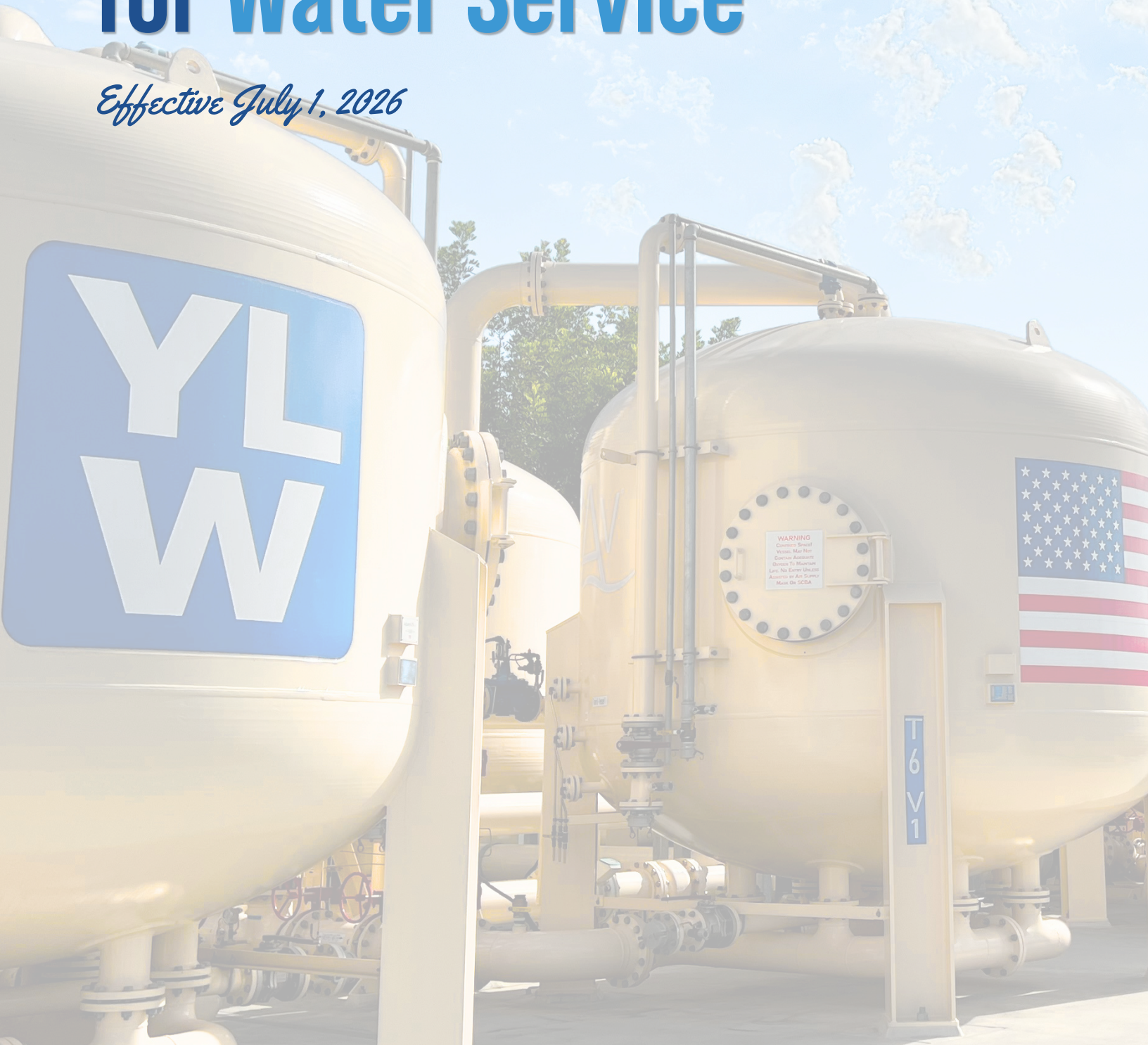




**Yorba Linda
Water District**

Rules and Regulations for Water Service

Effective July 1, 2026



RULES AND REGULATIONS FOR WATER SERVICE			
Dept/Div:	Engineering	Approved By:	Resolution No. 2026-13
Effective Date:	July 1, 2026	Applicability:	Districtwide
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SECTION 1. AUTHORITY, COMPLIANCE, AND GOVERNING DOCUMENTS

- 1.1 AUTHORITY TO ESTABLISH THESE RULES AND REGULATIONS.** The Yorba Linda Water District is organized and existing under Division 12 of the County Water District Act, which is found at Water Code § 30000 et seq. ("Act"). The Act authorizes the District to own and operate a water system. Specifically, the District "may operate water rights, works, property, rights, and privileges useful or necessary to convey, supply, store, or make use of water for any purpose authorized by this division." [Water Code § 31022.] To effectuate this authority, and pursuant to Section 31024 of the Water Code, the District adopted these Rules and Regulations.
- 1.2 WHO MUST COMPLY WITH THESE RULES AND REGULATIONS.** All Persons, Applicants, property owners, and Customers shall comply with these Rules and Regulations.
- 1.3 DOCUMENTS GOVERNING WATER SERVICE.** In addition to (a) these Rules and Regulations, the District also regulates its water service and Public Water Facilities via its (b) Cross-Connection Control Management Plan, (c) Operations, Maintenance and Monitoring Plan, (d) Water Shortage Contingency Plan, and (e) Water Master Plan. These five documents are collectively referred to as the District's Water Documents.
- 1.4 DOCUMENTS GOVERNING CONSTRUCTION OF WATER FACILITIES.** Customers shall construct water facilities in accordance with laws regarding construction of public works, District Water Documents, and District documents regarding construction, including but not limited to:
- 1.4.1 Engineering Standards.**
 - 1.4.2 Will Serve Letter.**
 - 1.4.3 Water Connection Application and Permit between Yorba Linda Water District and Applicant.**
 - 1.4.4 Terms and Conditions for Water Service between the District and Applicant.**
 - 1.4.5 Water Service and Facilities Agreement between the District and Applicant.**
 - 1.4.6 Cross Connection Control Policy Handbook.**

SECTION 2. DEFINITION OF KEY TERMS

Unless otherwise specifically defined herein and the context requires a different meaning, all non-capitalized words, terms, and phrases in these Rules and Regulations shall be construed according to their ordinary meaning. All capitalized terms in these Rules and Regulations shall be defined as follows:

- 2.1 ACCESSORY DWELLING UNIT (ADU).** A dwelling unit (a) located or proposed to be located on the same lot as a primary Single Family Residence (b) that is either attached or detached from the primary Single Family Residence, and (c) which provides for one or more persons permanent provisions for living, sleeping, eating, cooking, and sanitation.

- 2.2 ADVANCED METERING INFRASTRUCTURE (AMI).** An integrated system of "smart" water meters, other infrastructure, communications networks, and data management systems that enable transmission of information between the Customer Meter connection and the District's office.
- 2.3 AUTOMATED METER READING (AMR).** A communication technology to automatically collect water consumption and status data from water meters through walk-by or drive-by collection method.
- 2.4 APPLICANT.** A Person applying to the District for service from the District's Public Water System.
- 2.5 BACKFLOW.** A flow condition caused by a differential in pressure such as back-siphonage and backpressure, which causes the flow of water or other liquids, gases, mixtures, or substances into the distributing pipes of a Potable Water supply from any source or sources other than the District's Public Water System.
- 2.6 BILLING DATE.** The date upon which a bill or notice is mailed or electronically delivered to the Customer.
- 2.7 BOARD OF DIRECTORS (OR BOARD).** The Board of Directors of the District.
- 2.8 COMMERCIAL.** Non-residential, business activities such as generating goods or services with the intention of generating profit or achieving specific organizational goals.
- 2.9 CONNECTION FEES AND CHARGES.** Fees and charges imposed by the District on a Customer or Applicant's real property to obtain water service from the District, which are established pursuant to the latest Board-adopted Fee Schedule and may include, depending on the type of connection, a Single Service Fee, Water Capacity Fee, or such other fees as set forth herein depending on the type of water service.
- 2.10 CUSTOMER OR CONSUMER.** A Person receiving water service from the District and/or obtaining water from the District's Public Water System.
- 2.11 DISTRICT.** The Yorba Linda Water District, a public agency, created and operating under authority of Division 12 of the California Water Code.
- 2.12 DRY UTILITIES.** Utilities that include cable, electric, telecommunications, natural gas, television, and fiber optics.
- 2.13 EASEMENT.** A property right for the District to use, and/or enter onto, the real property of another to, among other things, access, install, construct, reconstruct, remove, inspect, operate, maintain, repair, replace, improve, or relocate District Public Water Facilities and/or improvements such as pipelines, Meters and other appurtenances.
- 2.14 EMPLOYEE.** Any person employed by the District to perform work and labor for the District, excluding contractors, consultants, and their employees.
- 2.15 ENGINEERING DIRECTOR.** The manager of the District's Engineering Department, their designee, or their authorized agents, limited by the particular duties entrusted to them.

- 2.16 ENGINEERING STANDARDS.** District (a) Standard Specifications and Drawings for Construction of Domestic Water and Sewer Facilities and (b) practices and procedures adopted by the Engineering Department.
- 2.17 EQUIVALENT DWELLING UNIT (EDU).** Relative capacity demand of each Service Connection based on Customer class used to allocate capacity costs.
- 2.18 FEE SCHEDULE.** The latest Board-adopted Resolutions establishing water development and Customer service fees and water rates and charges.
- 2.19 FIRE HYDRANT(S).** Connections to the District's Public Water System through a device, usually at street level, for the primary purpose of fire suppression and the occasional purpose of temporary construction as set forth herein.
- 2.20 GENERAL MANAGER.** The person (or their designee / authorized representative) hired or appointed by the Board of Directors as the executive officer of the District.
- 2.21 METER.** Water use measuring device approved and installed by, or at the direction of, the District.
- 2.22 MWDESC.** Metropolitan Water District of Southern California.
- 2.23 MWDOC.** Municipal Water District of Orange County.
- 2.24 OCWD.** Orange County Water District.
- 2.25 PERSON.** An individual, corporation, company, association, partnership, group, agent or agency, municipality, public utility, or other public body or institution.
- 2.26 PLANS.** Design sheets with plan and profile for construction of proposed water facilities, which are shown in sufficient detail so that the facilities can be constructed in accordance with District Engineering Standards.
- 2.27 POTABLE WATER.** Water treated to the standards of Title 22 of the California Code of Regulations.
- 2.28 PREMISES.** Any and all areas on a property owner's property which is served, or has the potential to be served, by the District's Public Water System.
- 2.29 PRIVATE WATER SYSTEM (OR PRIVATE WATER FACILITIES).** A water system not connected to the District's Public Water System that may include, but is not limited to, a private well, piping, and/or private pumping system.
- 2.30 PUBLIC WATER SYSTEM (OR PUBLIC WATER FACILITIES).** Potable Water (or Raw Water) system of facilities owned, operated, maintained, repaired and replaced by the District to include but not limited to: treatment facilities, Water Mains, booster pump stations, groundwater wells, reservoirs, pressure regulating stations, Service Connections, Meters and other appurtenances.

