

**VALLEY SPRINGS
PUBLIC UTILITY DISTRICT**



**RULES AND
REGULATIONS**

WATER

WASTEWATER

Valley Springs Public Utility District
Post Office Box 284
Valley Springs, California 95252

Updated: October 1, 2021

**VALLEY SPRINGS
PUBLIC UTILITY DISTRICT**

PART I

WATER

**RULES AND
REGULATIONS**

RESOLUTION NO. 21-02 & 21-03

AND

ORDINANCE NO. 93-01

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**VALLEY SPRINGS PUBLIC UTILITY DISTRICT
RESOLUTION NO. 08-01**

**A RESOLUTION OF THE VALLEY SPRINGS PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS AMENDING RESOLUTION NO. 06-03
ESTABLISHING RATE SCHEDULES FOR VARIOUS FEES AND CHARGES
FOR WATER SERVICE**

WHEREAS, Section 5.8 of the Valley Springs Public Utility District Rules and Regulations requires the Board to fix various fees and charges for connections to District facilities; and

WHEREAS, Board has determined that the use water supply fixture units (WSFU) and drainage fixture units (DFU) as set forth in the current California Plumbing Code (CPC) shall be used in determining fees; and

WHEREAS, public hearing to consider fees and charges was held April 26, 2006, and

NOW, THEREFORE, BE IT RESOLVED that the following fees, rates, and charges for services and facilities furnished by District to any unit or use connected to or making use of the WATER SYSTEM of the District, are hereby established:

MONTHLY REGULAR RATE: \$ 30.50 monthly rate
 \$.75 each additional 1,000 gallons (1-17,000 gals.)
 \$ 1.50 each additional 1,000 gallons (17,001-75,000 gals.)
 \$ 2.00 each additional 1,000 gallons (over 75,000 gals.)

OUTSIDE DISTRICT RATES: \$35.00 first 5,000 gallons plus regular rates for all water in excess of 5,000 gallons.

MISCELLANEOUS USER RATES: \$100 first 3,500 gallons and \$50 each 1,000 gallons thereafter.

MOBILE HOME PARKS: \$ 30.50 per month for each lot-space occupied at any time during any month.
 \$.75 each additional 1,000 gallons (1-17,000 gals.)
 \$ 1.50 each additional 1,000 gallons (17,001-75,000 gals.)
 \$ 2.00 each additional 1,000 gallons (over 75,000 gals.)

SERVICE CONNECTION FEE: Actual cost to District for all work associated with connection of customer service line to District facilities.

ANNEXATION FEE: \$765 per acre.

BUY-IN FEE: \$775 per residential unit or \$50/WSFU.

(WSFU = Water Supply Fixture Unit per CPC)

CAPITAL IMPROVEMENT FEES BY TYPE OF USE:

<u>TYPE OF USE</u>	<u>FEE</u>
Residential Unit	\$3,500 / ESFRU
Multiple Family Dwelling Unit	\$3,500 / ESFRU
Hotel-Motel Units & Bed and Breakfasts	\$1,200 / Bedroom+ \$580 / Kitchen
Mobile Home Park	\$3,500 / SPACE
Restaurants & Markets	\$3,500 + \$185 / WSFU
Car Wash	\$4,700 + \$185 / WSFU
Laundromats	\$4,700 + \$185 / WSFU
All other Commercial Uses	\$3,500 + \$185 / WSFU
Remodeling or Expansion of Existing <u>Residential</u> Structure	\$140 / WSFU
Remodeling or Expansion of Existing <u>Commercial</u> Structure	\$2,500+\$150 / WSFU
Schools (per classroom)	\$3,500 + \$175 / WSFU
Industrial	\$3,500 + \$185 / WSFU
Commercial, Industrial, any use that may generate High waste volumes or impose high BOD loads.	\$3,500 + \$185 / WSFU

ESFRU = Equivalent Single Family Residential Unit

ESFRU is any residential structure that contains not more than 30 WSFU. Modifications to existing buildings may be charged a capital improvement fee as noted above based on “water supply fixture units” (WSFU) when the number of additional WSFUs is three or more.

Residential premises that contain more than 20 WSFUs shall be charged a capitol improvement fee determined as follows:

$$\frac{\text{TOTAL WSFU}}{20} \times \text{FEE (as set forth above)}$$

BE IT FURTHER RESOLVED that in addition to the above referenced fee, customer shall be responsible for the cost of the meter, materials, supplies and labor. Customer shall also be responsible for cost of extending main lines required to serve customers and all costs associated with connection to main.

BE IT FURTHER RESOLVED that any person or entity found connecting to District facilities or in any way drawing water from District facilities without first paying the required fee(s) shall then be required to pay double the required fee(s).

PASSED AND ADOPTED: 27th day of February, 2008.

ORDINANCE NO. 93-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF VALLEY SPRINGS PUBLIC UTILITY DISTRICT: ESTABLISHING RULES AND REGULATIONS GOVERNING THE OPERATION OF THE WATER SYSTEM OF THE DISTRICT AND FIXING CONDITIONS OF WATER SERVICE FURNISHED THEREFROM.

