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INDEX

ORDINANCE NO. 4

ESTABLISHING RATES, RULES AND REGULATIONS  
FOR WATER SERVICE BY THE SUNNYSLOPE COUNTY  
WATER DISTRICT

	<u>Page</u>
ARTICLE 1. GENERAL PROVISIONS . . . . .	1
1. Short Title . . . . .	1
2. Words and Phrases . . . . .	1
3. Water System . . . . .	1
4. Separability . . . . .	1
5. Pressure Conditions . . . . .	1
6. Maintenance of Water Pressure and Shutting Down for Emergency Repairs . . . . .	1
7. Tampering With District Property . . . . .	2
8. Penalty for Violation . . . . .	2
9. Ruling Final . . . . .	2
ARTICLE 2. DEFINITIONS . . . . .	2
25. Board . . . . .	2
26. Connection . . . . .	2
27. Cost . . . . .	3
28. Cross-connection . . . . .	3
29. District . . . . .	3
30. Main . . . . .	3
31. Person . . . . .	3
32. Premises . . . . .	3
33. Private Fire Protection Service . . . . .	3
34. Public Fire Protection Service . . . . .	3
35. Owner . . . . .	3
36. Regular Water Service . . . . .	4
37. Temporary Water Service . . . . .	4
38. Water Department . . . . .	4
ARTICLE 3. NOTICES . . . . .	4
45. Notices to Customers . . . . .	4
46. Notices from Customers . . . . .	4
ARTICLE 4. WATER DEPARTMENT . . . . .	4
50. Creation . . . . .	4
51. General Manager . . . . .	4
52. Office Manager . . . . .	5
53. Id.--Duties . . . . .	5
54. Water Superintendent . . . . .	5
55. Id.--Violation, Repairs . . . . .	5
56. Id.--Supervision . . . . .	5
57. Performance of Duties . . . . .	6
ARTICLE 5. APPLICATION FOR REGULAR WATER SERVICE . . . . .	6
75. Application . . . . .	6
76. Undertaking of Applicant . . . . .	6
77. Payment for Previous Service . . . . .	6
78. Installation Charges . . . . .	6
79. Installation of Services . . . . .	7
80. Changes in Customer's Equipment . . . . .	7

	<u>Page</u>
81. Size and Location . . . . .	7
82. Curb Cock . . . . .	7
83. Domestic, Commercial and Industrial Service Connection . . . . .	8
84. Service Connections . . . . .	8
ARTICLE 6. APPLICATION FOR REGULAR WATER SERVICE - WHEN MAIN EXTENSION REQUIRED . . . . .	8
100. Application for Main Extension . . . . .	8
101. General . . . . .	9
102. Determination . . . . .	9
103. Advance Cost . . . . .	9
104. Facilities Exceeding Needs . . . . .	10
105. Specifications and Construction . . . . .	10
106. Adjustment . . . . .	10
107. Extensions by District . . . . .	10
ARTICLE 7. SUBDIVISIONS . . . . .	10
120. Application . . . . .	10
121. Id.-Contents . . . . .	10
122. Investigation . . . . .	10
123. Subdivisions, Tracts or Housing Projects-- Deposit . . . . .	11
124. Specifications and Construction . . . . .	11
125. Adjustment . . . . .	11
126. Property of District . . . . .	11
127. Connections . . . . .	11
ARTICLE 8. GENERAL USE REGULATIONS . . . . .	11
140. Number of Services per Premises . . . . .	11
141. Water Waste . . . . .	11
142. Responsibility for Equipment on Customer Premises . . . . .	11
143. Damage to Water System Facilities . . . . .	12
144. Ground-wire Attachments . . . . .	12
145. Control Valve on the Customer Property . . . . .	12
146. Cross-connections . . . . .	12
147. Id.--Special Cases . . . . .	13
148. Relief Valves . . . . .	13
149. Back Flow Device . . . . .	13
150. Id.--Inspection . . . . .	13
151. Id.--Discontinued Service . . . . .	13
152. Interruption in Service . . . . .	13
153. Ingress and Egress . . . . .	14
ARTICLE 9. METERS . . . . .	14
160. Installations . . . . .	14
161. Change in Location of Meters . . . . .	14
162. Meter Tests--Deposit . . . . .	14
163. Adjustment for Meter Errors--Fast Meters . . . . .	15
164. Adjustment for Meter Errors--Slow Meters . . . . .	15
165. Non-registering Meters . . . . .	15
166. Damage to Meters . . . . .	15
ARTICLE 10. CREDIT . . . . .	15
175. Establishment and Maintenance . . . . .	15
176. Guarantee Deposit . . . . .	15

