District's commencement of water service. Any amount paid, including Facilities Development Charges, Supervision and Inspection fees, overhead costs, and any other charges that may be owing, which are in excess of the actual cost of installation of the Extension Facilities, will be refunded by the District after Final Approval of the new facilities.

H. Acknowledgement of Necessity for and Reasonableness of Extension Facilities

Anyone who pays, deposits, or agrees to pay all or part of the cost of Extension Facilities thereby acknowledges that such facilities are necessary and reasonable.

I. Installation

Extension Facilities will be installed by the District or by the Applicant, unless the District elects to ~~cause~~ require the installation of ~~u~~Up-sSized Lines~~mains~~, in which case the District will install or pay the incremental cost of ~~those up-sized~~ facilities. The Applicant may, when permitted, hire a competent and experienced licensed contractor to install the Extension Facilities. Such contractor must have specific experience in the construction of water facilities and be approved in writing by the District. All work performed by an Applicant's contractor is subject to final inspection and approval by the District as a condition of its acceptance of the Extension Facilities and provision of water service to the Applicant. The District reserves the exclusive right to construct with its own personnel or by Contract, ~~storage facilities, pumping plants, taps on existing mains,~~ all Extension Facilities requiredExtensions, including Up-Sized Lines, ~~and~~ complicated connections or extensions involving interference with ~~the District's existing~~ District Water System facilities.

J. Reimbursable Costs

1. Whenever the Applicant is required in accordance with the provisions of this Regulation or Regulation 7 to install Extension Facilities that includes ~~the construction~~ the construction of an Up-Sized Line or the extension of facilities beyond the frontage of the Parcel or Parcels to be developed, the Applicant shall be entitled to a reimbursement for a portion of such installation, if the Parcel or Parcel(s) that Extension Facilities ~~the water main~~ crosses is already developed with service from a backyard main or has not been developed. For Parcels that have service from an existing water main in the front yard, reimbursements for ~~main~~ Extension Facilities that are in addition to or replacing existing facilities as necessary per District regulations will not be eligible for reimbursement.
2. Reimbursement shall be made in accordance with the following terms and conditions:
  - a. The Applicant has furnished the District the bid or cost of the Facilities Extension.
  - b. The Applicant approves in writing of the reimbursement calculated by the District based on the supplied bidder costs.
  - c. The main extension is installed per plans and District standards with all deficiencies corrected to the satisfaction of the District.
  - d. The Extension Facilities are successfully completed, and all required tests are performed and satisfactorily passed (including a hydro-test, and sanitary test).
  - e. If applicable, performance of a certified on-site test of Backflow Prevention ~~Device~~ Assembly(s) demonstrating compliance with Sacramento County requirements.
  - f. The District has issued final written acceptance of all Extension Facilities as installed per the approved plans.
  - g. When the above items have been completed, the Applicant shall then request, in writing, the reimbursement. Reimbursements will not be provided if any of the above conditions are not satisfied.

K. Reimbursement Fund

There is established a separate Facilities Reimbursement Fund. The District will credit to said fund 20% of all Facilities Development Charges paid to the District during each fiscal year. The deposits so obtained shall be the sole source of income to said fund for

that year. Any remaining balance in the said fund after payment in that fiscal year to all reimbursement entitlements shall be transferred into the District's General Fund.

L. Reimbursement Payments

On or before April 1st of each year, the District shall pay to Applicants eligible for reimbursement as provided in paragraph J above, that proportionate share of the total amount deposited into the Facilities Development Fund during the year of his/her ~~payment~~ for payment for the work as his/her contribution bears to the total amount paid into the fund during the fiscal year.

On or before April 1st of the second and successive years, the District shall pay to the Applicant that proportionate share of the total amount credited to the Facilities Development Fund during the year of payment as the balance due the Applicant bears to the total amount paid into said fund during the each of the second and successive years.

An Applicant's reimbursement entitlement shall expire and terminate when the District has paid the same in full without interest, or has made payments for a ten (10) year period from the date of first payment, whichever comes first.