BE IT ORDAINED by the Board of Directors of Valley Springs Public Utility District, County of Calaveras, State of California, as follows:

SECTION 1. GENERAL POLICY

The Board of Directors of this District deems it in the best interest of the District, its inhabitants and customers, that all rates and charges for water service and rules and regulations for operation of the District's water supply system, together with procedure for and conditions of the furnishing of water service, all be set forth in writing for the future guidance of the District and its customers. Each regulation herein contained is duly adopted by this Board after due deliberation and is deemed necessary and proper for the orderly development and operation of the water system and the liquidation of bonded indebtedness of the District.

The District will furnish water service, in accordance with the rules and regulations herein contained; and in accordance with future amendments hereto and other applicable ordinances and resolutions not repealed hereby, to any property within the boundaries of the District and to such premises, properties, areas or locations outside the boundaries of the District that the Board of Directors hereof, in its sole discretion, may from time to time determine.

All charges for water shall be established by resolution of the Board.

1.1 SERVICE (Connection to Main Not Required)

Applications for service to premises for which a service connection has already been installed may be made as hereinafter set forth. Such applications will signify the customer's willingness and intention to comply with these regulations and all modifications thereof, and to new regulations, charges or rates duly adopted, and to make payment for services rendered.

1.2 SERVICE (Connection to Main Required)

When an application is made for service to property where no service connection has been installed, but a transmission or distribution main is adjacent to the property, the applicant, in addition to making application for service, shall comply with the regulations governing the installation for service connections. Applicant

shall make connection to main subject to approval and inspection by District. All main connection costs shall be responsibility of applicant.

1.3 SERVICE (Main Extension Required)

When extension of the distribution main is required or a substantial improvement is required to furnish service, all such extensions or improvements shall be made in accordance with the Improvement Standards of the District and shall be dedicated to the District in accordance with these Regulations and the policies of the District.

All District mains shall be extended across the frontage of all parcels served unless otherwise approved by the Board.

1.4 MANAGEMENT

The entire water system, including metering and measuring devices, shall be under the exclusive control and management of the District, and no connection thereto, or water service there from, shall be made or obtained except in accordance with the provisions of District Ordinances or rules and regulations now in effect or hereafter duly adopted.

Any person or entity found operating any facility set forth herein without first paying the required fees and obtaining proper authorization from District shall then be required to pay double the required fee, may be subject to termination of service, and shall be subjected to all fines and penalties allowed by the laws of the State, including prosecution under the Penal Code.

1.5 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 (5) calendar days after giving the customer written notice.

1.6 WATER CONSERVATION

When the Board declares drought conditions exist, indiscriminate running of water will not be allowed between June 1 and October 31. The following provisions, in addition to all other regulations, shall be enforced:

1. Watering of lawns or gardens between 9 a.m. and 6 p.m. will not be permitted.

2. All leaks, breaks, or malfunctions in the water user's plumbing or distribution system shall be fixed within 24 hours of discovery.
3. All washing of vehicles or boats shall be done through a quick acting shut-off nozzle.
4. All non self-service commercial car wash operators shall reclaim the soapy water solution or submit a conservation plan to District prior to operation.
5. All restaurants shall serve water to customers only on request.
6. Water shall not be used for cleaning building exteriors except with a bucket and sponge. A pressurized hose used for the sole purpose of preparing surfaces for repairing or repainting is exempt from this provision.
7. No water shall be used in publicly displayed ornamental fountains.
8. Hosing down driveways, parking lots, patios, and sidewalks will not be allowed.
9. Draining and refilling of existing swimming pools between June 1 and October 31 will not be allowed.

A "surcharge" fee up to \$100 for each day of a violation may be imposed by District for any violation of this Section. The surcharge fee may be added to the water bill.

1.7 ACCESS TO PREMISES

The District or its duly authorized agents shall at all reasonable times have the right to enter or leave the customer's premises for any purpose involved with the service of water to the customer.

Any inspection or recommendations made by the District or its agents on plumbing or appliances or use of water on the customer's premises, either as the result of a complaint or otherwise, will be made or offered without charge.

1.8 INTERRUPTIONS IN SERVICE

The District will not be liable for interruption, shortage, or insufficiency of supply, high pressures, low pressures, or for any loss or damage occasioned thereby, caused by accident, or act of nature, fire, strikes, riots, war, or other causes. The

District reserves the right to temporarily suspend delivery of water and it shall not be liable for any loss or damage occasioned thereby.

Repairs or improvements to District will be made as rapidly as is practical to cause the least inconvenience to the customers.

SECTION 2. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the terms used in this ordinance shall be as follows:

Applicant: An individual or agency applying for water service.

Board: The Board of Directors of the District.

Capital Improvement Fee: Fee established by District to retire debt, or expand and upgrade existing District facilities.

Commercial and Industrial Service: Provision of water to premises other than those defined as “Domestic Residential” which includes customers engaged in trade and manufacturing, fabricating and other processing activities.