- 2.31 RAW WATER.** Non-Potable Water used exclusively for outdoor Commercial/landscaping uses such as golf course irrigation, outdoor Commercial/industrial uses, dust control, or construction grading, which may be supplied by the District from its groundwater production facilities or purchased from MWDSC through the District.
- 2.32 SERVICE CONNECTION.** A segment of pipe, including the tapping connection, valves, and Meter, that conveys Potable Water from the District's water main to the outlet side of the Meter and the beginning of the Customer's pipe.
- 2.33 SHALL/MAY.** "shall" is mandatory, "may" is permissive.
- 2.34 SINGLE FAMILY RESIDENCE.** A detached residential building designed primarily for the use of one family.
- 2.35 SINGLE SERVICE FEE.** A fee imposed on a Service Connection to a single lot where an adequate Water Main already exists.
- 2.36 TEMPORARY CONSTRUCTION METERS.** Water use measuring devices with Backflow prevention devices attached, which are installed on Fire Hydrants by the District to provide temporary water service for construction or related purposes during a period of actual construction under an active building permit issued by a city or the County of Orange.
- 2.37 TERMS AND CONDITIONS.** A Board-approved document produced by the District setting forth the terms and conditions for the provision of water service to new developments or improved existing developments.
- 2.38 TRAFFIC RATED METER BOX.** A meter box that will withstand traffic load forces of 16,000 pounds per wheel, as defined by the American Association of State Highway and Transportation Officials.
- 2.39 TRANSMISSION MAIN.** A water pipe, typically large in diameter, that delivers water to water facilities or between water facilities and pressure zones.
- 2.40 WATER CAPACITY FEE.** A fee, pursuant to the Fee Schedule, imposed by the District for: (a) the Public Water System in existence at the time the fee is imposed, including capacity contracts for right or entitlements, real property interests, and entitlements and other rights of the District involving capital expense relating to a Customer's use or change in use of the existing Public Water System as set forth in California Government Code Section 66013; (b) new Public Water Facilities (or new dwelling unit(s) or building(s) that require new Public Water Facilities) to be acquired or constructed in the future that are of proportional benefit to the Person or property being charged; and/or (c) modifications to existing structures or categories of use, including additions or enhancements of use that may cause expanded or increased demand on the Public Water System. This Water Capacity Fee is commonly referred to as the Customer's "buy-in" to the District's Public Water System.
- 2.41 WATER CONNECTION PERMIT.** A permit issued by the District to connect to the District's Public Water System, which is also known as Single Water Connection Application and Permit.
- 2.42 WATER DEPOSIT (OR DEVELOPMENT DEPOSIT).** Monetary funds deposited into a restricted account with the District by a Person such as the developer, project Applicant, or public

agency for which funds shall be applied to District fees and actual costs and services to administer the project.

- 2.43 WATER DEPOSIT (SPECIAL PROJECTS).** Monetary funds deposited into a restricted account with the District by a Person such as the developer, project Applicant, or public agency for which funds shall be applied to District fees and costs and services to administer the project. Special Projects include, but not limited to, Dry Utilities, street improvements, and civil projects that may potentially conflict with the District's Public Water System, District property and/or District easements.
- 2.44 WATER MAIN EXTENSION.** A segment of Water Main that extends from the Public Water System to provide Water Service to a property currently not connected to the Public Water System or to replace an inadequate Water Main.
- 2.45 WATER MAINS.** Water pipelines that are part of the Public Water System.
- 2.46 WATER SERVICE AND FACILITIES AGREEMENT.** An agreement executed between a Person and the District for construction of water facilities by the Person for water service to the Person's project. The Water Service and Facilities Agreement may be combined with a Sewer Service and Facilities Agreement.
- 2.47 WILL SERVE LETTER.** A letter requested by a Person where the District states (a) it can provide water and/or sewer service to a Person's proposed development and (b) may include specific conditions.

SECTION 3. PRIVATE WATER SYSTEM

- 3.1 JURISDICTION REQUIREMENTS.** Private Water Systems are subject to, in addition to Engineering Standards, District requirements, and standards in its Water Documents, other jurisdiction requirements and standards. Please contact the appropriate jurisdiction regarding Private Water Systems, which may include cities, county, state and/or federal agencies.
- 3.2 CUSTOMER RESPONSIBILITY FOR OPERATION, MAINTENANCE, AND DAMAGES.** Private Water Systems are owned, operated, maintained, repaired and replaced by the Customer, not the District. The Customer, not the District, is responsible for any liability and damages resulting from a failure of the Private Water System.
- 3.3 CONNECTION TO DISTRICT'S PUBLIC WATER SYSTEM.** A Customer may connect to the District's Public Water System by use of a Private Water System if the Customer of the Private Water System complies with these Rules and Regulations and the District's Engineering Standards. Private water wells shall not be connected to the District's Public Water System.
- 3.4 PRIVATE BOOSTER PUMP STATION.** A booster pump station connected from a Private Water System to the District's Public Water System shall include (a) an alarm to notify Customer of pump failure and (b) a Backflow prevention device.

SECTION 4. PUBLIC WATER SYSTEM

- 4.1 WATER CONNECTION FOR PROPERTY WITH AN EXISTING ADEQUATE FRONTING WATER MAIN.** If an existing Water Main can adequately serve a property as determined by the District, the property shall connect to the existing Water Main fronting the property in accordance with District's Engineering Standards.
- 4.2 WATER CONNECTION FOR PROPERTY WITHOUT AN EXISTING ADEQUATE FRONTING WATER MAIN.** If an adequate Water Main fronting a property does not exist as determined by the District, then a Water Main Extension is required. Refer to Section 5 Water Main Extensions And Water System Modifications for additional requirements.
- 4.3 REQUIREMENTS TO CONNECT TO THE PUBLIC WATER SYSTEM.** No unauthorized Person shall uncover, make any connections to, or opening into, use, alter, or disturb Public Water Facilities or connect a Service Connection or Water Main Extension to the District's Public Water System without (1) a Water Connection Permit and (2) complying with the requirements of a Water Services and Facilities Agreement and/or the applicable Water Documents.
- 4.4 INSTALLATION BY LICENSED CONTRACTOR.** All Public Water Facilities shall be installed by a contractor licensed in the State of California to construct such water facilities. Contractor shall possess a valid Class "A" General Engineering Contractor or Class "C-34" Pipeline Contractor license for pipeline construction.
- 4.5 DEVELOPMENTS WITH ONE LOT.** Developments within one (1) lot shall submit an application for a Water Connection Permit for a Service Connection to that lot and a separate Service Connection to each additional (more than one (1)) habitable dwelling unit thereon, including ADUs to the extent authorized by California law.
- 4.6 DEVELOPMENT WITH MULTIPLE LOTS.** Developments with two (2) or more lots shall apply for Terms and Conditions and enter into a Water Services and Facilities Agreement with the District. A Water Deposit account shall be established with the District pursuant to the Fee Schedule. Separate Service Connections shall be required for (a) each lot and (b) new development with both a primary dwelling unit and an Accessory Dwelling Unit to the extent permitted by California law. Water Capacity Fees shall be calculated for each Equivalent Dwelling Unit to the extent authorized by California law and pursuant to the Fee Schedule.
- 4.7 SERVICES TO SEPARATE PARCELS.** Each house or building on separate parcels must be provided with its own Service Connection(s).
- 4.8 SERVICE CONNECTION SUPPLYING DIFFERENT/ADJOINING PROPERTY.** A Service Connection shall not at any time be used to supply water to a property other than the property in the applicable application on file with the District.
- 4.9 SUBDIVIDED PROPERTY WITH A SERVICE CONNECTION.** When property provided with a Service Connection is subdivided, the Service Connection shall be considered appurtenant to (a) the lot or parcel of land which it directly enters, or (b) the property which is first served in the event the Service Connection crosses other property to reach the property to be served. The District shall require new developments, or structures, within the subdivided lots, requiring

Potable Water service, to install a separate Service Connection(s) at the property owner's expense.

- 4.10 SERVICE CONNECTIONS AND/OR PRIVATE WATER PIPELINES CROSSING PRIVATE PROPERTY.** For Service Connections and/or private water pipelines from one private property across or through another private property, a recorded easement or similar instrument or agreement between property owners that authorizes installation or extension of the Service Connection is required prior to District approval of the installation or extension.
- 4.11 WILL SERVE LETTER.** The District will issue a Will Serve Letter for water service when requested where the District states whether it can provide sewer service to a proposed development. The District may include specific conditions in the letter.
- 4.12 WATER CONNECTION PERMIT.** The Applicant shall (a) obtain a Water Connection Permit from the District and (b) pay applicable Connection Fees and Charges. The Applicant shall provide information regarding the water facilities to be constructed, including location of the Building(s) to be served, the type of service, flow calculations, and other information required by the District. A permit issued by a governmental agency, other than the District, to construct building plumbing, does not grant permission to connect to the District's Public Water System. The District shall verify the information supplied by the Applicant. If any error in such application shall cause the installation of a Service Connection that is improper whether in size, functionality, or location, the costs of all changes required shall be borne by the Applicant. Billing for water service shall commence once the Service Connection is installed and approved for use by the District.
- 4.13 WATER CONNECTION PERMIT APPLICATION DETERMINATION.** When considering approval of the application, the District reserves the right to determine, among other determinations, the adequacy of the existing Water Main and downstream water system, the Meter size and Service Connection diameter (both 1-inch diameter, minimum), appurtenances, alignment, pipe material, location and type of connection to the Water Main. If the existing Water Main is determined by the District to be inadequate, refer to Section 5 Water Main Extensions and Water System Modifications for additional requirements.
- 4.14 DISTRICT RIGHT TO LIMIT HOUSES, BUILDINGS, AND/OR LAND SERVICED BY ONE SERVICE CONNECTION.** The District reserves the right to limit the number of houses, buildings, and/or area of land to be supplied by one Service Connection, subject to California law regarding ADUs.
- 4.15 APPLICANT'S RESPONSIBILITY FOR CONSTRUCTION AND SERVICE CONNECTION COSTS AND EXPENSES.** The Applicant for the Water Connection Permit shall be responsible for all costs and expenses to design and construct the Service Connection to the Water Main and/or Public Water System.
- 4.15.1 Applicant Notice to the District for Inspection and Connection.** The Applicant for the Water Connection Permit shall notify the District when the Service Connection is ready for inspection of the connection to the Public Water System. Connection shall be made under the supervision of the District's construction inspector.
- 4.15.2 Applicant Indemnification and Responsibility.** Applicant shall indemnify the District, and shall be fully responsible for all private plumbing, including the Service

Connection, up to and including the non-factory fabricated wye connection to the District's Public Water System.