M. Assignment of Reimbursement Entitlement

The District will not recognize any assignment or attempted assignment of a reimbursement entitlement unless the assignment is on a form satisfactory to the District and is signed and acknowledged by the assignor. The District will furnish such forms of assignment upon request.

N. Minimum Water Main Size

The minimum size for water distribution mains necessary to adequately deliver domestic water and public fire protection to all new developments and construction of whatever kind or size shall be determined with reference to real property-use zones established by the County of Sacramento, including any variance granted thereto, and specifically in compliance with the following provisions:

Sacramento County Zoning	Minimum Water Pipeline Size
Industrial (All Types)	16-Inch
Commercial (PB, SC, LG, GC, AC, TC)	12-Inch
Mobile Home Park (RM-1)	12-Inch
High Density Residential (RD-20, RD-30, RD-40)	12-Inch

Public (Schools, Parks, etc.)	12-Inch
Quasi-Public (Hospitals, Churches, etc.)	12-Inch
All Other Zoning*	8-Inch
*Exception: Cul-de-sacs, Single Family (No Fire Hydrant Requirement)	6-Inch

For infill parcels, a variance for the minimum pipeline sizes in this section will be considered if the proposed new development or construction of whatever kind or size complies with Section O.

O. Maximum Water Velocity

All new Extension Facilities are required to be designed to provide for a maximum water velocity within those facilities of five (5) feet-per-second under maximum day and fire demand conditions, as fire demand is computed under the fire suppression rating schedule, published by the ~~ISO~~ California Fire Code (Editions ~~6-80~~2013, or latest edition). If a conflict between Sections N and O shall exist, the provisio



Regulation No. 10  
Annexation to ~~Improvement~~ the Districts

Adopted: July 19, 2004  
Amended: April XX, 2015

A. Petitions

Annexation to the District ~~or to an improvement District~~ [JMH] shall be made in compliance with at the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Sections 56000 and following, or its successor. A request for annexation may be commenced by petition on forms provided by the District and executed by all said Landowners in the territory sought to be annexed.

B. Fees

~~A~~ Fees shall be paid for the annexation of each Parcel of land in accordance to Regulation 3, Section K.

C. Charges

The District's actual costs incurred in processing annexations shall be paid by the ~~petitioners~~ Applicant on a time and materials basis. Costs shall include, but are not limited to, expenses of giving notice of any necessary public hearing, map, ~~and~~ legal descriptions, necessary reports and analyses, environmental documents ~~when prepared by the District or its consultants, and the processing fees charged by the State Board of Equalization, and LAFCOe, and by the District for costs of preparing any necessary analyses or reports of environmental impact.~~

D. Payment of Fees and Charge

Upon the filing of a petition for annexation, the ~~petitioners~~ Applicant shall pay the estimated fees and charges ~~therefore and~~ necessary for filing and shall pay any additional fees and charges incurred by the District as provided in Regulation 3, Section K.

# Regulation No. 11

## Fire Service

Adopted: July 19, 2004

Amended: December 21, 2009; December 19, 2011; January 28, 2013; April XX, 2015

### A. Condition of Service

The District will provide water service for fire hydrants and other facilities used 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 Water System. The District shall not be liable for any damage in any manner arising out of the ~~nonavailability~~ unavailability of water or water pressure at any hydrant or facility used for fire protection.

### B. Public Fire Hydrants

1. A public fire hydrant will be installed and connected to the District's mains when requested by the public fire protection agency having jurisdiction, or when required as a condition of a building permit or subdivision.
2. When a hydrant is installed on an existing main at the request of a public fire protection agency, the work may be performed by the District and the 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 of the hydrant to the District Water System.
3. When a hydrant is installed as a condition to the issuance of a building permit or subdivision approval, the District's cost of materials, labor, engineering, inspection, and usual overhead expenses in the installation of the hydrant assembly, hydrant lateral, Control Valve, and the connection to the District Water System shall be paid by the holder of the building permit or the developer of the subdivision.
4. The type of hydrant and site location of public fire hydrants will be jointly determined by the District and the responsible public fire protection agency, excluding those hydrants that are installed by the District for the District's sole use as a means of flushing the District's water mains.
5. All installed fire hydrants shall be for use by public fire protection agencies for use by public fire protection agencies for fire protection and suppression

purposes and for the protection of the public. The only exception to this rule is the permitted use, granted by the District, to contractors for construction water in accordance with Regulation 3, Section Q and Regulation 12.