Contractor: Any individual, partnership, firm or corporation licensed in the State of California to perform the type of work required, who has entered into a contract with any individual, partnership, firm, corporation, special district, or VSPUD, for the construction of any improvement or portions of any improvement authorized by VSPUD.

Cross Connection: Any unprotected connection between any part of the District water system used or intended to supply water for drinking purposes and any source or system containing water or substance that is not or cannot be approved as safe, wholesome, or potable for human consumption.

Customer: An individual or agency applying for water service or using water service.

Date of Presentation: The date upon which a bill or notice is mailed or delivered personally to the customer.

District: The Valley Springs Public Utility District.

Domestic Residential Service: Provision of water for all household residential purposes, including water for sprinkling lawns, gardens, and shrubbery; washing vehicles; and other general and customary purposes. For purposes of this ordinance and the regulations and rates established herein, a structure shall be deemed residential for service purposes only when connected to the District's system by standard meter as herein defined.

Fire Service - Private: Private fire protection service relates to water service to a private fire sprinkler system, private fire hydrant, or fire detector check system.

Fire Service - Public: Public fire protection service relates to fire hydrants connected to the distribution system and made available to designated fire protection agencies.

Improvement Standards: August 1984 Improvement Standards of the District and all modifications thereof.

Main Extensions: Extension of distribution pipelines exclusive of service connections and fire service, beyond existing facilities.

Mains: Distribution pipelines located in public or District easements or rights-of-way which are used to service the inhabitants thereof.

Manager: The general manager of the District or other person duly designated to perform the services or make the determinations permitted or authorized hereunder.

Meter Rate Service: Provision of water in measured quantities.

Premises: Premises shall mean a parcel of real property, including any improvements thereon, which is determined by the District to be a single unit for the purpose of receiving, using, and paying for service.

Priority: When any building or type of service hereunder is subject to more than one classification, the correct classification or classifications shall be that or those which return the greater or greatest amount of revenue to the District, until and unless ordered otherwise by the Board.

Service or Service Connection: The pipe, valve, and other facilities by means of which the District conducts water from its distribution mains to and through a meter or a single battery of meters. Said facilities shall

include the meter and meter box which belong to and remain the property of the District.

Service Connection Fees: Meter cost, charges imposed for cost of water meter and piping installation, inspection and testing, processing of water applications, but does not include service installation charges.

Service Installation: Installation of individual water services in accordance with District Standards.

Standard Meter: The standard or residential meter (minimum size) shall mean the $\frac{5}{8}$ " x $\frac{3}{4}$ " water service meter reading in gallons and of a type approved by the District.

Unclassified Service: The furnishing of water to publicly owned buildings or premises, or service to premises having unusual characteristics so far as water use is concerned, as determined by the Board.

Water System: All water pipelines, storage, treatment, and distribution facilities, rights of way, and other appurtenances acquired, maintained, or controlled by the District for the purposes of providing water service.

Water Rates and Charges: All schedules of water rates and charges including, without limitation, fees or charges for water services, the turn-on or turn-off of water, service connection fees, and installation charges.

SECTION 3. APPLICATION FOR SERVICE

Every applicant for water service shall be required to sign an application form provided by the District showing the date of application, location of premises to be served, name, address, date applicant desires service, and such other information as may be required.

The applicant for water service as used herein shall mean the owner of the real property to which the service is requested. The bill for such water service shall be sent to the owner of record of his successor in interest as shown on the official records as retained in the Calaveras County Recorder's Office.

The applicant shall be responsible for all delinquent and unpaid charges and related costs, and a lien may be recorded against said real property of owner for any delinquent water charges, interest, and penalties pursuant to Section 16472.1 of the Public Utilities Code of the State of California.

SECTION 4. CREDIT ESTABLISHMENT AND DEPOSITS ORD. 2004-01

Passed and Adopted May 26, 2004

Credit establishment and deposit payment, as a condition for service shall be between the owner of real property at the service address and the District.

Re-establishment of credit and deposit payments are required of all applicants whose service has been disconnected for any reason by the District, including non-payment of charges and non-compliance with other regulations set forth herein.

4.1 ESTABLISHMENT OF CREDIT

Each applicant, before receiving metered service, may be required to establish credit by either of the following methods:

1. A cash deposit to secure payment of water bills, as prescribed in the regulation on deposits, of not less than \$100.00.
2. The use of service for more than a year, during the last twelve (12) months of which the customer paid all water bills promptly without disconnection for non-payment.

4.2 RE-ESTABLISHMENT OF CREDIT

To re-establish credit, customer shall pay all back bills up to the time service was turned off. Customer shall be required to pay a turn-on charge and make a new cash deposit in the manner and amount above described.

4.3 UNPAID ACCOUNTS

Deposits prescribed herein may be applied to unpaid bills for service when such service has been discontinued. The District may require the customer to pay a deposit before again rendering service.