- 4.16 WATER DEPOSIT (OR DEVELOPMENT DEPOSIT).** A Water Deposit (or Development Deposit) will be required upon application for Terms and Conditions per for water projects that require District review of the Applicant's Plans. Refer to Sections 5 and 11 for additional information.
- 4.17 WATER DEPOSIT (SPECIAL PROJECTS).** A Water Deposit for special projects will be required upon application for (a) Terms and Conditions for special projects as determined by the District, or upon project initiation of (b) other projects that require District review of the Applicant's Plans for potential conflicts with the Public Water System, District property, and/or District easements, including, but not limited to, Dry Utilities, street improvements, and civil projects.
- 4.18 PERFORMANCE BOND AND A WARRANTY BOND.** To the extent permitted by, and consistent with, State law, the District requires a performance bond and a warranty bond in the amount of 100% of the cost of construction for each bond provided for all water facilities installed by Applicants. The purpose of the performance bond is to guarantee that the Applicants will fulfill the terms of the construction agreement. The purpose of the warranty bond is to guarantee the installation of the water facilities against leaks, breaks, other defects, and/or settlement backfill for a period of at least twelve months from the date of acceptance by the District. The District's bond requirements can be met by providing a surety bond or by using the option of depositing, with the District, cash in the full amount of surety bond amount.
- 4.19 APPLICATION APPROVAL FEES AND EASEMENTS.** Prior to the Engineering Director signing improvement Plans, and/or approving an application for a Water Connection Permit, the Applicant shall (a) dedicate to the District all Easements deemed necessary by the District and (b) pay to the District all applicable Connection Fees and Charges as determined by the District in its sole discretion. Non-District improvements (permanent, temporary, or mobile) are not permitted within the Easement area, unless approved by the Board of Directors in accordance with the District's Encroachment Policy.
- 4.20 REQUIRED NOTICE UNDERGROUND SERVICE ALERT.** Any underground digging shall be in conformance with the Underground Service Alert (USA), which is an information center that notifies its members of impending excavation at or near their underground installations. California law (Gov. Code §4216 et seq.) obligates all those who plan to dig or excavate to inform a regional notification center such as USA at least two days in advance. As of the date the Board adopted these Rules and Regulations, USA can be contacted at 1-800-422-4133. The Applicant or their licensed contractor shall notify Underground Service Alert (USA) at least 48 hours in advance of any digging or excavating.
- 4.21 EXCAVATION REQUIREMENTS.** All excavations on public and private property shall conform to Occupational Safety and Health Administration requirements to protect the public from hazards. Streets, parkways, sidewalks, and other property disturbed in the course of the work shall be restored in a manner satisfactory to the agency with jurisdiction.
- 4.22 FIRE PROTECTION SERVICE CONNECTION.** Fire Protection Service Connections are dedicated to onsite fire suppression systems. An application for a Water Connection Permit, Terms and

Conditions, and a Water Deposit are required to establish a Fire Protection Service Connection.

- 4.23 PUBLIC WATER SYSTEM DESIGN.** The Applicant's design engineer shall: (a) be a civil engineer licensed by the State of California, who shall be in responsible charge of preparing the design documents and signing and sealing the Plans. The latest adopted District Master Plan and the latest version of the District's computer hydraulic model may be utilized by the District to determine the size, type, and location for (a) all Water Mains, and the increased demand on the Public Water System, and (b) other water facilities deemed necessary for providing water service to the property in conformance with District Engineering Standards.
- 4.24 INSTALLATION BY APPLICANT.** The Applicant shall be responsible for all costs associated with installation and materials for all pipe, valves, fittings, Meters, Backflow prevention devices, Fire Hydrants, service lines and appurtenances required to obtain water service from the District. District staff shall install the Meter only.
- 4.25 PERMANENT UNTREATED WATER SERVICE (RAW WATER).** Permanent untreated water service is only available in accordance with the latest adopted terms and conditions for "untreated full" water service as adopted by MWDOC. To qualify for this class of water, the Person shall (a) pay all costs to connect to MWDOC's untreated water supply; (b) own and operate their own, independent, water system that is completely separate and apart from the District's Public Water System; (c) comply with the latest Board-adopted Water Rules and Regulations, including any Water Management Programs; and (d) implement all reasonable and available reliable water use efficiency methods as determined by the District.
- 4.26 PRIVATE FIRE PROTECTION.** The Applicant shall furnish and install all piping, valves, regulators, appendages, fire detector check (Commercial applications), Backflow prevention devices, and/or other approved devices, in accordance with the latest Specifications, and in accordance with the Backflow Prevention Program described herein. The bypass Meter and line shall be specified by the District.
- 4.27 STATEMENT OF COST OF CONSTRUCTION.** The Applicant shall be responsible for designing and constructing the Water Main Extension and/or the Service Connections. Prior to the District's final approval of the project, all associated costs and expenses shall be provided to the District, supported by invoices or statements verified to the satisfaction of the District.
- 4.28 TRANSFER OF TITLE/BILL OF SALE.** Upon applicant's completion and the District's acceptance of the Public Water Facilities, the Applicant shall transfer title of the Public Water Facilities to the District where the Public Water Facility shall become and remain the property of the District. The Applicant shall guarantee all Public Water Facilities against defects in workmanship and materials that become evident within one (1) year after the acceptance date of the District Bill of Sale form signed by the District General Manager.
- 4.29 CHANGE IN SERVICE CONDITIONS.** When service conditions change, the Service Connection shall be re-evaluated by a licensed engineer or a licensed plumber. This includes any additions that may increase water flows, including additions to the main Single Family Residence and construction of an ADU, other property improvements and change of property use. The Plans, calculations and other requested data shall be submitted to the District for review and approval. Failure to report such changes to the District is a violation, and subject to the provisions of Sections 15 and 17.

4.30 WATER RIGHTS DEEDED. Whenever land is to be subdivided or annexed to the District and served by District's Public Water System, any water right which may be appurtenant to said land shall be deeded to the District in consideration of the District approving any application for District water to be accessed by such tract or subdivision. Said deed to the District shall be executed before any such application shall be approved by the District.

SECTION 5. WATER MAIN EXTENSIONS AND WATER SYSTEM MODIFICATIONS

5.1 APPLICATION TO CONSTRUCT WATER MAIN EXTENSIONS. Any Applicant who is an owner or sub-divider of a single lot, subdivision or tract of land, and desires to connect such lot, subdivision, or tract of land to the District's Public Water System and (a) an inadequate Water Main and/or inadequate downstream water system exist as determined by the District, or (b) a Water Main does not front the lot, subdivision, or tract of land, shall file a written application with the District for a Water Main Extension to such lot, subdivision, or tract of land.

5.1.1 A Person may file an application, or two or more Persons may join in an application, for a Water Main Extension.

5.1.2 The application shall include the proposed or desired location of Water Mains and other pertinent engineering data so the District may determine the conformance of the proposed Water Main Extension with the District's Engineering Standards.

5.1.3 All Applicants for Water Main Extensions shall (a) enter into Terms and Conditions with the District approved by the Board of Directors, (b) enter into a Water Services and Facilities Agreement with the District, and (c) submit Plans and specifications for approval in accordance with Engineering Standards and as approved by the Engineering Director.

5.1.4 A Water Deposit account shall be established with the District pursuant to the Fee Schedule. Water Capacity Fees shall be calculated for connections to the Public Water System pursuant to the Fee Schedule.

5.2 APPROVAL TO CONSTRUCT WATER MAIN EXTENSIONS. If and when said Applicant has complied with all requirements of the District, including the payment of all fees required in Section 11 and the posting of a warranty bond, and such other provisions of the subdivision ordinance(s) dealing with public improvement as may be applicable, the District may approve construction of the Water Main Extension.

5.3 NOTICE OF CONSTRUCTION AND INSPECTION. The Applicant for the Water Main Extension shall coordinate and schedule the start of construction with the District prior to starting construction.

SECTION 6. WATER MAINS, FITTINGS, AND SHUT-OFF VALVES

6.1 PREREQUISITES TO INSTALL WATER MAINS. Water Mains shall not be installed until after curbs and gutters have been constructed. Under no conditions shall the Applicant install Water Mains unless streets are well defined by lot stakes, curb stakes, or visible center line stakes properly set at the landowner's expense. If, after a Water Main has been installed and it has

to be adjusted, raised, lowered, or relocated because of incorrect information as to grade of curbs, or property lines, all expense incurred by the District to make the changes shall be borne by the Applicant.

- 6.2 RELOCATION OF, AND/OR DAMAGES TO, WATER MAINS AND FITTINGS.** Any improvement project that will cause the relocation of existing Water Mains, fittings, or other water appurtenances/equipment must have the approval of the District through the District review process. Any such relocation or any damage which may occur to such Water Mains, fittings, or other Public Water Facilities shall be charged to the Person requiring the work described in the Specifications.
- 6.3 SHUT-OFF VALVES.** All shut-off valves and angle stops are for use of the District. Such shut-off valves or angle stops shall not be used or altered in any way or manipulated by the Consumer. A valve shall be installed immediately downstream from the water Meter and in accordance with the latest District Engineering Standards.

SECTION 7. METERS

- 7.1 RIGHT TO METER.** The District reserves the right to Meter any service and apply the latest Board-adopted rates.
- 7.2 METERS.** The District requires the installation of Meters in compliance with Documents Governing Construction of Water Facilities. The fee for Meters shall be pursuant to the Fee Schedule.
- 7.3 METER CONNECTION FEE.** Each Applicant for a new Service Connection shall pay the District a Meter Connection Fee pursuant to the Fee Schedule.
- 7.4 SIZING METERS.** The District shall determine the size of the Meter required. Where service conditions change, the District may, at the District's discretion, install a Meter of proper size to meet the changed conditions. The District shall then bill or refund the Customer as required.
- 7.5 MINIMUM METER SIZE.** The minimum Meter size for new Service Connections or changes in Meter size is one (1) inch.
- 7.5.1 Traffic Rated Meter Box.** For Meters up to two inches, a Traffic Rated Meter Box and lid shall be required for Meter placements where, in the District's sole opinion, the box and lid will be subjected to vehicle traffic (e.g. in driveways or parking lots). The extra cost, if any, for a Traffic Rated Meter Box and lid shall be paid and provided by the Customer, per District Engineering Standards.
- 7.6 METERS LARGER THAN 2 INCHES.** Meters larger than two (2) inches shall be installed for a sum equal to the District's actual cost. The District shall estimate the cost of such installation and the Applicant shall pay such estimated cost to the District before the Meter is installed. Should payment of the estimated cost be insufficient to cover the total expense for installation of the Meter, the remaining balance shall be paid by the Applicant before the Service Connection is approved for use. If the estimated cost exceeds the cost of installation of the Meter, any excess payment shall be returned to the Applicant within 60 days.