~~6.~~ ~~All fire hydrants installed and connected to the District distribution system are public fire hydrants and shall be available for use by public fire protection agencies for fire protection and suppression purposes.~~ [JMHI]

~~7.6.~~ Fire hydrants installed under the preceding provisions shall be owned by the District. The District shall bear the expense of performing hydrant maintenance resulting from normal wear and tear when such conditions are reported by the responsible agency or when otherwise brought to the attention of the District.

~~8.7.~~ The hydrant design, corrected for inlet and outlet velocity head, shall not exceed the permissible head loss based on the following AWWA Standards: ANSI/AWWA C503-97 for wet-barrel fire hydrant Table 3. The District reserves the right to install a different style of fire hydrant as necessitate by sitary pending conditions and other considerations.

~~9.8.~~ For hydrants designed or intended to deliver more than 1,000 GPM, the permissible head loss shall not exceed 5 PSI when discharging at the design or intended rate of flow. Design of hydrants for delivery greater than 1,000 GPM shall be submitted to District for approval prior to isn installation use.

~~10.9.~~ A ~~Hydrant~~ hydrant installed within an easement abutting a street or right-of-way and for the sole and exclusive use of an Applicant will be considered a public hydrant. Public hydrants shall be installed within a permanent easement granted to the District by the Applicant and shall be maintained by the District.

~~11.10.~~ Existing fire hydrants ~~on~~ within an improvement projects shall be upgraded at the developer's expense if those hydrants does not meet District standards requiring a 5-1/4 inch valve opening steamer design.

~~12.11.~~ At all times, unobstructed access and visibility from the street shall be provided for all fire hydrants. A three (3) foot clear space shall be maintained around the circumference of the fire hydrant. (Reference - 2010 California Fire Code Sections 503.4, 503.2.1, 503.3, 507.5.4 and 507.5.5.) A Customer is responsible for maintaining clear space around any hydrant located on his, her or its Premises.

~~13.12.~~ Blue reflective markers shall be installed for all fire hydrants in accordance to the local fire department requirements.

### C. Private Fire Protection Systems

A Private Fire Protection system is a Private System that is located totally within a Parcel or Parcels under an Applicant's common ownership and which is constructed to service

an in-building fire sprinkler system or a private fire hydrant. In order to connect such a system to existing water mains of the District, the following conditions must be met:

1. The Parcel or Parcels to be served are located within the service territory of the District or will be annexed into the District's territory upon approval by the LAFCO under a pending application for annexation, including assumption of that Parcel(s) fair share of the bonded indebtedness of the District, if any.
2. The District possesses an Adequate and Reserve Capacity capable of serving the Private System.
3. In applying for such service, the Applicant has complied with all of the applicable requirements of Regulation 7.
4. The Private System is for the exclusive benefit and use of the Applicant and is located entirely within the Applicant's Parcel or Parcels.
5. The Private System will be used exclusively for the suppression of fire and for the testing of the fire suppression system.
6. The design and location of the Private System for fire suppression has been approved by the responsible fire protection agency.
7. Except as otherwise provided in these Regulations, the Applicant assumes full responsibility for the operation, maintenance, repair, and replacement of the Private System from the outlet side of the District's Control Valve.
8. Hydrants that are not installed within an easement abutting a street or right-of-way that are for the sole and exclusive use of an Applicant will be considered Non-Responsible Facilities. Such hydrants will not be maintained by the District.
9. The size and design of the Service Connection and cold-water fire service meter shall all be determined by the District, taking into consideration such factors as the applicable California Fire Code (edition 2013, or latest edition) requirements ~~ISO requirements and the AWWA requirements.~~
10. A double detector check valve assembly shall be required by the District and furnished by the ~~developer~~ Applicant or Landowner and installed in accordance with the requirements of the public fire protection agency having jurisdiction. No water service will be provided to the system until it has been finally reviewed and approved by the District.
11. The District reserves the right to disconnect a Private System for fire protection or to require installation of a cold-water/fire service type meter as defined in AWWA Standards C703-79 in lieu of an existing meter of another type in the

event that the subject water service is also used for any purposes other than fire suppression.