4.4 REFUND OR DISCHARGE OF DEPOSITS

Deposits, less the amount of any unpaid bills, delinquent charges and penalties, will be refunded without interest on discontinuance of service.

SECTION 5. SERVICE CONNECTIONS, PERMITS AND FEES (WATER), AND METERS ORD. NO. 2001-02 Passed and Adopted June 27, 2001

Service connections *and fees* shall be as set forth herein. Meter installation shall be in accordance with this section, District Standards, and shall be made as authorized by the District Manager. *All fees* shall be set by resolution of the Board.

5.1 GENERAL

Water service will be provided to premises *when* adequate water supply at proper pressure is *available* under conditions of maximum flow. Water service may be installed (where such *pressure* is not *available*) providing sufficient *water is available* to permit satisfactory use of a booster pump. All costs *for permits and fees* shall be paid by the customer prior to service. *Permit* costs and fees include:

1. Capitol improvement fee.
2. Service connection fee.
3. Credit deposit.
4. All costs to extend service from main to property.
5. Extension of District mains or other system improvements when required by Manager.
6. All costs for individual booster pumps when required.
7. Contribution toward “reimbursement” in accordance with Section 16.4 where applicable.
8. Annexation fee in accordance with Section 19.
9. Buy-in fee in accordance with Section 20.

The District meters all services and applies the established metered rate *for water* except in those instances where the District, in its sole discretion, deems *meter* installation inadvisable or injurious to District facilities.

The service connection (including the meter and meter box) is and shall remain the property of the District. The District reserves the right to repair, replace, and maintain, as well as to remove, the whole or any part thereof, upon discontinuance of water service or usage.

5.2 METER SIZE

The size of a water service may be limited to a standard $\frac{5}{8}$ " x $\frac{3}{4}$ " size (or other size approved by District) depending on the size of the main and required supply of water. Meter and service size and type approved by District. *All cost to install meter, service line and connection to District main are the responsibility of the water service applicant.* In the event applicant finds the meter and service inadequate, he/she shall pay all costs for any service connection changes.

5.3 SERVICE LOCATION

Water service connections may be installed at the location desired by the applicant, where such *locations* are in accordance with those regulations.

Service connections installed in new subdivisions shall be controlled by the provisions of the “Improvement Standards” and shall be accepted by the applicant at the installed location.

Meters may be installed at the curb, curb line, property line, or easement or right-of-way line, when required by the manager.

Service connections will be installed at 90° to the main and from a point directly opposite that of greatest use on the premises. Where one service connection serves two premises, the service connection will be installed at the property line separating the parcels.

5.4 CONTRACTORS APPROVED BY DISTRICT

Water services, meters, meter boxes, fire hydrants and private fire services will be installed only by contractors approved by the District. Service connection “turn-ons” shall be made or terminated by the District only.

No refunds will be made on the charges for water services, private fire services, or fire hydrant installations.

5.5 THE CUSTOMER’S HOUSE LINE OR CONNECTION

The customer’s water line from the meter to the building shall be installed and maintained by the customer, and must be maintained in a condition which will readily permit service renewal, a meter repair, or a meter replacement, without leakage. Water service shall not be allowed where a substandard premises waterline, water heater, water softener, water tank, or other water equipment exists.

5.6 BACKFLOW PREVENTION

In all instances, where the same are required by these regulations, customers shall install and maintain backflow prevention devices. Said backflow prevention devices must be installed in a protective enclosure and said devices and enclosures are the sole responsibility of the customer and shall be installed and maintained in accordance with the provisions of Section 17 hereof.

5.7 RESPONSIBILITY OF MAINTENANCE

The service connection, including the meter and the meter box, will be repaired and maintained by the District at its own expense. The District will not be responsible for maintenance of water lines or appurtenances beyond the end of its

service connection or meters. In the event District ascertains that its meters, meter boxes, or other facilities were deliberately damaged by customer, District shall charge customer the cost of labor and materials to repair the same. District may periodically inspect valve installation (backflow prevention device) and pressure reducing valve, if either is required to be installed hereunder, and report thereon to customer, but maintenance thereof shall be the duty of customer.

5.8 CHARGES FOR WATER SERVICE CONNECTIONS WITHIN THE DISTRICT

All charges for water service connection installations within the boundaries of the District shall be as set forth on the Rate Schedule adopted by the Board. Rate Schedule shall be adopted by resolution of the Board. The most recently amended Rate Schedule shall be deemed a part of these regulations.

5.9 CHARGES FOR INSTALLATIONS OUTSIDE DISTRICT BOUNDARIES

Connection charges *for any service* outside District boundaries shall be paid by the applicant prior to making connection to District facilities.

Water rates for service outside the District shall be the same as water rates for service inside the District, provided the property is annexed into the District. Rates and fees for property not annexed will be fixed by resolution of the Board of Directors.

5.10 CAPITAL IMPROVEMENT FEES

The Board of Directors may establish capital improvement fees to retire debt or expand existing facilities. Capital improvement fees shall be paid when service connection fees are paid and shall apply to each and every separate “unit” in accordance with the current Rate Schedule. Capital improvement fee may be levied on the basis of parcel size for non-residential uses. The Board of Directors shall determine when capital improvement fees are to be levied based on parcel size.