- 7.7 METER LOCATION.** All Meters of the District shall be (a) placed (i) at the curb line of the street, (ii) near the property line in alleys, or (iii) as close to the Water Main in all other cases whenever and wherever practicable; and (b) protected and maintained as a part of the operation of the District. In its sole discretion, the District may relocate any Meter. Where the District, in its sole discretion, determines that a Meter must be placed upon a Customer's private Premises, the District (1) may do so as a condition of providing or continuing to provide water service, and (2) will require an Easement on the Customer's private Premises as described next.
- 7.8 METERS INSIDE PREMISES.** Where a water Meter is placed inside the Premises of a Customer, Customer shall grant the District an Easement on the Customer's private Premises so the District can access, operate, maintain, repair, and replace the Meter. The Easement shall be as close as possible to the public right-of-way and accessible at all times to District staff (i.e. not within a gated or inaccessible location) as determined by the District in its sole discretion. If the Customer fails to grant such an Easement, the District, in its sole discretion, may remove the Meter and withhold service. Meters shall not be located inside any structure, home, or building.
- 7.9 CHANGE OF METER LOCATION.** Any Person desiring to change the location of a Service Connection/Meter, which has already been installed, shall make application to the District. The District, in its sole discretion, may approve or deny the application. Should the District approve the application, the Applicant shall be responsible for all costs associated with the change of Meter location and for the District's costs to relocate the Meter. Applicant shall pay the District in advance for all estimated costs of District's labor (fully burdened) and materials. Should the estimate of costs be greater than the actual cost, a refund shall be issued to the Applicant. However, should the estimate of costs not cover the actual costs, the Applicant shall be notified and invoiced for the amount due to the District, which shall be paid to the District within 30 days of the invoice.
- 7.10 CHANGE IN SIZE OF METER.** Meter resizing shall be in accordance with the District Engineering Standards.
- 7.10.1 Current Cost of Meter.** The current cost of a Meter as used above shall be pursuant to the Fee Schedule.
- 7.10.2 Change of Meters Where Change of Service Connection is Required.** If the change of Meter, either an increase or decrease in size, requires a change in service line size, it shall be the Consumer's responsibility to construct the new Service Connection.
- 7.11 METERS, PROPERTY OF DISTRICT.** All water services and water Meters installed or required to be installed by the District shall remain at all times the property of the District and shall be maintained, repaired, and renewed by the District when rendered unserviceable by normal wear and tear. Where replacements, repair, or adjustments of any Meter are caused by (a) an act of malice or neglect of the Consumer or Person on the Consumer's property; or (b) any malfunction of any appliance, equipment or operation on the Consumer's property, such replacement, repair, or adjustment shall be charged to and paid by such Consumer to the District within 30 days on presentation of a bill therefore. If such bill is not paid, the Meter shall be shut off from such Premises and shall not be turned on again until all charges are paid.

- 7.12 SEALING METERS.** All Meters shall be sealed by the District and no seal shall be altered or broken except by a District Employee or District-authorized agent.
- 7.13 CUSTOMER'S RESPONSIBILITY.** The Customer shall be responsible for any (a) damage to Person or property arising from any leakage, breakage, or seepage from, or accident or damage to any Meter or Service Connection placed inside any private Premises; (b) leakage, breakage, or seepage from any pipe placed between any Meter properly installed at the curb and the private Premises served thereby; or (c) damage, injury, or loss occasioned directly or indirectly by the existence of any Meter or Service Connection placed inside private Premises.
- 7.14 METER TESTING.** Upon Customer request, a Meter may be tested to determine its accuracy. The Customer charge for testing the Meter for accuracy, either at the source or through an independent laboratory, after payment of all other outstanding charges, shall be pursuant to the Fee Schedule. Should the test find the Meter to be outside the limits of American Water Works Association standards, the charge of the test shall be credited back to the Customer account and a billing adjustment made on the next billing cycle, based on the Customer's average consumption for no more than twelve (12) months. Testing the Meter for accuracy may require an appointment.
- 7.15 METER FAILURE.** If a Meter fails to register during any period or is suspected to have registered inaccurately, the Consumer shall be charged an estimated consumption calculated based on the Consumer's prior usage history and seasonal changes as determined by the District in its sole discretion. The Meter shall be replaced or repaired as determined by the District in its sole discretion.

SECTION 8. TEMPORARY WATER SERVICE AND CONSTRUCTION METERS

- 8.1 TEMPORARY WATER SERVICE (IN CONJUNCTION WITH A TEMPORARY CONSTRUCTION METER).** Application shall be made to the District for temporary water service desired by licensed contractors/municipalities/utilities for use within the District's service area for limited, temporary needs of a construction project permitted by the jurisdictional agency, such as street rehabilitation work. The application for temporary service may be denied (a) in the event of water shortage, water rationing, public safety, welfare or for other reasons determined by the District, or (b) if the District determines that the setting of a Meter is impracticable or uneconomical. Upon receipt and approval (at the District's sole discretion) of a completed application and payment of the applicable Temporary Construction Meter deposit, a Temporary Construction Meter shall be made available for use no sooner than two working days ahead of the requested date. The deposit shall be pursuant to the Fee Schedule.
- 8.2 TEMPORARY UNTREATED WATER (RAW WATER) SERVICE.** Application shall be made to the District for all temporary Raw Water received directly through MWDC and the MWDOC for construction only. The fee for temporary Raw Water shall be pursuant to the Fee Schedule.
- 8.3 TEMPORARY CONSTRUCTION METERS.** When a Temporary Construction Meter is requested, and service can be provided by a standard Fire Hydrant type of construction Meter with a Backflow prevention device, the Applicant shall deposit the amount of funds pursuant to the Fee Schedule. For any temporary service other than a Fire Hydrant type of construction

Meter, the Applicant shall be responsible for installation and removal of all pipes, valves, fittings, appurtenances, and approved Backflow prevention device required for installation of a non-standard Fire Hydrant Temporary Construction Meter, the type and design of which is subject to District approval in its sole discretion. A separate fee, pursuant to the Fee Schedule, shall apply for movement or relocation of the Temporary Construction Meter to a new location. Temporary Construction Meters issued shall be used in conjunction with the attached and approved Customer provided portable reduced pressure principle backflow prevention device in accordance with the latest adopted State of California Administrative Code, Title 17.

8.3.1 Limited Duration and Use of Water Received. Temporary Construction Meters are permitted only for a limited duration during a period of actual construction under an active building/construction permit or on a case-by-case basis at the request of other public agencies and/or utilities providing service within the District service area. Water received through a Temporary Construction Meter shall be used only within the water service area boundaries of the District and may not be exported outside such boundaries for any purpose. Water received from a Temporary Construction Meter may only be used for purposes directly related to the active construction and may not be resold, redirected for another use, used for any permanent purpose that would ordinarily require a Service Connection, or used for any Commercial purpose. Since a Temporary Construction Meter renders the Fire Hydrant unusable for fire suppression in many cases, the District shall limit the duration of use of a Temporary Construction Meter.

8.3.2 Meter Testing and Security. Temporary Construction Meters may be tested by District at the time of installation. The Temporary Construction Meter shall be secured by District staff with a District-provided chain and lock at a location approved by District staff.

8.3.3 Meter Relocation, and Tampering. At the request of the Applicant, the Temporary Construction Meter may be moved to a new location by District staff only no sooner than two working days of receiving a request. The fee for movement of the Temporary Construction Meter shall be pursuant to the Fee Schedule. Relocation of the Temporary Construction Meter will be done by District staff. Tampering with a Temporary Construction Meter shall result in the immediate removal of the Temporary Construction Meter by the District and the assessment of all applicable penalties for tampering with a water system device pursuant to the Fee Schedule. Applicants on file shall receive a monthly invoice for the rental of the Temporary Construction Meter and metered water usage at the rates prescribed in the District's latest Board-approved Resolution Setting Water Rates.

8.3.4 Meter Removal, Assessment, and Final Billing. When use of the Temporary Construction Meter is completed, the Applicant shall notify District staff to remove the Temporary Construction Meter from the Fire Hydrant or other installation site. District staff shall then assess the condition of the Temporary Construction Meter and the Fire Hydrant (or other installation site) and the Customer shall be responsible for any rehabilitation costs of either the Temporary Construction Meter or the Fire Hydrant. If there is no damage to the Temporary Construction Meter or the Fire Hydrant, District shall prepare the final bill and net the initial deposit amount against the amount due. Should there be damage to the Temporary Construction Meter, District staff shall

notify and inform the Applicant of: (a) the damage and the cost to repair or replace the Temporary Construction Meter; and (b) the amount of the Applicant's final bill. If the balance due exceeds the amount on deposit, the Customer must pay the difference. If the amount of deposit exceeds the balance due, then the deposit balance shall be refunded to the Customer.

SECTION 9. FIRE HYDRANTS

- 9.1 PREREQUISITES TO INSTALL FIRE HYDRANTS.** Fire Hydrants shall not be installed until after the curbs and gutters have been constructed, excepting that an initial Fire Hydrant may be set upon the approval of the Engineering Director to provide construction water in compliance with Section 8 herein. Under no conditions shall the Applicant install Fire Hydrants unless streets are well defined by lot stakes, curb stakes, or visible center line stakes properly set at the landowner's expense. If, after any Fire Hydrant has been installed and it has to be adjusted, raised, lowered, or relocated because of incorrect information as to grade of curbs, property lines, all expense incurred by the District to make the changes shall be borne by the Applicant.
- 9.2 NEW OR REPLACED FIRE HYDRANTS.** New or replaced Fire Hydrants shall be wet barrel type in accordance with District Engineering Standards. Newly installed or replaced dry barrel fire hydrants are not permitted.
- 9.3 OBSTRUCTING FIRE HYDRANTS.** No Person shall obstruct the access to any Fire Hydrant by placing around or thereon any stone, brick, lumber, dirt, or other material or willfully or carelessly injure the Fire Hydrant, or open or operate any Fire Hydrant, or withdraw or attempt to withdraw water therefrom, except when used with a District installed Temporary Construction Meter. Fire Hydrants must have a minimum clearance radius of five (5) feet.
- 9.4 USE OF FIRE HYDRANTS.** Public Fire Hydrants shall be located, maintained, repaired, and replaced by the District. Any damage thereto by Persons other than representatives of the Fire Department or the District shall be a claim against the Person committing such damage and the District may take action to collect the costs to repair the damages. Fire Hydrants are provided primarily for the purpose of extinguishing fires and (a) shall not be used otherwise unless provided for herein; and (b) shall be opened and used only by the District and Fire Department or such Persons as may be authorized to do so by the Chief of the Fire Department or the General Manager of the District.
- 9.5 CHANGE OF FIRE HYDRANT OR AIR VACUUM/AIR RELEASE VALVE LOCATION.** Fire Hydrants and air vacuum/air release valves shall be installed in the location specified by the District. If a Person desires a change in the size, type, or location of such Fire Hydrants or air vacuum/air release valves, they shall file a written application with the District and comply with these Rules and Regulations. Any change in the location of a Fire Hydrant or air vacuum/air release valve must be approved by the District and must not adversely impact surrounding properties or the operation of the District's Public Water System. All costs associated with relocation shall be borne by the requesting Person.
- 9.6 FIRE HYDRANTS, PERMIT FOR.** All unauthorized use of water through a Fire Hydrant is a violation of these Rules and Regulations. All Persons desiring to use water through Fire Hydrants, or other hydrants owned or controlled by the District, are required to complete an application from the District for a Temporary Construction Meter permit and pay a deposit. The District

shall issue no such permit to any Person who has violated any of the provisions of these Rules and Regulations or whose indebtedness to the District is delinquent. All such Persons having a permit for use of water from the Fire Hydrants shall use hydrant wrenches for the operation of such Fire Hydrants. The main valve of the Fire Hydrant shall be used only to: (a) turn the service on and off at the beginning and end of service from the Fire Hydrant; and (b) to turn the Fire Hydrant off at the end of each work day. The control valve and Meter shall be removed so as to leave the Fire Hydrant ready for use by the Fire Department during the night. The main valve shall be either completely open or closed at all times.