## Regulation No. 12 Temporary Service

Adopted: July 19, 2004  
Amended: April XX, 2015

### A. Installation and Payment

Service which the District determines will be for less than one (1)-year and will not require installation of a permanent connection shall be provided upon payment of the total estimated cost of installing and removing the connection and such reasonable security deposits for the Meter, service charges, and fees as shall be determined by the District.

In no event shall the District-estimated cost for installing the temporary service and removal of service be less than that stated in Regulation 7, Sections H.2 and K.

### B. Service through Fire Hydrants

Temporary services for water used in construction shall be provided at locations approved by the District through portable Meters and Backflow Prevention devices aAssemblies furnished by the District. The District shall require, as a condition to such services, the payment of a reasonable security deposit for the Meter and, Backflow Prevention aAssembly, and its regular service charges and fees.

## Regulation No. 13 Interference with District Facilities

Adopted: July 19, 2004

Amended: January 28, 2013; April XX, 2015

### A. Unlawful Acts

The District will prosecute all violations of Sections 498, 624, and 625 of the California Penal Code ~~and all District ordinances and regulations~~ that make it a crime to interfere with the orderly supply of water to the District's Customers.

Unless authorized by the District, it shall be unlawful for any person, firm or corporation, to do, commit or assist in committing any of the following acts:

1. To open or close any Control Valve, fire hydrant or stopcock connected with the District's water system or lift or remove the cover of any gate valve or shutoffs thereof.
2. To interfere with, destroy, deface, injure or force open any gate or door, or destroy, injure or deface any part of any well, engine house, reservoir, standpipe, tank, building, appurtenances, fences, trees, shrubs, fixtures or property connected or pertaining to the District's wWater sSystem.
3. To go upon or ascend the stairway or steps of any elevated water storage tank, reservoir, or standpipe owned, leased or possessed by the District.
4. To resort to any fraudulent device or arrangement for the purpose of procuring water to any person ~~from private connection on Premises~~ without proper payment of all applicable rates, fees and charges in violation of District regulations or ordinances.
5. To interfere with or injure any groundwater well, reservoir, tank, fountain, hydrant, pipe, ~~cock~~, valve, or other apparatus pertaining to the District's water system, or to turn on or off the water in any street hydrant or other public water fixture within the District's boundaries.
6. To make or permit to be made any connection with ~~the a~~ main or service pipes of the District's wWater sSystem, or to turn on or use the water of said system without first obtaining a permit for such use.
7. To cover or conceal from view any water valve box, service or meter box placed with or without District authorization anywhere within the District's service area.

8. To remove any ~~water~~-Meter that has been placed by the District, or to in any manner change, interfere with or tamper with any such ~~water~~-Meter.
9. To turn on the water supply to any building or to any supply pipe where the supply has been turned off because of the nonpayment of any charge or because of the violation of any District rule, regulation, ~~or ordinance~~, resolution or policy.

#### B. Damage to District Facilities

A Customer, by applying for or receiving water service from the District, agrees that in addition to any right or remedy available to the District by law, the Customer will pay to the District its costs for repairing or replacing any of its facilities damaged as a result of construction or other work on the Customer's property, or for any violation of the District's rules, regulations, ordinances, resolutions or policies~~ordinances and regulations~~.

#### C. Failure to Apply for Service

In addition to any criminal and civil legal remedies available, the District shall charge an unauthorized user of the District's water system as follows:

1. Non-Metered Service. Anyone using water without having made application to the District for service shall be held liable for that service from the date of first use, as determined; in the absence of factual evidence to the contrary, by the District.
2. Metered Service. Anyone using water without having made application to the District for 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 the unauthorized person.