The Board of Directors shall impose a per unit or per acre fee that will generate revenue sufficient review the adequacy and fairness of capital improvement fees and may adjust the fees when circumstances warrant.

5.11 TURN-ON CHARGE

No turn-on charge will be imposed when service is turned on with initial meter installation.

When the water has been turned off for non-compliance of any portion of this ordinance, or has been turned off at the request of the owner, a turn-on charge of \$25.00 will be imposed.

5.12 MISCELLANEOUS CHARGES

A charge will be made for replacing a warped disc as these are due to hot water backing up to the meter from the customer's equipment. The charge to the customer will be the cost of a disc plus the total cost of repair.

When a shut-off valve has been broken at the meter by the customer, the customer will be advised that it is necessary for him to have a shut-off valve installed at or near his building. If one is not installed within fifteen (15) days, the valve at the meter will be repaired or replaced by the District. The charge to the customer will be the cost of the valve plus the total cost of repair.

SECTION 6. MUTIPLE UNITS

Each and every structure intended for occupancy, occupied, or used as a separate unit for residential, commercial, industrial or other purpose shall be considered as a separate unit. A separate unit includes single family dwellings, individual rental units, individual apartments, flats, multiple dwellings, and house trailers, whether or not contained in the same structure or on a common parcel. Each unit, subject to the exceptions hereinafter stated, shall be connected to the District system by separate meter and subject to a separate capital improvement fee. The District may accept motels or similar dwellings as determined by the Board.

The general policy of the District is that separate houses, buildings, living or business quarters on the same premises, or on adjoining premises, shall be served separately and individually.

Under no circumstances shall any dwelling currently served receive water from any other source including: Another District Resident, Well, Tank and etc. Unless an approved backflow device has been installed and tested as required by the District and Department of Health Service.

SECTION 7. BILLS AND PAYMENT

Bills and payments for District service shall be as set forth below. Billing for services not set forth herein shall be in accordance with Board direction and shall be accounted in accordance with standard accounting practice.

Each meter on a customer's premises will be considered separately and the readings of two or more meters will not be combined.

7.1 METER READINGS

Until otherwise provided by resolution of this District, a customer's water meter shall be read monthly, as near as practical, for the preparation of regular bills, and as required, for the preparation of opening bills, closing bills, and special bills.

Each bill shall show the charge, based upon the current rate schedule for the specific size meter. Each bill shall show the gallonage of the previous reading, gallonage of the present meter reading, and the gallonage upon which billing is based.

7.2 CLOSING BILLS

Closing bills shall be for the monthly minimum if the total period of use is less than one month. When the actual gallonage used is greater than the monthly minimum allowed, the closing bill shall be for the actual volume used. Special bills may, at the discretion of the District, be rendered for lesser or greater periods and amounts in cases of economic hardship.

Closing bills, when service is closed or discontinued, are due and payable on the date of presentation. Collection will be made at the time of presentation.

A customer shall notify the District in person, by telephone, or by letter, at least 24 hours before service is to be discontinued.

Failure to notify the District is cause to hold the customer responsible for all charges up to and including the date the District confirms the customer has vacated the premises, or otherwise discontinued service.

7.3 PAYMENT OF BILLS

Monthly bills for water service are due and payable on the date of presentation and become delinquent on the due date printed on the bill. Payment may be made at the District office either by mail or in person.

A delinquency charge of \$10.00 shall be added to all accounts not paid in full within thirty (30) days of billing. Service to accounts not paid in full after forty-five (45) days of original billing can be locked off until paid in full including \$25. turn on fee.

Public entities, schools, churches, fraternal organizations, business organizations, and others requiring bill payment approval may obtain exceptions from the time frames set forth herein.

7.4 NONPAYMENT

In the event of nonpayment of bill within 15 days after the bill becomes delinquent, the District shall cause a second notice to be sent to the consumer. Said notice shall advise consumer that unless the bill is paid within 5 days thereafter, water service to the premises will be discontinued. Reinstatement of service and re-establishment of credit deposit shall be made and the turn-on charge paid. In the event of continued non-payment after discontinuance of service, additional reasonable collection charges may be added. District shall have the right to all remedies provided by law for collection of unpaid bills. Penalties and charges shall be cululative.

SECTION 8. METER ERROR

Prior to installation, each meter will be tested and any meter found to register no more than two percent (2%) fast or slow, under conditions of normal operation, will be placed in service.

8.1 CUSTOMER REQUEST FOR TEST

A customer may request the District to test the meter serving his premises. Customer shall provide not less than one week's notice.