- 9.7 FIRE HYDRANTS, CANCELLATION OF PERMIT.** In its sole discretion, the District may cancel a permit for the use of water through the Fire Hydrants on evidence that the permit holder is or has violated the permit. Such cancellation shall be in writing, delivered or mailed to the permit holder, and shall be immediately effective and enforced.

SECTION 10. BACKFLOW PREVENTION PROGRAM

- 10.1 THE PROGRAM AND CROSS-CONNECTION CONTROL MANAGEMENT PLAN.** The District's Backflow Prevention Program ("Program") is in accordance with the District's latest Cross-Connection Control Management Plan (CCCMP), which implements a Cross-Connection Control Program pursuant to the State Water Resources Control Board's *Cross-Connection Control Policy Handbook*. The Program and CCCMP protect the District's Public Water System from the risk of Backflow and ensures compliance with applicable and updated state regulations.

- 10.2 BACKFLOW DEVICE MONITORING FEE.** For each Service Connection where a Backflow device is required pursuant to the CCCMP, a "Backflow device Monitoring fee" shall be imposed. The fee shall be imposed pursuant to the Fee Schedule and included on the Customer's water bill.

10.3 DEFINITIONS OF TERMS

10.3.1 Air-gap separation. A physical break between a supply pipe and a receiving vessel. The air-gap shall be at least double the diameter of the supply pipe measured vertically above the top rim of the vessel, in no case less than one (1) inch.

10.3.2 Contamination. A degradation of the quality of Potable Water by any foreign substance which creates a hazard to public health or which may impair the usefulness of the Potable Water.

10.3.3 Cross-connection. Any unprotected (actual or potential) connection between the District's Public Water System and any non-Public Water System or source containing non-Potable Water. Examples of Cross-Connections include, but are not limited to, by-pass arrangements, jumper connections, removable sections, swivel or changeover devices, or other devices through which Backflow could occur.

10.3.4 Double check valve assembly. An assembly of at least two (2) independently acting check valves including: (a) tightly closing shut-off valves on each side of the check valve assembly; and (b) test cocks available for testing the water tightness of each check valve.

10.3.5 Health agency. The (a) State Water Resources Control Board, (b) Department of Drinking Water, or (c) the county or city health authority with respect to a small water system.

10.3.6 Reclaimed water. Wastewater which, as a result of treatment, is suitable for uses other than use as Potable Water.

10.3.7 Reduced pressure principle backflow prevention device. A device incorporating: (a) two (2) or more check valves and an automatically operating differential relief valve located between the two (2) check valves; (b) a tightly closing shut-off valve on each side of the Double Check Valve Assembly; and (c) equipped with necessary test cocks for testing.

10.4 PURPOSE OF THE PROGRAM. The purpose of Program is to: (a) protect the District's Public Water System against actual or potential Cross-Connection by isolating within the Premises Contamination that may occur because of some undiscovered or unauthorized Cross-Connection on the Premises; (b) eliminate existing connections between the District's Public Water Systems and other sources of non-Potable Water; (c) eliminate Cross-Connections between Public Water Systems and sources of Contamination; and (d) prevent the making of Cross-Connections in the future. The purpose of this Program complies with the latest adopted State of California Administrative Code, Title 17, (Commencing with Section 7583) - Public Health entitled "Regulations Relating to Cross-Connections".

10.5 CROSS-CONNECTION PROTECTION REQUIREMENTS. It is unlawful for any Person at any time to make or maintain or cause to be made or maintained, temporarily or permanently, for any period of time whatsoever: (a) any Cross-Connection; or (b) any sanitary fixture or other appurtenances or fixtures, which by reason of their construction may cause or allow a Backflow into the District's Public Water System and/or the service of water pipes or fixtures of any Customer.

10.5.1 General provisions.

10.5.1.1 Unprotected Cross-Connections with the District Public Water System are prohibited.

10.5.1.2 Whenever Backflow protection has been found necessary, the Customer shall install an Approved Backflow Prevention Device at the Customer's expense for continued services or before a new service shall be granted.

10.5.1.3 Whenever Backflow protection has been found necessary on a water supply line entering a Customer's Premises, then any and all water supply lines from the District's Water Mains entering such Premises, buildings or structures shall be protected by an Approved Backflow Prevention Device, which shall be installed in accordance with this Program.

10.5.1.4 Each time there is a change of Customer (either owner or tenant) on any Commercial or industrial Premises, the new or previous owner or Customer shall notify the District immediately. The District shall then reassess the level of protection required. In addition, any alterations to existing onsite facilities that

may affect the level of protection required must be reported immediately to the District. Failure to report shall result in termination of water service.

10.5.1.5 These provisions shall be in addition to and not in lieu of the controls and requirements of other regulatory agencies, such as Health Agencies. These provisions are intended to protect the District's Public Water System and are not intended to provide regulatory measures for the protection of Customers from hazards of Cross-Connections within their own Premises. Notwithstanding this Program, the District accepts no responsibility for Cross-Connections or resulting hazards or Contamination.

10.5.2 Where protection is required.

10.5.2.1 Each Service Connection from the District Public Water System to Premises having an auxiliary water supply, whose potability is not regulated by a Health Agency, shall be protected against Backflow from the Premises into the Public Water System unless the auxiliary water supply is both accepted as an additional source by the District and approved by the Health Agency having jurisdiction.

10.5.2.2 Each Service Connection from the District's Public Water System to any Premises on which any substance is handled in such fashion as may allow it to enter into the Public Water System shall be protected against Backflow from the Premises into the Public Water System. This shall include the handling of process waters and waters originating from the District's Public Water System, which have been subjected to deterioration in sanitary quality.

10.5.2.3 Approved Backflow Prevention Devices shall be installed on the Service Connection to any Premises having: (a) internal Cross-Connections that cannot be permanently corrected and controlled to the satisfaction of the Health Agency and the District; or (b) intricate plumbing and piping arrangements where entry to all portions of the Premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not Cross-Connections exist.

10.5.3 Type of protection required.

10.5.3.1 The type of protection that shall be provided to prevent Backflow into the District's Public Water System shall commensurate with the degree of hazard that exists on the Customer's Premises. The type of protective device that may be required (listing in an increasing level of protection) includes: (a) Double Check Valve Assembly (DC); (b) Reduced Pressure Principle Backflow Prevention Device (RP); and (c) an Air-Gap Separation (AG). The Customer may choose a higher level of protection than required by the District. The minimum type of Backflow protection required to protect the District's Public Water System at the Customer's Service Connection to Premises with varying degrees of hazard are provided in Table 1 of the latest adopted State of California Administrative Code, Title 17. Additionally, two (2) or more Service Connections supplying water from different street Water Mains to the same building, structure, or Premises through which an inter-

street Main flow may occur, shall have at least a standard check valve on each Service Connection to be located adjacent to and on the property side of the respective Meters. Such check valve shall not be considered adequate if Backflow protection is deemed necessary to protect the District's Mains from Contamination. In such cases, the installation of Approved Backflow Devices at such Service Connections shall be required. Situations that are not covered in Table 1 of the latest adopted State of California Administrative Code, Title 17, shall be evaluated on a case by case basis and the appropriate Backflow protection shall be determined by the District or Health Agency.

10.6 BACKFLOW PREVENTION DEVICES

10.6.1 Approved backflow prevention devices. Approved Backflow prevention devices are devices that have passed laboratory and field evaluation tests performed by a recognized testing organization that has demonstrated their competency to perform such tests to the Health Agency.

10.6.1.1 Only approved Backflow prevention devices shall be acceptable for installation by a Customer connected to the District's Public Water System. The District shall provide, upon request, a list of approved Backflow prevention devices.

10.6.2 Backflow prevention device installation. Backflow prevention devices shall be installed in a manner prescribed in Sections 7602 and 7603 of the Title 17 California Administrative Code. Per District standard drawings, location of the Backflow prevention devices should be as close as practical to the Customer's Service Connection and shall be installed above-grade in a manner where it is readily accessible for testing and maintenance. The District shall have the final authority in determining the required location of a Backflow prevention device. All Backflow prevention device installations shall be in accordance with Section 1 Documents Governing Construction of Water Facilities. Maintenance and repair of Backflow prevention devices are the responsibility of the Customer and not the District.

10.6.3 Backflow prevention device testing and maintenance.

10.6.3.1 The owners of any Premises on which, or on account of which, Backflow prevention devices are installed shall have the devices tested by a Person who has demonstrated their competency in testing of these Backflow prevention Devices to the District. Backflow prevention devices must be tested at least annually and immediately after installation, relocation, or repair. The District may require a more frequent testing schedule if it is determined to be necessary. No Backflow prevention device shall be placed back in service unless it is functioning as required. A report in a form acceptable to the District shall be filed with the District each time a Backflow prevention device is tested, relocated, or repaired. These Backflow prevention devices shall be serviced, overhauled, or replaced whenever they are found to be defective and all costs of testing, repair, and maintenance shall be borne by the Customer.

10.6.3.2 The District shall supply affected Customers with a list of Persons acceptable to the District to test Backflow prevention devices. The District shall notify affected Customers by mail when annual testing of a Backflow prevention device is needed and also supply Customers with the necessary forms which must be filled out each time a Backflow prevention device is tested or repaired.

10.6.3.3 The District may randomly test Backflow prevention devices at no cost to the Customer. This testing shall in no way relieve the Customer from responsibility for maintaining functional Backflow prevention devices but shall serve to help assure that the Program is serving its intended purpose.

10.6.4 Backflow prevention device removal. Approval must be obtained from the District before a Backflow prevention device is removed, relocated, or replaced.

10.6.4.1 Removal. The use of a Backflow prevention device may be discontinued and the Backflow prevention device removed from service upon presentation of sufficient evidence to the District to verify that a hazard no longer exists or is not likely to be created in the future.

10.6.4.2 Relocation. A Backflow prevention device may be relocated following confirmation by the District that the relocation will continue to provide the required protection and satisfy installation requirements. A retest shall be required following the relocation of the Backflow prevention device.

10.6.4.3 Repair. A Backflow prevention device may be removed for repair, provided the water use is either: (a) discontinued until repair is completed and the Backflow prevention device is returned to service; or (b) the Service Connection is equipped with other Backflow protection approved by the District. A retest shall be required following the repair of the Backflow prevention device.