	<u>Page</u>
177. Loss and Reestablishment of Credit . . . . .	16
178. Return of Guarantee Deposit . . . . .	16
179. Deposit by Other Than Owner . . . . .	16
ARTICLE 11. BILLING . . . . .	16
185. Billing Period . . . . .	16
186. Meter Reading . . . . .	16
187. Opening and Closing Bills . . . . .	16
188. Water Charges . . . . .	17
189. Payment of Bills . . . . .	17
190. Billing of Separate Meters Not Combined . . . . .	17
191. Consumer's Guarantee . . . . .	17
192. Water Used Without Regulation Application Being Made . . . . .	18
193. Damages Through Leaking Pipes and Fixtures . . . . .	18
ARTICLE 12. DISCONTINUANCE OF SERVICE . . . . .	18
200. Disconnection for Non-payment . . . . .	18
201. Reconnection . . . . .	18
202. Reconnection Charge . . . . .	19
203. Unsafe Apparatus . . . . .	19
204. Cross-connections . . . . .	19
205. Fraud or Abuse . . . . .	19
206. Non-compliance With Regulations . . . . .	19
207. Upon Vacating Premises . . . . .	19
ARTICLE 13. COLLECTION BY SUIT . . . . .	19
210. Penalty . . . . .	19
211. Suit . . . . .	19
212. Costs . . . . .	19
ARTICLE 14. PUBLIC FIRE PROTECTION . . . . .	19
220. Use of Fire Hydrants . . . . .	19
221. Hydrant Rental . . . . .	20
222. Moving of Fire Hydrants . . . . .	20
ARTICLE 15. PRIVATE FIRE PROTECTION SERVICE . . . . .	20
230. Payment of Cost . . . . .	20
231. No Connection to Other System . . . . .	20
232. Use . . . . .	20
233. Meter Rates . . . . .	20
234. Monthly Rates . . . . .	21
235. Water for Fire Storage Tanks . . . . .	21
236. Violation of Agreement . . . . .	21
237. Water Pressure and Supply . . . . .	21
238. Rules . . . . .	21
(a) Valve . . . . .	21
(b) Meter . . . . .	21
(c) Additional Service . . . . .	21
(d) Check Valve . . . . .	22
ARTICLE 16. TEMPORARY SERVICE . . . . .	22
250. Duration of Service . . . . .	22
251. Deposit . . . . .	22
252. Installation and Operation . . . . .	22
253. Responsibility for Meters and Installations . . . . .	22
254. Supply From Fire Hydrant . . . . .	23

	<u>Page</u>
255. Unauthorized Use of Hydrants . . . . .	23
256. Rates . . . . .	23
257. Credit . . . . .	23
ARTICLE 17. GENERAL PROVISIONS . . . . .	23
260. Pools and Tanks . . . . .	23
261. Responsibility for Equipment . . . . .	23
ARTICLE 18. RATES . . . . .	24
270. Rate Schedule . . . . .	24
ARTICLE 19. TIME OF TAKING EFFECT . . . . .	24

ORDINANCE NO. 4

ESTABLISHING RATES, RULES AND REGULATIONS  
FOR WATER SERVICE BY THE SUNNYSLOPE COUNTY  
WATER DISTRICT

BE IT ORDAINED by the Board of Directors of the Sunnyslope County Water District, San Benito County, California, as follows:

ARTICLE 1. GENERAL PROVISIONS

1. Short Title. This Ordinance shall be known and may be cited as "Sunnyslope County Water District Water Ordinance."

2. Words and Phrases. For the purpose of this Ordinance, all words used herein in the present tense shall include the future; all words in the plural number shall include the singular number; and all words in the singular number shall include the plural number.

3. Water System. The District will furnish a system, plant, works and undertaking used for and useful in obtaining, conserving and disposing of water for public and private uses, including all parts of the Water System, all appurtenances to it, and lands, easements, rights in land, water rights, contract rights, franchises, and other water supply, storage and distribution facilities and equipment.

4. Separability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

5. Pressure Conditions. All applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection, and to hold the District harmless for any damages arising out of low pressure or high pressure conditions or interruptions in service.

6. Maintenance of Water Pressure and Shutting Down for Emergency Repairs. The Board shall not accept any responsibility for the maintenance of pressure and it reserves the right to

discontinue service while making emergency repairs and shut-downs required in the operation of the water system. Consumers dependent upon a continuous supply should provide emergency storage.

7. Tampering with District Property. No one except an employee or representative of the Board shall at any time in any manner operate the curb cocks or valves (except to repair or change private plumbing), main cocks, gates or valves of the District's system; or interfere with meters or their connections, street mains or other parts of the water system.

8. Penalty for Violation. For the failure of the customer to comply with all or any part of this ordinance, and any ordinance, resolution or order fixing rates and charges of this District, a penalty for which has not hereafter been specifically fixed, the customer's service shall be discontinued and the water shall not be supplied such customer until he shall have complied with the rule or regulation, rate or charge which he has violated or, in the event that he cannot comply with said rule or regulation, until he shall have satisfied the District that in the future he will comply with all the rules and regulations established by ordinance of the District and with all rates and charges of this District.

9. Ruling Final. All rulings of the Board shall be final. All rulings of the General Manager shall be final unless appealed in writing to the Board within five (5) days. When appealed, the Board's ruling shall be final.

#### ARTICLE 2. DEFINITIONS

25. Board means the Board of Directors of the District.

26. Connection means the pipeline and appurtenant facilities such as the curb stop, meter and meter box, all used to extend water service from a main to premises, the laying thereof and the tapping of the main. Where services are divided at the curb or property line to serve several customers, each such branch service

shall be deemed a separate service.

27. Cost means the cost of labor, material, transportation, supervision, engineering, and all other necessary overhead expenses.