#### D. Fire Hydrant Use

Fire hydrants shall be used only by public fire protection agencies, District ~~forces~~staff or other persons ~~designated~~authorized by the District. The District shall permit water use provided through fire hydrants for construction, street cleaning and/or storm drain cleaning only by permit and only with use of an authorized~~proper~~ metering and ~~Backflow Prevention~~ Assembly protection. Permittee~~An Applicant~~ or other authorized user shall cease using water from a hydrant at any time ~~at the requested by~~ of the District. The A permit for use of a fire hydrant may be revoked at any time at the discretion of the District. The District shall have the right to immediately terminate any unpermitted or other unauthorized use of a fire hydrant and no further use will be authorized except if permitted by the District in accordance with this Section. The permit fee for a District-authorized use of a fire hydrant is provided in Regulation 3, Section Q.



Regulation No. 14  
Prevention of Contamination by Backflow  
and Cross-Connections

Adopted: July 19, 2004

Amended: November 17, 2008; December 21, 2009; January 28, 2013; April XX,  
2015

A. Authority and Purposes

1. Title 17, Sections 7583 through 7605 of the California Code of Regulations provides rules and regulations governing Cross-Connections.
2. Title 17, Section 7584 of the California Code of Regulations provides in part: “The water suppliers shall protect the public water supply from contamination by implementation of a Cross-Connection Control Program.” The District is a water supplier within the meaning of Title 17, Section 7583 of the California Code of Regulations.
3. In order to provide for an orderly and adequate means of protection of the District Water System from Backflow, the requirements set forth below are reasonable and necessary for the protection of the District Water System and the public health and welfare. New Service Connections shall be installed and existing Service Connections shall be modified to conform to the requirements provided in this Regulation 14.

B. Incorporation of Title 17 of the California Code of Regulations

The regulations of the Department of Public Health, Title 17 of the California Code of Regulations, Sections 7583 through 7605, as amended from time to time, are hereby adopted, incorporated by reference herein and made a part hereof, insofar as the same are applicable to the protection of the District Water System.

C. Requirements for Backflow Prevention ~~Devices~~ Assemblies

A Backflow Prevention Assembly ~~(Assembly) Devices~~ shall be required at the Service Connection of all Premises in the following categories:

1. Premises having an Auxiliary Water Supply, ~~such as an irrigation well.~~
2. Premises on which any substance is handled under pressure in such a fashion as to permit the substance’s possible entry into the District Water System, including water originating from the District Water System.

3. All non-residential Parcels or residential Parcels having three–five or more dwelling units served from a common Service Connection. Premises where the Customer’s System has more than one Service Connection.
4. Premises that contain a Cross-Connection or the potential for a Cross-Connection that could result in the pollution or contamination of the District Water System in the event of backflow.
5. Premises having multiple use capabilities.
6. All Private Systems for fire suppression or other purposes.
7. Certain Metered Services. A Reduced Pressure Principal Device (RP) as identified in the District Specifications and Plans will be required to be installed with Meters serving all non-residential Parcels, including irrigation services, and any residential Parcels used for business purposes as determined by the District.

D. Installation of ~~Backflow Prevention Devices~~ Backflow Prevention Assemblies

Installation of an Backflow Prevention Device~~Backflow Prevention Device~~ Backflow Prevention Assembly, where required by the District, shall be a condition of water service. The installation of a Backflow Prevention Device~~Backflow Prevention Device~~ Backflow Prevention Assembly shall be deemed a permanent requirement for all Service Connections described in Section C, Subsections 1 through 7 hereof.

1. New Service Connections. At the time a new Application for Water Service is made, the District’s Engineering Services Department will review the application to determine, in accordance with applicable District regulations, whether a Backflow Prevention Device~~Backflow Prevention Device~~ Backflow Prevention Assembly is required to be installed on the Applicant’s Service Connection. If a Backflow Prevention Device~~Backflow Prevention Device~~ Assembly is required, it shall be the Applicant’s responsibility at his or her sole expense to install the device.

The Backflow Prevention Device~~Backflow Prevention Device~~ Backflow Prevention Assembly shall be furnished by the Customer as specified and when required by the District Engineer, installed per applicable County Standards and inspected by District staff.