10.6.4.4 Replacement. A Backflow prevention device may be removed and replaced, provided the water use is discontinued until the replacement device is installed. All replacement Backflow prevention devices must be approved by the District and must commensurate with the degree of hazard involved. A device that is located in a below grade vault, which has failed certification and parts for repairs are no longer available, shall be replaced and relocated above grade and the vault abandoned in accordance with District standard drawings W-16 and W-16A.

10.6.4.5 Existing assembly. If an assembly in service is not an approved Backflow prevention device based on the latest standards, but was approved when installed, it may remain in service, provided it functions properly and passes testing. An assembly not recognized as an approved Backflow prevention device shall be removed and replaced with a currently approved Backflow prevention device.

10.6.5 User supervisor. At each Premise, where it is necessary, in the opinion of the District, a user supervisor shall be designated by and at the expense of the Customer. This user

supervisor shall be responsible for the monitoring of the Backflow prevention devices and for the avoidance of Cross Connections. In the event of Contamination of the Public Water System due to a Cross-Connection on the Premises, the District shall be promptly notified by the user supervisor so that appropriate measures may be taken to remedy the Contamination. The Customer shall inform the District of the user supervisor's identity on, as a minimum, an annual basis and whenever a change occurs, in accordance with Title-17 Public Health, California Administrative Code.

10.7 ADMINISTRATIVE PROCEDURES

10.7.1 Water system survey.

10.7.1.1 The District shall review all requests for new services to determine if Backflow protection is needed. Specifications must be submitted to the District upon request for review of possible Cross-Connection Contamination as a condition of service for new Service Connections. If it is determined that an approved Backflow prevention device is necessary to protect the Public Water System, the required approved Backflow prevention device must be installed before service shall be granted.

10.7.1.2 On-Premise inspection to evaluate possible Cross-Connection Contamination is a requirement under Title-17 Public Health, California Administrative Code, regulations relating to Cross Connections, Section 7584 (b), (c), and (d). The District shall transmit a written notice requesting an inspection appointment to each affected Customer. Any Customer which cannot or will not allow an on-Premise inspection of their auxiliary water supply system, whose potability is not regulated by a Health Agency, shall be required to install an approved Backflow prevention device that the District considers necessary.

10.7.1.3 The District may, in its discretion, require a re-inspection for Cross-Connection Contamination of any Premises to which it serves water. The District shall transmit a written notice requesting an inspection appointment to each affected Customer. Any Customer which cannot or will not allow an on-Premise inspection of their auxiliary water supply system, whose potability is not regulated by a Health Agency, shall be required to install the approved Backflow prevention device that the District considers necessary.

10.7.2 Customer notification — device installation.

10.7.2.1 The District shall notify the Customer of the survey findings, listing corrective action to be taken if required. A period of 60 days shall be given to complete all corrective action required including installation of approved Backflow prevention devices.

10.7.2.2 A second notice shall be sent to each Customer who does not take the required corrective action prescribed in the first notice within the 60 days period allowed. The second notice shall give the Customer a 2-week period to take the required corrective action. If no action is taken within the 2-week

period, the District may terminate water service to the affected Customer until the required corrective actions are taken.

10.7.3 Customer notification — testing and maintenance.

10.7.3.1 The District shall notify each affected Customer when it is time for the Backflow prevention device installed on their Service Connection to be tested. This written notice shall give the Customer 30 days to have the Backflow prevention device tested and supply the Customer with the necessary form to be completed and resubmitted to the District.

10.7.3.2 A second notice shall be sent to each Customer who does not have their Backflow prevention device tested as prescribed in the first notice within the 30-day period allowed. The second notice shall give the Customer a 2-week period to have their Backflow prevention device tested. If no action is taken within the 2-week period the District may terminate water service to the affected Customer until the subject Backflow prevention device is tested.

10.7.4 Backflow device monitoring fee. For each Service Connection where a Backflow device is required pursuant to these Rules and Regulations, a "Backflow device monitoring fee" shall be imposed. The fee shall be levied pursuant to the Fee Schedule and shall be included on the Customer's water bill. Refer to Section 12.

10.8 WATER SERVICE TERMINATION.

10.8.1 General. When the District encounters conditions or water uses, which are listed below, that represent a clear and immediate hazard to the District's Public Water System that cannot be immediately abated, the District shall institute the water service termination procedures described below to discontinue the District's water service.

10.8.2 Basis of termination. Conditions or water uses that create a basis for water service termination shall include, but are not limited to, the following items:

10.8.2.1 Failure or refusal to install an approved Backflow prevention device.

10.8.2.2 Failure or refusal to test a Backflow prevention device.

10.8.2.3 Failure or refusal to repair a faulty Backflow prevention device.

10.8.2.4 Failure or refusal to replace a faulty Backflow prevention device.

10.8.2.5 Direct or indirect connection between the District's Public Water System and a sewer line.

10.8.2.6 Cross-Connection.

10.8.2.7 Intentional or accidental interference with or intrusion into the District's Public Water System.

10.8.2.8 A situation that presents an immediate health hazard to the Public Water System.

10.8.3 Water service termination procedures.

10.8.3.1 If one or more of the conditions or water uses listed in Section 8.6.2 are found, the District shall terminate service to a Customer's Premises after two (2) written notices have been sent specifying the corrective action needed and the time period in which it must be done. If no action is taken within the allowed time period, water service may be terminated.

10.8.3.2 If one or more of the conditions or water uses listed in Section 8.6.2 are found, the District shall take the following steps:

10.8.3.2.1 Make reasonable effort to advise the Customer of intent to terminate water service;

10.8.3.2.2 Terminate water supply and lock service valve. The water service shall remain inactive until correction of the conditions and/or water uses have been approved by the District.

10.8.3.3 Should a water service termination be determined and executed by the District, as defined in this section, the Customer shall be subject to the shut-off and re-establishment of service fees pursuant to the latest Board-adopted Fee Schedule.

SECTION 11. CONNECTION FEES AND CHARGES (DEVELOPMENT FEES)

Pursuant to the Fee Schedule, the District shall collect the following Connection Fees and Charges.

11.1 SINGLE SERVICE FEE. A Single Service Fee shall be imposed on one Service Connection to a single lot where the Water Main already exists and is collected prior to application approval.

11.2 ACCESSORY DWELLING UNITS. When additional Accessory Dwelling Units on a single lot require separate Service Connection, Single Service Fee(s) shall be imposed on each separate Service Connection to the extent permitted by California law.

11.3 WATER CAPACITY FEE. Water Capacity Fees are assessed based on (a) Meter size, (b) the existence of an adequate Water Main fronting the property, and on (c) additional water capacity demand placed on the water system as determined by the District. The Water Capacity Fee for upsizing Meters will be the difference between the Water Capacity Fee for the original Meter and the larger Meter. The District will not refund a Water Capacity Fee for downsizing a Meter. This fee is collected prior to will serve letter issuance, or application approval, or agreement execution.

11.3.1 Accessory Dwelling Units. Water Capacity Fees are calculated for each Accessory Dwelling Unit individually to the extent permitted by California law.

- 11.4 WATER BACKBONE INFRASTRUCTURE FOR NEW DEVELOPMENTS.** Tract Developments or other developments that require construction of backbone infrastructure shall install such infrastructure at their expense. If adequate backbone infrastructure exists, the developers shall pay Water Capacity Fees or equitable fees established by the District in its sole discretion.
- 11.5 WATER DEPOSIT (OR DEVELOPMENT DEPOSIT).** The Water Deposit will be required upon application.
- 11.6 WATER DEPOSIT (SPECIAL PROJECTS).** The deposit for special projects will be required upon project initiation and submittal of required documents for District review and approval.
- 11.6.1 Deposit Amount.** The Water Deposit shall be an amount either pursuant to the latest Board-adopted Fee Schedule or as determined by the District in its sole discretion. A Water Deposit shall be imposed for all District costs and services to administer the project. District costs and services include but are not limited to staff time, attorney time, and consultant time related to the project, including current vehicle rates and fully benefited and burdened salary rates. At the District's sole discretion, the Water Deposit amount may be combined with a sewer deposit amount if a project is for both water and sewer service and facilities.
- 11.6.2 Additional Deposit Amounts.** The District may require additional Water Deposit amounts upon substantial depletion of the original Water Deposit amount. Additional Water Deposit amounts will be required when the Water Deposit account reaches 85% of the original Water Deposit amount. Additional Water Deposit amounts will be equal to the original Water Deposit amount unless otherwise approved by the Engineering Director.
- 11.6.3 Refund of Unused Deposit.** Upon closeout of the project, all unused Water Deposit funds will be refunded to the original Applicant who posted the Water Deposit.
- 11.7 WATER RATES.** All water rates shall be charged and collected monthly or annually pursuant to the latest Board-adopted Water Rates Resolution and Water Development and Customer Service Fees Ordinance. See Section 12 Billing Procedures.
- 11.7.1 Potable Water.** Potable Water shall be billed at the current rate for treated water in accordance with the latest Board-adopted Water Rates Resolution.
- 11.7.2 Raw Water Rates.** Raw Water shall be billed at the current rate for untreated water in accordance with the latest adopted Water Development and Customer Service Fees Ordinance.
- 11.7.3 Raw Water From Groundwater Sources:** Raw Water from groundwater sources shall be billed at the current rate for untreated water in accordance with the latest adopted Water Development and Customer Service Fees Ordinance.
- 11.7.4 Private Fire Service Rates.** The monthly rates for private Fire Service protection shall be pursuant to the latest Board adopted Water Rates Resolution.

SECTION 12. BILLING PROCEDURES

12.1 GENERAL. All accounts are billed at monthly intervals. Applicants desiring to establish water service shall submit applications for water service at the District's office during normal business hours. Normal business hours are between 7:00 a.m. to 6:00 p.m. Monday through Thursday, excluding District recognized holidays. The District accepts applications for service verbally, via the telephone, or in person. The Applicant shall be required to provide the following information per account:

12.1.1 Name of Applicant(s) (Indicate whether owner or tenant).

12.1.2 Each Applicant's Social Security number, valid state issued driver's license number, and date of birth.

12.1.3 Date service is required.

12.1.4 Address of service location.

12.1.5 Applicant's mailing address, email address, and customer authorized telephone number(s).

12.1.6 Commercial accounts shall provide adequate business documentation such as federal Employer Identification Number (EIN), business license, Dunn & Bradstreet identifier, and/or the personal data of the business owner as the District, in its sole discretion, deems reasonable for the establishment of a Commercial account.

12.1.7 Other information that the District may require in its sole discretion.

12.2 NEW ACCOUNT SETUP FEE. The District shall charge a new account setup fee for any service or services established at any Premises. The new account setup fee is assessed each time an account is opened, including a turn on of water service, a change in residence, a change in property or business ownership, or a change of name, among other events, which requires opening a new account.

12.2.1 Twenty-four (24) hour notification is required for all service requests. The service request shall be processed and scheduled. If the request for service is made less than 24 hours prior, a service fee(s) may be assessed. All fees are pursuant to the Fee Schedule.