28. Cross-connection means any physical connection between the piping system from the District service and that of any other water supply that is not, or cannot be, approved as safe and potable for human consumption, whereby water from the unapproved source may be forced or drawn into the District distribution mains.

29. District means Sunnyslope County Water District.

30. Main means a water line in a street, highway, alley or easement used for public and private fire protection and for general distribution of water.

31. Person means an individual or a company, association, co-partnership or public or private corporation.

32. Premises means a lot or parcel of real property under one ownership, except where there are well-defined boundaries or partitions such as fences, hedges or other restrictions preventing the common use of the property by the several tenants, in which case each portion shall be deemed separate premises. Apartment houses and office buildings may be classified as single premises.

33. Private Fire Protection Service means water service and facilities for building sprinkler systems, hydrants, hose reels and other facilities installed on private property for fire protection and the water available therefor.

34. Public Fire Protection Service means the service and facilities of the entire water supply, storage and distribution system of the District, including the fire hydrants affixed thereto, and the water available for fire protection, excepting house service connections and appurtenances thereto.

35. Owner means the person owning the fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the County Recorder's Office, or the person in

possession of the property or buildings under claim of, or exercising acts of ownership over same for himself, or as executor, administrator, guardian or trustee of the owner.

36. Regular Water Service means water service and facilities rendered for normal domestic, commercial and industrial purposes on a permanent basis, and the water available therefor.

37. Temporary Water Service means water service and facilities rendered for construction work and other uses of limited duration, and the water available therefor.

38. Water Department means the Board of Directors of the District performing functions related to the District water service, together with the General Manager, the Water Superintendent and the Office Manager, and other duly authorized representatives.

### ARTICLE 3. NOTICES

45. Notices to Customers. Notices from the District to a customer will normally be given in writing, and either delivered or mailed to him at his last known address. Where conditions warrant and in emergencies, the District may resort to notification either by telephone or messenger.

46. Notices from Customers. Notice from the customer to the District may be given by him or his authorized representative in writing (1) at the District's operating office, (2) to the General Manager, or (3) to the Water Superintendent.

### ARTICLE 4. WATER DEPARTMENT

50. Creation. A Water Department is hereby created comprising the Directors, the General Manager, a Water Superintendent, and an Office Manager.

51. General Manager. The General Manager, as provided in the Water Code, shall have full charge and control of the maintenance, operation and construction of the water works and system. He shall have full power and authority to employ and discharge all employees and assistants at pleasure. He shall prescribe the duties of employees and assistants. He shall fix and alter the



compensation of employees and assistants subject to approval by the Board. He shall have charge of all employees and assistants. He shall perform such other duties as are imposed from time to time by the Board, and shall report to the Board in accordance with the rules and regulations adopted by the Board.

52. Office Manager. The position of Office Manager is hereby created. He shall have charge of the office of the District and of the billing for and collecting the charges herein provided. He shall perform such other duties as shall be determined by the General Manager.

53. Id.--Duties. The Office Manager shall compute, prepare and mail bills as hereinafter prescribed, make and deposit collections, maintain proper books of account, collect, account for, and refund deposits, do whatever else is necessary or directed by the District Auditor to set up and maintain an efficient and economical bookkeeping system, and perform any other duties now or hereafter prescribed by the Board.

54. Water Superintendent. The position of Water Superintendent is hereby created. He shall regularly inspect all physical facilities related to the District water system, to see that they are in good repair and proper working order, and to note violations of any water regulations.

55. Id.--Violation, Repairs. He shall promptly report any violation or disrepair to the General Manager. If the work required is in the nature of an emergency, he shall take whatever steps are necessary to maintain service to consumers pending action by the General Manager.

56. Id.--Supervision. He shall supervise all repair or construction work authorized by the Board or the General Manager, and perform any other duties prescribed elsewhere in this ordinance or which shall be hereafter prescribed by the Board of the General Manager.

57. Performance of Duties. The foregoing duties of Water Superintendent and Office Manager may be performed by the General Manager or by an additional employee or employees.

ARTICLE 5. APPLICATION FOR REGULAR WATER SERVICE

75. A property owner or his agent may make application for Regular Water Service on the following application form or by letter giving the same information:

SUNNYSLOPE COUNTY WATER DISTRICT

APPLICATION FOR WATER SERVICE

Name	_____	Location of premises	_____
Mailing	_____	to be served	_____
Address	_____	Date Service	_____
		Required	_____
		Size of	_____
		Meter	_____

By signing this application, the applicant agrees to observe any District regulations now or hereafter adopted related to the water service and to pay water bills promptly.

(Owner) \_\_\_\_\_  
 (Agent) \_\_\_\_\_  
 (Title) \_\_\_\_\_

*Received*

76. Undertaking of Applicant. Such application will signify the customers' willingness and intention to comply with this and other ordinances or regulations relating to the regular water service and to make payment for water service required.

77. Payment for Previous Service. An application will not be honored unless payment in full has been made for water service previously rendered to the applicant by the District.