2. Existing Service Connections without Backflow Prevention Devices~~Backflow Prevention Devices~~ Backflow Prevention Assemblies. The District may inspect a Premises’ existing Service Connection and determine if the Premises requires an Backflow Prevention Assembly Backflow Prevention Device in accordance with Section C of this Regulation 14. If it is determined that a Backflow Prevention Assembly~~Backflow Prevention Device~~ is required, the installation of such a device an Backflow Prevention Assembly in compliance with this Regulation 14 shall be a condition

of continued District water service. ~~If required, the Assembly Backflow Prevention Device shall be furnished and installed by the Customer, per County standards, and inspected by District staff.~~

If a Customer fails to install a required ~~Backflow Prevention Device~~Backflow Prevention Assembly within a reasonable time limit set forth in a written notification from the District, the District shall suspend water service to the Parcel being served. ~~Alternatively, at the District's option and upon notification to the Customer, the District may install the Backflow Prevention Device Assembly and charge the Customer the full cost of the device and its installation and testing.~~

3. ~~Upgrading of Existing Backflow Prevention Devices~~Backflow Prevention Assemblies. An existing ~~Backflow Prevention Device~~Backflow Prevention Assembly that fails to meet applicable state, county, and local ~~District~~ standards and specifications and any amendments thereto, does not provide adequate protection from potential backflow hazard and shall be upgraded at the Customer's expense following the procedures provided in this Regulation 14.

Upgrading required by the District may include complete replacement of the ~~Backflow Prevention Device~~Backflow Prevention Assembly as determined by District staff.

4. ~~Repair of Existing Backflow Prevention Devices~~Backflow Prevention Assembly. ~~In the event that an existing Backflow Prevention Device~~Backflow Prevention Assembly ~~that fails its annual test, the eCustomer will be notified by the District and will be responsible for the Assembly shall be repaired and/or replaced~~mentd the defective Backflow Prevention Assembly and is retested of the repaired or replaced Backflow Prevention Assembly in accordance withas described in this Regulation 14. The District will not perform repairs or replacements of Backflow Prevention Assemblies. If the Backflow Prevention Assembly is not repaired or replaced within the amount of time specified by letterthe District, water service to the Customer's Parcel may be terminated. District staff must be notified of all Backflow Prevention Assembly replacements performed by Customers, so that an inspection and testing can be performed and approval provided by the District prior to the Customer placing the replaced Backflow Prevention Assembly into service. If a trench was opened for the replacement, an open-trench inspection is required before the District will approve the replacement.

5. ~~Ownership of Backflow Prevention Devices~~Backflow Prevention Assemblies. All ~~Backflow Prevention Devices~~Backflow Prevention Assemblies installed or upgraded either by a Customer or by the District shall be owned and maintained by the Customer after acceptance by the District.

#### E. ~~Testing of Backflow Prevention Devices~~Assemblies

1. Testing – As required by law, the District shall notify each Customer annually to have their ~~Backflow Prevention Device~~Backflow Prevention Assembly -tested by a District-~~Approved~~ Certified Tester. Letters notifying Customers to have their Backflow Prevention Assembly tested will be sent to the current billing address on file unless otherwise specified. Each Customer shall have ~~thirty (30)~~ days to execute the test. Results of ~~the all acceptable tests~~ shall be submitted to the District within ~~ten (10)~~ two (2) days of the completed test. All letters will be sent to the current billing address on file unless otherwise specified. The District must receive notification within 24 hours if the Assembly fails its annual test. The A Customer whose Backflow Prevention Assembly fails its annual test shall have will be notified of the failed test via the District, and will be allowed 15 days to for repair and 30 days tofor replacement the defective devicefrom the date of the letter, unless otherwise specified by the District due to regulatory or other requirements (e.g. high hazards). If the a Customer fails to have thehis, her or its their Backflow Prevention Assembly device -tested in a timely manner, then the District shall test the device. Costs for such tests shall be charged to the Customer. Charges shall include the test, and all labor, ~~as described in accordance with Regulation 3, Section D.~~
2. Prior to acceptance by the District, all newly-installed ~~Backflow Prevention Devices~~Backflow Prevention Assemblies shall be tested by a District-approved Certified Tester at the expense of the Customer installing the device. Certified test results shall be furnished to the District prior to final acceptance of the Backflow Prevention Assemblydevice and provision of water service by the District. The certified test results shall be provided to the Customer or Applicant upon request to the District.