12.2.2 Applicants who contact the District after normal business hours to turn on water service without an active application shall be assessed an after-hours fee and are required to complete an application as stated above and meet all requirements for the establishment of service by the next regular business day or the District may suspend water service until such requirements are met. The charge for service calls from District representatives for the purpose of reestablishment of water service, after normal business hours and on holidays, shall be pursuant to the Fee Schedule. The after-hours fee does not apply to services provided on Fridays from 7:00 a.m. to 6:00 p.m., except for holidays. Additionally, this provision does NOT apply to reestablishing service that has been disconnected or suspended due to non-payment, which is

instead described in the District's Policy for Discontinuation of Residential Water Service for Nonpayment in accordance with Senate Bill No. 998.

12.2.3 If an Applicant applies for service at a property that has been shut-off due to non-payment, the Applicant must provide appropriate documentation verifying that the Applicant is either a new owner or new tenant of the property. The documentation required will be determined in District management's sole discretion.

12.3 WATER BILLS, BILLING PERIOD, DUE DATES, AND ADDITIONAL SERVICES. The billing period, charges for additional services, and required deposits are as follows:

12.3.1 Billing period. The billing period is based on monthly Meter reads, normally between 28 and 35 days apart. All invoices are due and payable upon mailing and shall become delinquent if not paid within 27 days from the Billing Date.

12.3.1.1 If, due to reasons beyond the District's control, the District is unable to read the Customer's Meter on the scheduled reading date, the District may bill the Customer for estimated consumption during the billing period and make any necessary corrections once the Meter is read. Estimated consumption shall be calculated based on the Customer's prior usage history and seasonal changes as determined by the District in its sole discretion.

12.3.1.2 Customers who are enrolled in online bill presentment are notified via email or text (SMS/MMS) when their bill is ready to view. It is the Customer's responsibility to view their emails, keep their account profile updated, and provide a current email address. The District is not responsible for notifying the Customer of rejected email or text (SMS/MMS) deliveries.

12.3.1.3 District accepts cash, cashier's check, money order, personal check, business check, credit card, or electronic forms of payments. Enhanced online services are offered by the District through its enhanced online payment system.

12.3.1.4 All returned forms of payment shall be considered as non-payment and subject to a returned payment fee. The District shall deliver notification of the returned form of payment to the service location, requiring payment of the full amount, along with the returned item fee and deposit, if required, be made within five (5) days from the date of the notice. If payment is not received by the due date specified on the returned item notice, the account shall be subject to disconnection of service in addition to all applicable disconnection fees in accordance with the District's Policy for Discontinuation of Residential Water Service for Nonpayment. The referenced account shall be placed on a "cash only" (payment by cash, debit or credit card only) status upon notification from the banking institution of a third returned item within a consecutive 12-month period. The referenced account shall retain the "cash only" status for a period of one (1) full year (12 full months).

12.3.1.5 The District shall apply all received payments to the oldest debt due.

12.3.1.6 No two party checks are accepted.

12.3.1.7 Customers are responsible for active accounts until after they notify the District to discontinue service(s). A minimum of 24 hour advance notice is required to process a stop service request during normal business hours. If the request is made after normal business hours, the request will be processed on the next regular business day. All Customers are fully responsible for service(s) until the Customer meets this requirement. The start of service at a new location does not reduce the Customer's responsibility to the District at the Customer's current location.

12.3.2 Delinquent payments. An account shall be considered delinquent if payment of a water bill is not received by the 27th day from the Billing Date and a late payment fee (as set forth below) shall be immediately assessed on the past due amount. This fee shall be pursuant to the Fee Schedule. Payments dropped off after normal business hours, after the passing of the 27th day, shall be considered delinquent. As detailed in the District's Policy for Discontinuation of Residential Water Service for Nonpayment, accounts remaining unpaid 91 days from the Billing Date shall be subject to discontinuance of service. All bills are considered delivered after mailing via US Postal Service or Internet email, and the District is not responsible for non-receipt or non-delivery. Any payment envelope received by the District without a payment enclosed or with an unsigned check, shall be considered as non-payment.

12.3.3 Late payment fee. A charge equal to ten percent (10%) of current charges shall be levied against any account if payment is not received by the District on the 27th day from the Billing Date. Customers shall receive notification of levied late fee(s) and past due balances. The customer shall be provided with a 62-day written notice of delinquency and impending disconnection of service by mail. The notice shall be in conformance with Sections 116900 – 116926 of the California Health & Safety Code, which is known as the Water Shutoff Protection Act (California Government Code Sections 60370 – 60375.5 and Senate Bill No. 998) and the District's Policy for Discontinuation of Residential Water Service for Nonpayment. The Policy is available on the District's website at www.ylwd.com/sb998policy. The Policy and all written notices issued under the Policy are provided in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean. Late fees may be waived at the discretion of District management, as a one-time courtesy, due to a life-changing event, within a 12-month period.

12.3.4 Notice of discontinuance (shut-off due to non-payment). Notice of discontinuance and termination of water service shall be in conformance with Sections 116900 – 116926 of the California Health & Safety Code, which is known as the Water Shutoff Protection Act (California Government Code Sections 60370 – 60375.5 and Senate Bill No. 998) and the District's Policy for Discontinuation of Residential Water Service for Nonpayment. The charge for this service shall be pursuant to the Fee Schedule.

12.3.5 Amortization of unpaid charges. At the General Manager's discretion, a Customer's payment of their unpaid balance may be amortized in accordance with the District's Policy for Discontinuation of Residential Water Service for Nonpayment.

12.4 DEPOSITS. All deposit requirements shall be in conformance with the latest California Public Utilities Code. Deposits may be required from each new or returning Customer pursuant to the Fee Schedule. A soft credit check shall be conducted to determine a deposit requirement and to validate the identity of the Applicant. Any former Customer returning to the District and applying after a 6-month period shall be subject to a soft credit check. A deposit shall be required from a Customer account that holds a poor payment history with the District, which is defined as containing:

12.4.1 Three (3) or more delinquent payments within a 12-month period;

12.4.2 Two (2) or more non-sufficient funds (NSF) or ACH rejection fee occurrences within a 12-month period;

12.4.3 A single NSF or ACH rejection from a payment made on a delinquent account after a Notice of Discontinuance has been posted; or

12.4.4 A single shut-off.

12.4.5 New residential Customers who have no valid State of California or United States of America issued identification shall be required to pay the full amount of the deposit at the time of service application, either in cash or cashier's check only. A Commercial or irrigation Customer shall be required to pay deposits based on Meter size. Deposits shall not bear interest. A deposit on file shall be refunded to the Customer's account after 12 months of continuous on-time payments. If the Customer's account is delinquent within the 12-month period, the District shall retain the deposit on hand and start a new 12-month period. If the District determines the Applicant was a previous Customer of the District and their credit history indicates any unpaid balances on prior account(s) and dictates a deposit, the deposit shall be due and payable before service can be initiated. Such application signifies the Applicant's willingness and intention to comply with all applicable District Water Rules and Regulations and to submit full payment of fees and charges on all subsequent Customer account billings that pertain to the location of service on record.

12.5 BILLING ERRORS. If a billing error occurs in which the District is found to be at fault, the account may be adjusted accordingly, pursuant to the District's Claims Ordinance. If a billing error occurs and the Customer has been undercharged, or not charged at all, and the customer has a legal Service Connection, the District may collect up to 12 months of fees and charges upon notice to the Customer.

12.6 ONE-TIME ADJUSTMENT OF WATER BILL (ONSITE LEAKS).

12.6.1 A Customer request for a one-time adjustment to a water bill for units billed may be considered if it is determined that a water leak has been discovered on the Customer side of the Meter and the following conditions are met:

12.6.1.1 Proof of the repair of such leak must be provided within three months of completion;

12.6.1.2 YLWD staff has checked the Meter to ensure the read was accurate and that the average usage has been returned to normal for that period of the year; and

12.6.1.3 It has been at least five (5) years since a request for a one-time adjustment has been granted for the Customer Service Connection in question.

12.6.2 If the conditions above are met, the General Manager may approve the adjustment of no more than six billing periods affected by the leak, pursuant to the following formula:

12.6.2.1 Determine what the Customer's bill would have been had the leak not occurred by averaging the Customer's normal usage trend;

12.6.2.2 Determine which water source was utilized (imported or groundwater) to serve our community for the billing period on the Customer's bill;

12.6.2.3 Calculate the extra water billed, in units (748 gallons per unit), which was above the Customer's determined average and charge the Customer utilizing the following rate:

12.6.2.3.1 For imported water, the treated rate of the MWDSC (as identified in the annual operating budget for the time period in question) shall be used to calculate the per unit cost;

12.6.2.3.2 For groundwater, the OCWD Replenishment Assessment (as defined by OCWD) and the treatment/energy charge (as identified in the annual operating budget for the time period in question) shall be used to calculate the per unit cost.

12.6.2.4 The Customer shall be charged the actual cost, above their average usage, for the number of units consumed and measured by the bill.

12.6.3 Any potential assessed penalties or fees, which may have accrued during this process, shall be waived provided the adjustment is sought and offered within 30 days from which the billing in question has been received. All decisions of the General Manager may be appealed to the Board of Directors by filing a written notice of appeal with the Board Secretary at bodsecretary@ylwd.com within 30 days from receipt of the General Manager's decision. The decision of the General Manager or the Board, whichever is applicable, shall be conclusive and final.

12.6.4 Filling of swimming pools is specifically excluded from consideration of a one-time adjustment to a water bill.

12.7 BILLING EXEMPTION OF DISTRICT FACILITIES. The District shall be exempt from billing of water service for District Public Water Facilities.

12.8 FINAL BILL AND CHANGE OF ADDRESS.

12.8.1 Failure to pay "final bill" process. Under the authority of California Government Code Section 12419.8, any unpaid balance due on a closed account, beyond the due

date, where the unpaid balance is delinquent unsecured property taxes on which a certificate of lien has been recorded with the County Recorder pursuant to Section 2191.3 of the Revenue and Taxation Code, may be submitted to 3rd party collection agency and/or the Franchise Tax Board for interagency intercept collection.

12.8.2 Change of address. Failure to receive mail is not recognized as a valid excuse for failure to pay Connection Fees and Charge(s) when due. Change in occupancy of Premises served with District water and/or changes in mailing addresses of Customers must be filed at the District office, in writing, by fax, mail, or online, as available.

SECTION 13. WATER USAGE REGULATED

13.1 WATER USE ONLY ON PREMISES SERVED. Water supplied through a Service Connection shall only be used on the Premises served by the Service Connection and shall not be supplied to any residence or business other than those located on the Customer's own Premises.

13.2 WATER USE CONTRARY TO PUBLIC WELFARE AND DURING WATER CONSERVATION. The use of water for irrigation, sprinkling, wetting, construction, or industrial uses shall be restricted if and when such use is contrary to the public safety or welfare, or during mandatory water conservation drought conditions, as determined by the District.

13.3 WATER SHUT-OFFS FOR DISTRICT REPAIRS. The District reserves the right to shut off water in its Water Mains without notice to make repairs or for any other purpose deemed necessary in the District's sole discretion. The District shall not be responsible for any damages which may occur due to water shut-offs. The owner and/or Consumer shall be conclusively presumed to have taken all necessary precautions in compliance with the building and plumbing codes in anticipation of emergency shut-offs. Where a planned shut-off is made, every effort shall be made by the District to notify the Customers of the shut-off.