78. Installation Charges. Where a regular charge has been fixed for the type of service connection desired, such regular charge shall be paid in advance by the applicant. Where there is no regular charge, the District reserves the right to require the applicant to deposit an amount equal to the estimated cost of such service connection. The schedule of regular service connection charges is as follows:

*Rev. Ord. No. 7  
 adopted 5/9/57  
 Ord. No. 8  
 9/12/57*

<u>Size of Service</u>	<u>Before October 1, 1955</u>	<u>After October 1, 1955</u>
3/4"	\$ 75	\$100
1"	100	125
1-1/2"	125	150- 200
2"	175	200

All service connections of sizes larger than 2" shall be made at cost plus 10%. No service connections to properties outside the boundaries of the District shall be made without prior approval of such connection by the Board. The granting of permission for such outside connections shall be optional with the Board. Only duly authorized employees or agents of the District will be authorized to install service connections.

79. Installation of Services. Regular water services will be installed at the location desired by the applicant of the size determined by the Water Department. Service installations will be made only to property abutting on distribution mains as have been constructed in public streets, alleys or easements, or to extensions thereof as herein provided. Services installed in new subdivisions prior to the construction of streets or in advance of street improvement must be accepted by the applicant in the installed location.

80. Changes in Customer's Equipment. Customers making any material change in the size, character or extent of the equipment or operations utilizing water service, or whose change in operations results in a large increase in the use of water, shall immediately give the District written notice of the nature of the change, and, if necessary, amend their application.

81. Size and Location. The District reserves the right to determine the size of service connections and their location with respect to the boundaries of the premises to be served. The laying of consumer's pipeline to the curb should not be done until the location of the service connection has been approved by the Superintendent.

82. Curb Cock. Every service connection installed by the District shall be equipped with a curb cock or wheel valve on the inlet side of the meter. Such valve or curb cock is intended for the exclusive use of the District in controlling the water supply through the service connection pipe. If the curb cock or wheel valve is damaged by the consumer's use to an extent requiring

replacement, such replacement shall be at the consumer's expense.

83. Domestic, Commercial and Industrial Service Connection.

It shall be unlawful to maintain a connection excepting in conformity with the following rules:

(a) Separate Building. Each house or building under separate ownership must be provided with a separate service connection. Two or more houses under one ownership and on the same lot or parcel of land may be supplied through the same service connection; provided that for each house under a separate roof which shall face a street an additional minimum will be applied to the single meter serving said houses, or a separate service connection may be provided for each building. The Board reserves the right to limit the number of houses or the area of land under one ownership to be supplied by one service connection.

(b) Single Connection. Not more than one service connection for domestic or commercial supply shall be installed for one building, except under special conditions.

(c) Different Owners. A service connection shall not be used to supply adjoining property of a different owner or to supply property of the same owner across a street or alley.

(d) Divided Property. When property provided with a service connection is divided, each service connection shall be considered as belonging to the lot or parcel of land which it directly enters.

84. Service Connections. The service connections extending from the water main to the property line and including the meter, meter box and curb cock or wheel valve, shall be maintained by the District. All pipes and fixtures extending or lying beyond the property line shall be installed and maintained by the owner of the property.

ARTICLE 6. APPLICATION FOR REGULAR WATER SERVICE -  
WHEN MAIN EXTENSION REQUIRED

100. Application for Main Extension. The following rules are established for making main extensions:

(a) Application. Any owner of one or more lots or parcels of land desiring the extension of one or more water mains, to serve such property, shall make a written application therefor to the District, said application to contain the legal description of the property to be served and any additional information which may be required by the District, and be accompanied by a map showing the location of the proposed connections.

(b) Investigation. Upon receipt of the application, the General Manager shall make an investigation and survey of the proposed extension and shall report his findings to the Board, including the estimated cost thereof.

(c) Ruling. The Board shall thereupon consider said application and report, and after such consideration, reject or approve it.

(d) District Lines. All extensions thus provided for, in accordance with these regulations, shall be and remain the property of the District.

(e) Dead-end Lines. No dead-end lines shall be permitted, except at the discretion of the Water Superintendent, and in cases where circulation lines are necessary they shall be designed and installed by the Water Department as a part of the cost of the extension.

101. General. The District will provide all main extensions upon application for service.

102. Determination. If, in the opinion of the Board, the cost thereof is in excess of what it is prepared to advance, or it questions the economic advantage to the District of making such advance, it shall determine the cost of such line.

103. Advance Cost. When the Board so determines, the applicant shall advance the amount of such estimate, and the line shall be installed by the District.

104. Facilities Exceeding Needs. Should the Water Department desire to install facilities greater than are needed to meet the applicant's service demands, the cost of the excess size of facilities shall be borne by the District, unless the Board shall determine that the increased size is necessary to serve the applicant.

105. Specifications and Construction. The size, type and quality of materials and location of the lines shall be specified by the Water Department and the actual construction will be done by the Water Department or by a contractor acceptable to it, supervised and inspected by the Water Superintendent.

106. Adjustment. Adjustment of any substantial difference between the estimated and reasonable actual total installed cost thereof shall be made after the completion of the installation. The District shall be paid the amount of any excess cost and shall refund the amount of any saving.

107. Extensions by District. The Water Department may make extensions to the facilities constructed under this Article without obligation to applicant.

*See 108 added by Ord. No. 12 11/14/68*  
*See 109 & 110 added by Ord. No. 426/69*

ARTICLE 7. SUBDIVISIONS

120. Application. A person desiring to provide a water system within a tract of land which he proposes to subdivide shall make written application therefor.