#### F. Right to Enter Customer Property

As a condition of water service for new Customers, the District reserves the right of ingress and egress to determine compliance with Cross-Connection Control Program requirements. As a condition of continued water service for existing Customers, the right of ingress and egress is reserved by the District for the purpose of inspection to determine compliance with the District's Cross-Connection Control Program regulations.

#### G. Penalties

In addition to the other remedies granted to the District by law, the ~~also~~ District also may terminate water service to any Premises if a required ~~Backflow Prevention Device~~ Backflow Prevention Assembly is removed by a Customer or if the District finds evidence that an installed ~~Backflow Prevention Device~~Backflow Prevention Assembly has been bypassed, altered, or allowed to remain ineffective and/or unmaintained.

Any Customer who willfully fails to install a ~~Backflow Prevention Device~~Backflow Prevention Assembly as required by this Regulation 14, or who willfully bypasses or alters such a device~~Assembly~~device may be subject to prosecution and, upon conviction

thereof, shall be punishable by a fine not exceeding \$500.00 or by imprisonment in the County jail for a period not exceeding six months or by both fine and imprisonment. (California Health & Safety Code, § 116820)

Regulation No. 16  
Facilities Not Within a Public Right-of-Way

Adopted: July 19, 2004  
Amended: April XX, 2015

~~Facilities Not Within a Public Right-of-Way~~

The plans for approval of sizes and flow requirements of facilities within any easement granted to the District shall be designed according to the Regulations and Requirements imposed on Extension Facilities as described in Regulation Nos. 7 and 9 ~~of this Ordinance.~~

Easements containing District Water System facilities shall be used exclusively for water facilities and other District purposes. No other buildings, facilities, fences or other structures or personal property shall be installed, erected or placed within the District's easements that would obstruct the District's ability to provide water service, perform routine or emergency maintenance, construct or replace facilities, access its easements and facilities, or perform any and all other operations and activities on its easements. The District, after finding any obstruction of or interference with its easements and facilities, will notify the Landowner Customer of the affected ~~Parcel~~property ~~by via personal delivery or certified mail to remove the obstruction or terminate the interference.~~ If the ~~Landowner Customer~~ fails to remove the obstruction or cease the interference, the District will notify the ~~Landowner Customer~~ by certified mail that the District will remove the obstruction of or terminate the interference with its easement or facilities. Once the District removes the obstruction of or terminates the interference with its easement or facilities, the ~~Landowner Customer~~ is prohibited from replacing the obstruction or recommencing the interference. If the ~~Landowner Customer~~ recommences the obstruction of or the interference with the District's easement or facilities, the District has the right to terminate water service to the affected ~~property Parcel~~ and to require the ~~Landowner Customer~~ to pay the District's reasonable attorney's fees, expert witness fees and costs of any litigation necessary to compel the ~~Landowner Customer~~ to remove the obstruction or terminate the interference.

# **Regulation No. 17**

## **Procedures for Variance Application**

Adopted: July 19, 2004

Amended: October 16, 2006; January 28, 2008; April XX, 2015

### A. General Provisions

The following procedures will apply to all Applicants, whose project plans or requirements to receive water service have been so modified or conditioned by the District staff as to make the project unacceptable to the Applicant, and who, after a full review of the applicable Regulations, determines that the Applicant may be entitled to a variance from the staff decision.

The District Board of Directors has delegated to its Facilities and Operations Committee (“Committee”) the authority to review and make recommendations regarding certain decisions on service issues that concern or arise from Board-adopted policies. The General Manager shall have the discretion to route variance applications to the Facilities and Operations Committee for review when the subject matter is within the Committee’s jurisdiction. All other variance applications will be scheduled for hearing in front of the full Board of Directors. An Applicant for a variance who objects to a decision rendered by the Committee may appeal the Committee’s decision to the District Board of Directors.