13.4 WATER PRESSURE AND PRESSURE REGULATORS. The District shall endeavor to maintain such pressures as recommended by State Water Resources Control Board, Division of Drinking Water Title 22 California Code of Regulations (normally 20 to 80 psi). If any Consumer deems that pressures are inadequate, the Consumer shall furnish at their own expense, devices necessary to boost the pressure for their Premises. If the Customer chooses to add a booster type device, the District shall require compliance with the Backflow Prevention Program described in these Rules and Regulations. If water pressures are in excess of any Consumer's requirements, it shall be the responsibility of such water Consumer to install such devices on their own Premises to protect their plumbing and/or to reduce the pressure. The District shall not be responsible for any damages which may occur due to the Consumer's failure to install such devices.

13.5 WATER EFFICIENCY AND CONSERVATION. Water efficiency and water conservation shall be consistent with legal responsibilities to utilize water resources of the State of California and the District in accordance with Part 2.55. (Sections 10608 - 10609.42) of the Water Code, the Urban Water Management Planning Act at Section 10610 et seq. of the Water Code, and the District's Urban Water Management Plan.

13.5.1 The District's Water Shortage Contingency Plan, pursuant to Water Code Section 10632 as amended from time to time, describes the restrictions and other response

measures that can be implemented by the Board in declaring a water shortage level and provides policy considerations, criteria and other guidance for the selection and implementation of these measures.

- 13.5.2** The use of Potable Water for the irrigation of “nonfunctional turf” (defined at Section 10608.12 of the Water Code) located on Commercial, industrial, and institutional properties, other than a cemetery, and on properties of homeowners’ associations, common interest developments, and community service organizations or similar entities is prohibited as of the following dates: (1) All properties owned by the Department of General Services, beginning January 1, 2027; (2) All properties owned by local governments, local or regional public agencies, and public water systems, except those specified in paragraph (5), beginning January 1, 2027; (3) All other institutional properties and all Commercial and industrial properties, beginning January 1, 2028; (4) All common areas of properties of homeowners’ associations, common interest developments, and community service organizations or similar entities, beginning January 1, 2029; (5) All properties owned by local governments, local public agencies, and public water systems in a disadvantaged community, beginning January 1, 2031, or (6) the date upon which a state funding source is made available to fund conversion of “nonfunctional turf” on these properties to climate-appropriate landscapes, whichever is later.
- 13.5.3** The use of Potable Water is not prohibited to the extent necessary to ensure the health of trees and other perennial non-turf plantings, or to the extent necessary to address an immediate health and safety need.
- 13.5.4** Noncompliance by a person or entity shall be subject to civil liability and penalties set forth in Section 1846 of the Water Code, or to civil liability and penalties imposed by the District pursuant to a locally adopted ordinance or policy.

SECTION 14. SERVICE FOR PROPOSED DEVELOPMENTS THAT INCLUDE AFFORDABLE HOUSING

- 14.1** The District shall grant a priority for the provision of water services to proposed developments that include housing units affordable to lower income households in accordance with, and to the extent required by, California Government Code Section 65589.7, including the items listed in subsection (b) of Section 65589.7.
- 14.2** In accordance with California Government Code Section 65589.7, the District shall not deny or condition the approval of an application for services to, or reduce the amount of services applied for by, a proposed development that includes housing units affordable to lower income households unless the District makes specific written findings that the denial, condition, or reduction is necessary due to the existence of one or more of the items listed subsection (c) of Section 65589.7

SECTION 15. UNAUTHORIZED USE, THEFT, OBSTRUCTION, AND ENCROACHMENT

- 15.1 UNAUTHORIZED USE OF SERVICES AND CONNECTIONS TO THE DISTRICT’S PUBLIC WATER SYSTEM.** No Person shall connect to the District’s Public Water System without a Water Connection Permit. Any Person using water services without a Water Connection Permit

and/or a proper Service Connection shall be liable to the District for (a) all water delivered or taken, (b) any damages to District property, including, but not limited to Public Water Facilities, locks, and angle stops, (c) all civil penalties, (d) costs of remediation, and (e) such other fees and costs that may apply pursuant to the Fee Schedule.

15.2 TAMPERING WITH THE DISTRICT'S PUBLIC WATER SYSTEM. Tampering with the District's Public Water System is illegal in accordance with U S Code Title 42 Section 300i-1, California Penal Code Section 498, and these Rules and Regulations. No Person shall, without the permission of the District, remove, change, disturb, or in any way tamper with or interfere with any of the Public Water Facilities, apparatus, appliances, or property used or maintained for the production, storage, distribution or supply of water by the District. Nor shall any Person without the permission of the District install any pipe, apparatus, appliance, or connection to any part of the District's Public Water System.

15.2.1 Tampering with Meters, Fire Hydrants and other Public Water Facilities is a criminal offense and may be subject to all civil penalties, actual costs of remediation, and such other fees and costs that may apply pursuant to the latest Board-adopted Fee Schedule. Any Person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

15.2.2 Tampered Locks. The District may place a lock on a water Meter to prevent unauthorized use. A tampered lock shall result in a charge pursuant to the Fee Schedule. Tampering with the locks is illegal in accordance with California Penal Code Section 498 and these Rules and Regulations. Additionally, anyone tampering with a lock shall also be subject to all civil penalties, costs of remediation, and such other fees and costs that may apply pursuant to the Fee Schedule.

15.2.3 Meter Removal And Replacement. The District may remove a Meter if it is used without the District's authorization. The charge for removal and resultant replacement, after payment of any other outstanding charges, shall be payable by the account holder pursuant to the Fee Schedule. Meter tampering is illegal in accordance with California Penal Code Section 498 and these Rules and Regulations.

15.3 OBSTRUCTING DISTRICT FACILITIES PROHIBITED. No Person shall in any way restrict or obstruct access to District Public Water Facilities, which include without limitation, Meters, pipes, pumps, valves, Fire Hydrants, buildings, access points, air vacuum devices, pressure regulators, or any other equipment or facility connected to or in support of the District's Public Water System. If any Person restricts or obstructs access to a District Public Water Facility and does not provide District immediate access, the District reserves the right to remove the obstruction by whatever means necessary and bill the customer for all costs associated with removal of the obstruction. Additionally, above ground structures, above ground landscaping, and any other above ground improvements, including a reduction or raising of grades over District Public Water Facilities or Easements is prohibited without prior written consent of the District. Written consent shall include a Declaration of Restrictive Covenants, which is included with the District's Encroachment Policy.

15.4 EASEMENTS AND ENCROACHMENTS. It is the policy of the District to preserve and enforce its property rights, including its Easements, and to prohibit encroachment of its property or Easements. Please see the District's Encroachment Policy for more information. In its sole discretion, the District may approve of an encroachment application and if so, will require

the encroachment Applicant to enter a Declaration of Restrictive Covenants that is the same or substantively similar to the declaration attached to the District's Encroachment Policy.

15.5 EASEMENT QUITCLAIM. The District shall consider a Customer's request to quitclaim an existing Easement to the property owner provided that:

15.5.1 No existing District Public Water Facilities are within the Easement or all District Public Water Facilities have been abandoned, and no active Public Water Facilities, are within the Easement; and

15.5.2 The District has no future plans to install District Public Water Facilities within the Easement;

15.5.3 The Customer agrees to release the District of all Customer liability, and indemnify the District of all third-party liability, arising from any abandoned Public Water Facilities on the Customer's property; and

15.5.4 General Manager provides approval.

15.5.5 The Quitclaim requires approval by the Board of Directors. If the issuance of a quitclaim is approved by the District: (a) the quitclaim shall not include the rights, whatever they may be, described in the District's 1911 Easement if the land subject to the quitclaim is burdened by (i.e., partially described in) the 1911 Easement.

15.5.6 The Customer shall pay for District's actual costs to develop the Quitclaim documents, including but not limited to, District staff time, legal, and consultant's time.

15.6 MINIMUM UTILITY FACILITIES SEPARATION. The District and other public and private Dry Utilities use the same public right-of-way to install surface and subsurface facilities and therefore compete for the same space for use by their respective facilities. Unless a minimum separation between facilities is established, the District may incur (a) damage to the District's Public Water System during or after installation of other Dry Utilities' facilities, (b) financial damages related to future maintenance and repair of the District's Public Water System, and/or (c) potential adverse impacts (e.g., service interruption, financial) to District Customers. To mitigate or avoid these potential outcomes, (i) there shall be a minimum horizontal and vertical separation of 30 inches between the outer edge of the District Public Water Facilities and the outer edge of the utility's facilities, and (ii) all Dry Utilities shall release and indemnify the District for any damage caused by District to another Dry Utility's facilities installed within the 30-inch separation.

SECTION 16. DISTRICT AUTHORITY TO ENTER PREMISES

16.1 ACCESS TO PREMISES. District Employees and/or District contractors and/or consultants, bearing proper credentials and/or identification, shall enter Premises for purposes of access, inspection, observations, measurement, sampling and testing in accordance with the provisions of these Rules and Regulations.

SECTION 17. VIOLATIONS

- 17.1 DISTRICT NOTICE OF VIOLATION.** Any Person found to be violating any provision of these Rules and Regulations shall be served by the District with written notice stating the nature of the violation. A time limit for the satisfactory correction thereof will be included in the Notice of Violation. The violator shall, within the period of time stated in such notice, permanently correct and cease all violations.
- 17.2 DISCONTINUATION OF SERVICE FOR FAILURE TO CORRECT THE VIOLATION.** Any Person who shall continue any violation beyond the time limit provided for shall have their water service subject to discontinuance. Reinstatement of water service shall be made only on correction of the violation, damages, and payment of all applicable fees and penalties.
- 17.3 LIABILITY TO DISTRICT FOR DAMAGES CAUSED BY THE VIOLATION.** Any Person violating any of the provisions of these Rules and Regulations shall become liable to the District for any expense, loss, or damage occasioned by the District by reason of such violation.
- 17.4 PENALTIES FOR VIOLATIONS.** District may, in its sole discretion, assess penalties under the law and pursuant to the Fee Schedule for any violation of these Rules and Regulations.
- 17.5 DISTRICT DISCRETION TO STOP OR NOT START WORK FOR NON-COMPLIANCE.** All Persons, Applicants, and Customers must be (1) current with all monies owed to the District and (2) in compliance, as determined by the District in its sole discretion, with the District's Water and Sewer Documents, Terms and Conditions, Water and/or Sewer Service and Facilities Agreement, and/or Fee Schedule; otherwise, the District may, in its sole discretion, stop work on existing projects or not start work on new projects of non-compliant Persons, Applicants, and/or Customers.

SECTION 18. VALIDITY

- 18.1** The invalidity of any section, sentence, clause, or provision of these Rules and Regulations shall not affect the validity of any other part of these Rules and Regulations which can be given effect without such invalid part.