121. Id.--Contents. The application shall state the number of the tract, the name of the subdivision, and its location. It shall be accompanied by a copy of the final map, and of the plans, profiles and specifications for the street work therein.

122. Investigation. Upon receiving the application, the General Manager shall make an investigation and survey of the proposed subdivision and shall report his findings to the Board, including a recommendation as to the facilities required and the estimated cost of the proposed water system therefor.

123. Subdivisions, Tracts or Housing Projects--Deposit.

Subdividers will be required to advance to the District 112% of the estimated cost of the labor and material necessary to install the main lines, valves, service connections and fire hydrants within the subdivision. Fire hydrants shall be so located that each lot is within a reasonable distance of a hydrant as determined by the Board.

124. Specifications and Construction. The size, type and quality of materials and location of the lines shall be specified by the Water Department and the actual construction will be done by the Water Department or by a contractor acceptable to it, supervised and inspected by the Water Superintendent.

125. Adjustment. Adjustments of any substantial difference between the estimated and actual number of feet of line installed shall be made at or before the completion of the installation, and any excess shall be refunded to the subdivider and any shortage will be paid by him to the District.

126. Property of District. All facilities shall be the property of the District.

127. Connections. The subdivider shall, at his cost, provide all connections to houses constructed by him, as herein provided.

*Sec. 128 added by  
Ord. No. 12  
11/14/68*

ARTICLE 8. GENERAL USE REGULATIONS

140. Number of Services per Premises. The applicant may apply for as many services as may be reasonably required for his premises provided that the pipeline system for each service be independent of the others and that they not be interconnected.

141. Water Waste. No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the District may discontinue the service if such conditions are not corrected within five days after giving the customer written notice.

142. Responsibility for Equipment on Customer Premises. All facilities installed by the District on private property for the

purpose of rendering water service shall remain the property of the District and may be maintained, repaired or replaced by the Water Department without consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in the protection of the facilities. No payment shall be made for placing or maintaining said facilities on private property.

143. Damage to Water System Facilities. The customer shall be liable for any damage to the service facilities when such damage is from causes originating on the premises by an act of the customer or his tenants, agents, employees, contractors, licensees or permittees, including the breaking or destruction of locks by the customer or others on or near a meter, and any damage to a meter that may result from hot water or steam from a boiler or heater on the customer's premises. The District shall be reimbursed by the customer for any such damage promptly on presentation of a bill.

144. Ground-wire Attachments. All individuals or business organizations are forbidden to attach any ground-wire or wires to any plumbing which is or may be connected to a service connection or main belonging to the District. The District will hold the customer liable for any damage to its property occasioned by such ground-wire attachments.

145. Control Valve on the Customer Property. The customer shall provide a valve on his side of the service installation, as close to the meter location as practicable, to control the flow of water to the piping on his premises. The customer shall not use the service curb stop to turn water on and off for his convenience.

146. Cross-Connections. The customer must comply with State and Federal laws governing the separation of dual water systems or installations of back flow protective devices to protect the public water supply from the danger of cross-connections. Back flow protective devices must be installed as near the service as possible and shall be open to test and inspection by the Water Department. Plans



for installation of back flow protective devices must be approved by the Water Department prior to installation.

147. Id.--Special Cases. In special circumstances, when the customer is engaged in the handling of especially dangerous or corrosive liquids or industrial or process waters, the District may require the customer to eliminate certain plumbing or piping connections as an additional precaution and as a protection to the back flow protective devices.

148. Relief Valves. As a protection to the customer's plumbing system, a suitable pressure relief valve must be installed and maintained by him, at his expense, when check valves or other protective devices are used. The relief valve shall be installed between the check valves and the water heater.

149. Back Flow Device. Whenever back flow 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 mains entering such premises, buildings or structures shall be protected by an approved back flow device, regardless of the use of the additional water supply lines.

150. Id.--Inspection. The double check valve or other approved back flow protection devices may be inspected and tested periodically for water tightness by the District. The devices shall be serviced, overhauled, or replaced whenever they are found defective and all costs of repair and maintenance shall be borne by the customer.

151. Id.--Discontinued Service. The service of water to any premises may be immediately discontinued by the District if any defect is found in the check valve installations or other protective devices, or if it is found that dangerous unprotected cross-connections exist. Service will not be restored until such defects are corrected.

152. Interruptions in Service. The District shall not be liable for damage which may result from an interruption in service

from a cause beyond the control of the Water Department.

153. Ingress and Egress. Representatives from the Water Department shall have the right of ingress and egress to the customer's premises at reasonable hours for any purpose reasonably connected with the furnishing of water service.

#### ARTICLE 9. METERS

160. Installations. All services shall be metered. The sum of money to be determined, as heretofore set forth, shall be paid to the District prior to the installation of the meter. Meters will be installed in the street or sidewalk area, and shall be owned by the District and installed and removed at its expense. No rent or other charge will be paid by the District for a meter or other facilities, including connections. All meters will be sealed by the District at the time of installation, and no seal shall be altered or broken except by one of its authorized employees or agents.

161. Change in Location of Meters. Meters moved for the convenience of the customer will be relocated at the customer's expense. Meters moved to protect the District's property will be moved at its expense. If the lateral distance which the customer desires to have the meter moved exceeds eight feet (8'), he will be required to pay for new service at the desired location.