The District may, at its discretion, require customer to deposit an amount to cover the cost of test, as follows:

<u>SIZE OF METERS</u>	<u>AMOUNT OF DEPOSIT</u>
5/8" x 3/4"	\$15.00
1"	20.00
1 1/2"	25.00
2"	40.00
3"	50.00
4"	60.00
(Over 4", each test figured separately)	

Deposits will be returned if the meter is found to register more than two percent (2%) fast under conditions of normal operation. It will be retained by the District to cover test costs if the meter is not more than two percent (2%) fast. The customer will be notified, not less than five (5) days in advance, of the time and place of the test and a written report giving the results of the test will be available to the customer within a reasonable time after completion of the test.

8.2 ADJUSTMENT OF BILLS FOR METER ERROR

District will make adjustments in bills for meter errors as follows:

1. **Slow Meters:** When, upon test, a meter is found to be registering more than four percent (4%) slow, the District will replace the meter.
2. **Non-Registering Meters:** The District will bill the customer for water consumed while the meter was not registering. The bill will be at the minimum monthly meter rate or will be computed upon an estimate of consumption based either upon the customer's prior use during the same season of the year or upon a reasonable comparison with the use of other customers receiving the same class of service during the same period and under similar circumstance and conditions.

SECTION 9. DISCONTINUANCE OF SERVICE

A customer's water service may be discontinued if the total bill and charges for water service as provided in Section 7 hereof, are not paid on or before the dates therein set forth. Service will not be discontinued, however, until the amount of the deposit, if any, has been fully applied toward the bill and charges.

9.1 NON-PAYMENT OF BILLS

A customer's application for water service will be refused if water service furnished at a previous location is not paid in full.

All charged for water service and any other services rendered by the District may be billed upon the same bill and collected along with any applicable charges, as one total item. If all or part of the bill is not paid, any or all of the services for which the bill is rendered may be discontinued.

9.2 UNSAFE APPARATUS or OTHER PROHIBITED APPARATUS

The District may refuse to furnish water and may discontinue service to any premises connected to the water system where pressure reducing valve, plumbing, apparatus, appliances or equipment using water is dangerous, unsafe, substandard, or not in conformity with the applicable ordinances of the District or laws of the County and State.

9.3 LIABILITY

The District will assume no liability for inspecting apparatus on the customer's property. The District does reserve the right of inspection without notice when there is reason to believe that unsafe apparatus, appliance or equipment is in use on the premises.

The water service may be discontinued immediately should the right of inspection be hindered or denied.

9.4 SERVICE DETRIMENTAL TO OTHERS

The District may refuse water and discontinue service to any premises where the demand is in excess of past average or seasonal use, and where such excessive demand by one customer is, or may be, detrimental or injurious to the service furnished to other customers.

9.5 NONCOMPLIANCE

The District will establish a date when the customer must correct an unsafe condition. Should the condition not be corrected by the established date, the District may discontinue the service without further notice.

9.6 UNAUTHORIZED CONNECTIONS

Where unauthorized connections have been made to any service or meter, the water may be shut off, five (5) days after notice to customer. Service will not be resumed until a new service (or services) has been paid for and installed in accordance with Section 5. In addition to all other fees, a fee of not more than \$500 shall be paid to the District for each unauthorized connection.

This remedy shall be in addition to and not in lieu of any other remedy or remedies given District by the laws of the State, including prosecution under the Penal Code.

SECTION 10. PRIVATE FIRE SERVICE

A private fire service connection may be allowed when adequate provision is made to prevent the use of water from such service connection for purposes other than fire extinguishing and the private fire connection is approved by the Board and the Fire Marshal.

10.1 APPLICATION AND AGREEMENT

A fire service application shall be completed and an agreement executed with the District. A sample agreement will be furnished by District upon request.

Private fire service connections, (whether a hydrant, a detector check, meter, vault and box located on either public or private property) are the property of the District and the District reserves the right to repair, replace, and maintain them as well as to remove them or any part thereof upon discontinuance of water service or usage. Annual inspection fees for detector checks and backflow valves shall be the responsibility of the property owner.

10.2 INSTALLATION CHARGES

Applicants for fire service shall be responsible for all plan check and inspection costs for private fire service and appurtenances. Payment shall be made prior to start of any work. All costs for installing the service connection, meter, and detector check shall be borne by the applicant. All work shall be performed by a licensed contractor in accordance with District Improvement Standards. All plans for fire service shall be prepared by a professional engineer as set forth in the Improvement Standards.

10.3 QUANTITATIVE CHARGES

Water lost through leakage or in testing shall be paid, when the Board so directs, by the applicant at the rates charged for domestic use.

No charge will be made for water used to extinguish accidental fires.

10.4 VIOLATION OF AGREEMENT

Water shall not be taken from a private fire service except when written permission is secured from the District in advance and when an approved means of water measurement is available. The rates for such water shall be the same charged for general domestic water use.

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

10.5 OWNERSHIP OF CONNECTION

The service connection and all equipment appurtenant thereto, up to the detector check, shall be the property of the District, and no part of the cost thereof will be refunded to the applicant. The District will not accept ownership or responsibility for detector check or backflow prevention device. Customer shall maintain all such facilities.