On a form provided by the District, the Applicant will set forth:

#### 1. Application to Install New Facilities

When the Applicant proposes to install an ~~e~~Extension ~~F~~facilities~~y~~ that varies from the requirements of Regulation 7 and/or 9 and such plan of service has been rejected by District staff, the Applicant’s application and plan shall be reviewed as to its compliance with the District Master Plan and the District’s ability or provide water service for future needs. The Applicant must state on the application appropriate reasons for why a variance should be granted and must submit relevant materials supporting its application. Information concerning the variance request shall include but not be limited to the Applicant’s financial, project design and technical requirements for the ~~p~~roject~~Extension Facilities~~.

#### 2. Application to Use Existing Facilities

In those cases where the Applicant seeks permission to receive water service from an already existing main abutting the land to be served, but which service is not permitted by applicable provisions of the District's Regulations, the Applicant's application and proposed service plan shall be reviewed as to its compliance with the Master Plan and how it relates to the District's future needs. The Applicant should provide the reasons why the Applicant should be allowed to use the District's existing facilities in lieu of providing ~~new~~ Extension F facilities to serve its proposed development. The reasons should not be limited to financial or technical requirements of the project. The Applicant shall attach any relevant materials supporting the application.

### 3. Compliance with Other Regulations

In cases where an Applicant objects to any other requirement or fee imposed on the Applicant by a District ordinance, regulation or policy, the Applicant shall state the reasons why the Applicant should be excused from complying with the disputed requirement or fee and attach any relevant materials supporting the application.

## B. Application Form and Filing Date Requirements

An application for a variance must be completed, signed and dated, and filed with the District at least 45 days before the next scheduled District Board meeting. The Applicant must pay a service fee to the District at the time of filing in accordance to Regulation 3, Section M.

District staff will respond to the issues raised in the application for variance in a written staff report, a copy of which will be provided to the Applicant at least 10 working days before the next regularly scheduled Board meeting. The Applicant may file a written reply rebutting statements made by the staff and attach any supporting evidence to the reply. The Applicant must file the reply with the Secretary of the Board no later than 4 working days before the next regularly scheduled Board meeting. Any rebuttal filed by the Applicant will be limited to the issues raised in the original application for variance and the staff report. If the General Manager assigns the application to the Committee for hearing, the above filing deadlines will be counted from the date of the Committee meeting at which the application will be heard.

At the designated meeting of the Board or Committee, the Applicant may present such oral statements, documents, and testimony of witnesses as the Applicant may choose. Staff may respond by the production of such additional relevant evidence as staff deems appropriate.

An Applicant may only raise those issues in a hearing that were presented in the original application for variance and responding staff report, unless the Applicant can present good cause reasons and supporting evidence to show why the Board or Committee should entertain the presentation of any new issues. Any new issues will not be acted on at a



hearing and will not be made part of the record unless such presentation is first approved by the Board or the Committee.

C. Amendment of Application

If circumstances warrant or if the Applicant later desires to raise issues not made a part of the original application (and either did not request or did not obtain leave of the Board or Committee to present such issues at an earlier hearing), the Applicant may raise such issues by amending its pending application, paying an additional service fee of one-half of the original fee and recommencing the time sequence specified above.

D. Board or Committee Decisions

The Board or Committee, at the scheduled meeting at which the application for variance will be heard, will hear and consider all arguments and evidence presented by the Applicant and Staff. At the conclusion of the hearing, the Board or Committee may choose to enter into the record of the meeting the facts and its findings with respect to each issue presented by the Applicant and render its decision concerning the application, or the Board or Committee may choose to take the matter under consideration and issue a written decision setting forth the facts and its findings. If the Board or Committee determines to issue a written decision, it shall do so within 15 days after the hearing date. All decisions of the Board (or Committee, if no appeal to the Board is taken) are final.

E. Special Board Meeting

If an Applicant desires a hearing at a special Board meeting, the fee for scheduling the requested special meeting shall be payable at the time of the filing of the application in accordance to Regulation 3, Section M. 3. The time sequence specified in Section B will apply based on the date set for the special Board meeting.