162. Meter Tests--Deposit. All meters will be tested prior to installation and no meter will be installed which registers more than two per cent (2%) fast. If a customer desires to have the meter serving his premises tested, he shall first deposit Two Dollars (\$2) for meters up to one inch (1") in size and Five Dollars (\$5) for meters larger than one inch (1") in size and shall be present when the meter is tested in the meter shop of the Water Department. Should the meter register more than two per cent (2%) fast, the deposit will be refunded, but should the meter register less than two per cent (2%) fast, the deposit will be retained by the Water Department.

163. Adjustment for Meter Errors--Fast Meters. If a meter tested at the request of a customer is found to be more than two per cent (2%) fast, the excess charges for the time service was rendered the customer requesting the test, or for a period of six months, whichever shall be the lesser, shall be refunded to the customer.

164. Adjustment for Meter Errors--Slow Meters. If a meter tested at the request of a customer is found to be more than twenty-five per cent (25%) slow in the case of domestic services, or more than five per cent (5%) slow for other than domestic services, the District may bill the customer for the amount of the undercharge based upon corrected meter readings for the period, not exceeding six months, that the meter was in use.

165. Non-Registering Meters. If a meter is found to be not registering, the charges for service shall be at the minimum monthly rate or based on the estimated consumption, whichever is greater. Such estimates shall be made from previous consumption for a comparable period or by such other method as is determined by the Water Department and its decision shall be final.

166. Damage to Meters. The Board reserves the right to set and maintain a meter on any service connection. The water consumer shall be held liable, however, for any damage to the meter due to his negligence or carelessness and in particular for damage caused by hot water or steam from the premises.

#### ARTICLE 10. CREDIT

175. Establishment and Maintenance. Each applicant for service shall establish and maintain credit to the satisfaction of the Water Department by a cash guarantee deposit, as hereinafter provided, or otherwise, before service will be rendered.

176. Guarantee Deposit. The amount of deposit required will be equal to twice the amount of the estimated billing for the regular billing period. No interest will be paid on guarantee deposits.

177. Loss and Reestablishment of Credit. Any amount due for water service that remains unpaid for twenty (20) days after presentation of a bill therefor, during the depositor's first year of service, may be deducted from the guarantee deposit, and service shall be subject to discontinuance until the deposit is again restored to the original amount. Any such unpaid amount accruing subsequently to the depositor's first year of service, where the premises are owned by the depositor, may also be deducted from any guarantee deposit remaining in the Water Department's possession.

178. Return of Guarantee Deposit. A guarantee deposit with the Water Department made by a consumer who owns the premises for which the deposit was made, and whose account has not been in arrears at any time during the first year of said deposit, is returnable after the expiration of said year. If the service is discontinued in less than a year, the deposit will be returned provided all outstanding bills against the consumer for water service have been paid. Any deposit uncalled for within five years from the date when made will become the property of and be retained by the Water Department.

179. Deposit by Other Than Owner. Deposits made by applicants other than the owner shall be refunded only on discontinuance of service.

#### ARTICLE 11. BILLING

185. Billing Period. The regular billing period will be annually, monthly or bi-monthly at the option of the District.

186. Meter Reading. Meters will be read as nearly as possible on the same day of each month. Billing periods containing less than twenty-seven (27) days or more than thirty-three (33) days for bills rendered monthly or less than fifty-four (54) days and more than sixty-six (66) days for bills rendered bi-monthly, will be prorated.

187. Opening and Closing Bills. Opening and closing bills for less than the normal billing period shall be prorated both as to

minimum charges and quantity blocks. If the total period for which service is rendered is less than one month, the bill shall not be less than the monthly minimum charge applicable. Closing bills may be estimated by the Water Department for the final period as an expediency to permit the customer to pay the closing bill at the time service is discontinued.

188. Water Charges. Water charges are due and payable at the office of the District on the date of mailing the bill to the property owner or his agent as designated in the application, and delinquent fifteen days after the Post Office cancellation date. Service may be discontinued without further notice if payment is not made by the delinquent date.

189. Payment of Bills. Bills for metered water service shall be rendered at the end of each billing period. Flat rate services, if any, shall be billed in advance. Bills shall be payable on presentation. On each bill for water service rendered by the District shall be printed substantially the following: "If this bill is not paid within fifteen (15) days after the Post Office cancellation date of this card, service may be discontinued. A reconnection charge and penalties will be made and collected prior to renewing service following a discontinuance."

190. Billing of Separate Meters Not Combined. Separate bills will be rendered for each meter installation except where the Water Department has, for its own convenience, installed two or more meters in place of one meter. Where such installations are made the meter readings will be combined for billing purposes.

191. Consumer's Guarantee. The water charge begins when a service connection is installed and the meter is set, unless the water is ordered to be left shut off when the service connection is ordered to be installed. Before water is turned on by the District for any purpose whatever, the property owner must sign a form in which he guarantees payment of future water bills for the service required.

The person signing the guarantee form or meter set form will be held liable for water used until the Board is notified in writing to discontinue service or to transfer the account to another property owner.