10.6 PRESSURE AND SUPPLY

The District assumes no responsibility for loss or damage because of lack of water or pressure and merely agrees to furnish such quantities and pressures as may be available from its general distribution system. The service may be subject to variations in pressures and quantities of water.

10.7 RATES

The monthly charges for private fire protection lines shall be set by Resolution of the Board.

SECTION 11. TEMPORARY SERVICE

The District may grant permission for temporary water service through specified hydrants by issuing a written permit to responsible organizations or persons. Application for a permit shall be made a least 48 hours before service is required.

No person or persons shall operate or draw water from a fire hydrant for water service use without written permission of the District. Temporary service will not be allowed for domestic purposes.

11.1 TIME LIMIT

Temporary service connections shall be disconnected and terminated within six (6) months after installation unless an extension of time is granted in writing by the District.

11.2 CHARGE FOR WATER SERVED

Charges for water furnished through a temporary service connection shall be at the established applicable rate for regular customers.

11.3 INSTALLATION CHARGE AND DEPOSITS

The applicant for temporary service will be required to:

1. Pay the District, in advance, the estimated cost of installing and removing all service facilities including the meters necessary to furnish such service.
2. To deposit an amount sufficient to cover bills for water during the entire period such temporary service may be used, or otherwise establish his credit. Bills shall be according to District rates for type and size of service.

11.4 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 the temporary service from the time they are installed until they are removed, or until 48 hours notice in writing has been given to and received by 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 other than by the District, the cost of making repairs shall be paid by the customer.

SECTION 12. FIRE PROTECTION REQUIREMENTS

When any land is improved in such a manner that all, or any portion of a building or structure thereon is, or becomes, in excess of a reasonable working distance from an adequate water supply, there shall be provided by the Developer or Improver of such lands, as required by the District Manager, approved fire protection facilities capable of furnishing an adequate water supply.

12.1 GENERAL REQUIREMENTS

The District Manager or his appointee may require that the improvement include the installation of such onsite fire protection facilities as in his judgment are necessary to provide an adequate water supply on the land to be developed or improved. Said installation shall be at the expense of the owner or developer.

All facilities required to be installed hereunder shall meet the approved specifications of the District Manager and shall be inspected by VSPUD.

12.2 SUBDIVISION ACCESS

All subdivisions of land shall have at least two (2) approved means of ingress and egress suitable for fire protection vehicles.

12.3 RULES AND REGULATIONS

The Chief, with the approval of the Board of Directors, is authorized to make and enforce such rules and regulations for the prevention and control of fires and fire hazards as may be necessary from time to time to carry out the intent of this Ordinance.

12.4 APPEALS

Decision of the Fire Chief may be appealed to the Board of Directors. In hearing appeals the Board may impose any conditions the Board finds necessary to implement the intent and purpose of this Ordinance.

All actions taken by the Board shall be reported in writing to the applicant, and any other affected person, within ten (10) days after the Board renders its decision.

All decisions of the Board on appeals shall be final.

SECTION 13. FILLING POOLS AND TANKS

When an abnormally large quantity of water is desired for filling a swimming pool or for other purposes, written approval shall be obtained from District Manager prior to taking such water.

Water in unusual quantities may be taken only when it can be safely delivered through the District's facilities when other customers are not inconvenienced.

SECTION 14. FIRE HYDRANTS

No person or persons other than those designated and authorized by the District shall open any fire hydrant, attempt to draw water from it, or in any manner damage or tamper with it. Any violation of this regulation will be prosecuted according to law.

14.1 ILLEGAL USE OF FIRE HYDRANTS

Any person who illegally draws water through a fire hydrant will be charged a \$150 fine for each offense plus the cost of all water used.

14.2 PRESSURE AND SUPPLY

The District assumes no responsibility for loss or damage because of lack of water or pressure and merely agrees to furnish such quantities and pressures as may be available in its general distribution system. The service may be subject to shutdowns (without notice), as well as variations in pressures and quantities of water.

14.3 MOVING OF FIRE HYDRANTS

Any party proposing a change in the size, type, or location of a hydrant, shall bear all costs of such changes, without refund. All changes in the location of a fire hydrant shall be subject to approval of the District.

14.4 DRAWING WATER FROM HYDRANT

Water drawn from hydrant for purposes other than fire suppression shall be in accordance with the following:

1. All water furnished through a fire hydrant shall be metered.
2. All water trucks shall have a state approved backflow prevention device before withdrawing water from a fire hydrant.
3. No fire hydrant shall be operated except by the use of an approved spanner wrench.
4. The person or persons withdrawing water shall be held responsible for the correct and safe operation of the hydrant valve and shall be liable for all damage caused while withdrawing water from the District's water system.

SECTION 15. RESPONSIBILITY FOR EQUIPMENT & PLUMBING FIXTURES

The customer shall, at his own risk and expense, furnish and install (all in accordance with the Uniform Plumbing Code, and other applicable codes in effect at the time of the installations) and keep in good and safe condition all equipment and plumbing fixtures that may be required for receiving, controlling, applying, and utilizing water.