192. Water Used Without Regulation Application Being Made.

A person taking possession of premises and using water from an active service connection without having made application to the District for water service, shall be held liable for the water delivered from the date of the last recorded meter reading, and if the meter is found inoperative the quantity consumed will be estimated. If proper application for water service is not made upon notification to do so by the District, and if accumulated bills for service are not paid immediately, the service may be discontinued by the District without further notice.

193. Damages Through Leaking Pipes and Fixtures. When turning on the water supply as requested and the house or property is vacant, the District will endeavor to ascertain if water is running on the inside of the building. If such is found to be the case, the water will be left shut off at the curb cock on the inlet side of the meter. The Board's jurisdiction and responsibility ends at the property line and the Board will in no case be liable for damages occasioned by water running from open or faulty fixtures, or from broken or damaged pipes inside the property line.

ARTICLE 12. DISCONTINUANCE OF SERVICE

200. Disconnection for Non-payment. Service may be discontinued for non-payment of bills on or before the fifteenth day following the date of Post Office cancellation. The service will not be discontinued, however, until the amount of the deposit made to establish credit for that service has been fully absorbed.

201. Reconnection. Failure to receive bill does not relieve consumer of liability. Any amount due shall be deemed a debt to the District, and any person, firm or corporation failing, neglecting or

refusing to pay said indebtedness shall be liable to an action in the name of the District in any court of competent jurisdiction for the amount thereof.

202. Reconnection Charge. A reconnection charge of Three Dollars (\$3) plus penalties will be made and collected prior to renewing service following a discontinuance.

203. Unsafe Apparatus. Water service may be refused or discontinued to any premises where apparatus or appliances are in use which might endanger or disturb the service to other customers.

204. Cross-connections. Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of State or Federal laws.

205. Fraud or Abuse. Service may be discontinued if necessary to protect the District against fraud or abuse.

206. Non-compliance With Regulations. Service may be discontinued for non-compliance with this or any other ordinance or regulation relating to the water service.

207. Upon Vacating Premises. Customers desiring to discontinue service should so notify the Water Department two (2) days prior to vacating the premises. Unless discontinuance of service is ordered, the customer shall be liable for charges whether or not any water is used.

#### ARTICLE 13. COLLECTION BY SUIT

210. Penalty. Rates and charges which are not paid on or before the day of delinquency shall be subject to a penalty of twenty-five cents (25¢) every sixty (60) days.

211. Suit. All unpaid rates and charges and penalties herein provided may be collected by suit.

212. Costs. Defendant shall pay all costs of suit in any judgment rendered in favor of District.

#### ARTICLE 14. PUBLIC FIRE PROTECTION

220. Use of Fire Hydrants. Fire hydrants are for use by the District or by organized fire protection agencies pursuant to contract

with the Dostrict. Other parties desiring to use fire hydrants for any purpose must first obtain written permission from the Water Department prior to use and shall operate the hydrant in accordance with instructions issued by the Water Department. Unauthorized use of hydrants will be prosecuted according to law.

221. Hydrant Rental. A charge, to be determined by contract between the District and organized fire protection agencies, will be imposed for hydrant maintenance and water used for public fire protection.

222. Moving of Fire Hydrants. When a fire hydrant has been installed in the location specified by the proper authority, the District has fulfilled its obligation. If a property owner or other party desires a change in the size, type or location of the hydrant, he shall bear all costs of such changes, without refund. Any change in the location of a fire hydrant must be approved by the proper authority.

#### ARTICLE 15. PRIVATE FIRE PROTECTION SERVICE

230. Payment of Cost. The applicant for private fire protection service shall pay the total actual cost of installation of the service from the distribution main to the customer's premises including the cost of a detector check meter or other suitable and equivalent device, valve and meter box, said installation to become the property of the District. The District may agree to install the connection and meter at cost plus ten per cent (10%).

231. No Connection to Other System. There shall be no connections between this fire protection system and any other water distribution system on the premises.

232. Use. There shall be no water used through the fire protection service except to extinguish fires and for testing the fire fighting equipment.

233. Meter Rates. Any consumption recorded on the meter will be charged for at double the regular service rates except that no charge will be made for water used to extinguish fires



where such fires have been reported to the duly authorized fire protection agency.

234. Monthly Rates. The monthly rates for private fire protection shall be established by the District Board upon receipt of application.

235. Water for Fire Storage Tanks. Occasionally water may be obtained from a private fire service for filling a tank connected with the fire service, but only if written permission is secured from the District in advance and an approved means of measurement is available. The regular water rates will be applied.

236. Violation of Agreement. If water is used from a private fire service in violation of the agreement or of these regulations, the District may, at its option, discontinue and remove the service.

237. Water Pressure and Supply. The District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and merely agrees to furnish such quantities and pressures as are available in its general distribution system. The service is subject to shutdowns and variations required by the operation of the system.

238. Rules. The following rules shall apply to fire service connections:

(a) Valve. When a fire service connection is installed, the valve governing same will be closed and sealed and remain so until a written order is received from the owner of the premises to have the water turned on.

(b) Meter. If the District does not require a meter, and if water is used through a fire service connection for any other purpose than extinguishing of fires, it shall have the right to place a meter on the fire service connection and at the owner's expense, or shut off the entire water supply from such premises.

(c) Additional Service. The District shall have the right to take a domestic, commercial or industrial service connection from the fire service connection at the curb to supply the same

premises as those to which the fire service connection belongs. The Board shall also have the right to determine the proportion of the installation costs properly chargeable to each service connection, if such segregation of costs shall become necessary.

(d) Check Valve. The Board reserves the right to install on all fire service connections a check valve of a type approved by the National Board of Fire Underwriters, and to equip the same with a by-pass meter at the expense of the owner of the property.

#### ARTICLE 16. TEMPORARY SERVICE

250. Duration of Service. Temporary service connections shall be disconnected and terminated within six months after installation unless an extension of time is granted in writing by the District.

251. Deposit. The applicant shall deposit, in advance, the estimated cost of installing and removing the facilities required to furnish said service exclusive of the cost of salvageable material. Upon discontinuance of service, the actual cost shall be determined and an adjustment made as an additional charge, refund or credit. If service is supplied through a fire hydrant, the applicant will be charged in accordance with the following rate schedule:

Flat charge per connection, for both installation and removal of service facilities, including the meter:	\$15
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Each additional move of facilities to another location:	\$ 5
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252. Installation and Operation. All facilities for temporary service to the customer connection shall be made by the Water Department and shall be operated in accordance with its instructions.

253. Responsibility for Meters and Installations. The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of the District which are involved in furnishing temporary service from the time they are installed

until they are removed, or until 48 hours' notice in writing has been given to the District that the contractor or other person is through with the meter or meters and the installation. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the customer.

254. Supply From Fire Hydrant. An applicant for temporary use of water from a fire hydrant must secure a permit therefor from the District and pay the regular fee charged for the installation and removal of a meter to be installed on said hydrant; provide himself with a hydrant wrench necessary to operate such hydrant, or pay the Board Five Dollars (\$5) for the loan of such equipment, and pay for the water used in accordance with the meter readings, at the rates prescribed by the Board.

255. Unauthorized Use of Hydrants. Tampering with any fire hydrant for the unauthorized use of water therefrom, or for any other purpose, is a misdemeanor, punishable by law.

256. Rates. The rates for regular service shall be increased by fifty per cent (50%) for temporary service. The minimum charge for water shall be Four Dollars (\$4).

257. Credit. The applicant shall pay the estimated cost of service in advance or shall be otherwise required to establish credit.

#### ARTICLE 17. GENERAL PROVISIONS

260. Pools and Tanks. When an abnormally large quantity of water is desired for filling a swimming pool or for other purposes, arrangements must be made with the District prior to taking such water. Permission to take water in unusual quantities will be given only if it can be safely delivered through the District's facilities and if other consumers are not inconvenienced thereby.

261. Responsibility for Equipment. The customer shall, at his own risk and expense, furnish, install and keep in good and safe condition all equipment that may be required for receiving, controlling,

applying and utilizing water, and the District shall not be responsible for any loss or damage caused by the improper installation of such equipment, or the negligence or wrongful act of the customer or of any of his tenants, agents, employees, contractors, licensees or permittees in installing, maintaining, operating or interfering with such equipment. The District shall not be responsible for damage to property caused by faucets, valves and other equipment that are open when water is turned on at the meter, either originally or when turned on after a temporary shutdown.

ARTICLE 18. RATES

270. Rate Schedule. Rates for water service are hereby established as follows:

Monthly Minimum Charges:

<u>Size of Meter</u>	<u>Inside District</u>	<u>Outside District</u>
5/8" x 3/4"	\$ 2.50	\$ 3.00
3/4"	3.00	4.00
1"	5.00	6.00
1-1/2"	8.00	10.00
2"	12.00	15.00
3"	20.00	25.00
4"	30.00	40.00

The Monthly Minimum Charge will entitle the customer to the quantity of water which the monthly minimum charge will purchase at the following Monthly Quantity Rates.

Monthly Quantity Rates:

	<u>Inside District</u>	<u>Outside District</u>
First 800 cu. ft. or less	\$ 2.50	\$ 3.50
Next 1200 cu. ft. per 100 cu. ft.	.25	.35
Next 3000 cu. ft. per 100 cu. ft.	.20	.30
Over 5000 cu. ft. per 100 cu. ft.	.15	.25

Whenever bills are rendered bi-monthly the bi-monthly minimums shall be double the monthly minimum charge and the blocks in the bi-monthly quantity rates shall be double the blocks for monthly billing but the quantity rates shall remain the same.

ARTICLE 19. TIME OF TAKING EFFECT

400. This ordinance shall take effect immediately on passage.

ROBERT A. RENZ  
President of the Board of Directors of  
the Sunnyslope County Water District

ATTEST:

FRANK A. HEINER  
Secretary

(SEAL)

*Rev. Ord. No. 11  
2/8/68*

*Article  
19 - Amended  
Change - added  
Ord No 13  
2/13/69*

*270 Ord No 13*

\* \* \* \* \*

I hereby certify that the foregoing ordinance was duly and regularly adopted and passed by the Board of Directors of the Sunnyslope County Water District at a regular meeting thereof held on the 8th day of September, 1955, by the following vote of the members thereof:

AYES, and in favor thereof, Directors: Bengard, Blakeway,  
Jones, Loofbourrow, Renz

NOES, Directors: None

ABSENT, Directors: None

FRANK A. HEINER  
Secretary

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