15.1 INSTALLATION AND MAINTENANCE

The District will not be responsible for any loss or damage caused by the improper installation of such water using equipment, or the negligence, lack of proper care, or wrongful act of the customer or any of his tenants, agents, employees, contractors, licensees, or permittees in installing, maintaining, using, operating, or interfering with the operation of such equipment. The District will not be responsible for damage to property caused by spigots, faucets, valves, and other equipment or plumbing fixtures that are open when water is turned on at the meter, either when the water is turned on originally or when turned on after a temporary shutdown. District shall not be responsible for customer's facilities or property due to water pressure. The customer shall furnish and install at his own expense, a pressure reducing valve when the static pressure at his service connection is greater than 80 psi.

15.2 PUMPS AND PRESSURE REDUCING VALVES

Where reduced or increased pressure is desired, the customer shall be responsible for installing and maintaining the necessary regulators, pumps, and relief valves. In such cases, the equipment shall be installed on the customer's side of the meter and at his risk and expense subject to approval of the District.

15.3 DAMAGE TO DISTRICT'S PROPERTY

The customer shall be liable for any damage (including damage by automotive or other equipment) to a meter, meter box, fire hydrant, or other equipment or property owned by the District which is caused by an act of the customer or his tenants, agent, 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 or from overload due to inadequate size. The District shall be reimbursed by the customer for any such damage promptly on presentation of a bill for same. All remedies of District available for collection of bills for water service shall be available for collection of these charges.

15.4 CONTROL VALVES AND METER STOPS

The customer shall install a suitable valve as close to the meter location as practicable. Operation of valve shall control the entire water supply from the service, including the lawn sprinkler system.

Operation by the customer of the curb stop (valve in front of meter) in the meter box is prohibited except in an emergency and only after an effort has been made to contact the District.

15.5 GROUND WIRE ATTACHMENTS AND INSULATED BUSHINGS

No ground-wire or wires shall be connected to any plumbing which is, or may be connected to a service connection or main belonging to the District. District will hold the customer liable for any damage to its property caused by such ground-wire attachments.

Customers shall install an approved dielectric bushing or insulated fitting between customer's facilities and District's meter to prevent electrolysis.

SECTION 16. IMPROVEMENTS TO DISTRICT FACILITIES

All improvements to District facilities shall be in accordance with District Improvement Standards. No modification, alteration, or connection to District facilities shall be allowed without prior approval of the District.

16.1 GENERAL

Prior to District extending service to any subdivision, Subdivider or his authorized representative shall provide a utility plan in accordance with the Improvement Standards subject to review and approval by District Manager and District Engineer.

The District may charge a reasonable fee for review and approval of such utility plan commensurate with project size to include all costs District incurs in reviewing utility plans.

The District will issue no "will serve" letter prior to review and approval of a utility plan prepared in accordance with this section.

16.2 REIMBURSEMENT

Whenever improvements to District facilities are determined by the Board of Directors to directly benefit the District or specific areas of the District, the Board may enter into a reimbursement agreement with the party or parties required to install such improvements. The amount and method of reimbursement shall be set forth in an agreement between Developer and District prior to District approval of the proposed improvements. The District **will not** participate in reimbursement for any improvements not made in strict conformance with District standards set forth in an agreement entered into **prior** to construction of any such improvements.

The amount of reimbursement shall be set forth in the agreement subject to an approved engineer's estimate of the improvement costs. Reimbursement shall be in the form of additional connection fees levied by the District upon those connections identified by the District to benefit from said improvements.

16.3 AMOUNT DETERMINATION

Within ninety days following any new construction of any improvement constructed pursuant to this section, the District may reimburse the original installer of eligible improvement at a rate commensurate with the cost approved by the Board of the improvement and the provisions of this Section.

Reimbursements for system improvements shall be by project specific arrangements with the Board of Directors. It is the intent of the District to fairly distribute the cost of identified improvements equally to those who directly benefit from the improvement. Reimbursement terms and amounts, when applicable, shall be set forth in the improvement agreement.

No reimbursement shall be made to the original installer pursuant to this section after ten years from the date of acceptance by the District of the improvements.

16.4 CHARGE ASSESSED TO NEW CUSTOMER

A new customer connecting to District facilities installed pursuant to this section shall pay, in addition to all other charges imposed by District, the amount determined by Section 16.3 to be reimbursable to the original installer.

SECTION 17. CROSS CONNECTIONS

Regulations of the California State Health Services and the Drinking Water Standards of the United States Public Health Service prohibit unprotected cross connections between the public water supply and any unapproved source of water.

17.1 DISTRICT REQUIREMENTS

To comply with the regulations of these health agencies, the District will require the installation of approved double check valves or other approved backflow prevention devices by and at the expense of the customer before service will be granted under any of the following conditions:

1. Where an unapproved fresh water supply is already available from a well, spring, reservoir, or any other source. When the customer agrees to abandon this other supply and agrees to remove all piping and / or pump necessary for the utilization of this supply, the installation of backflow prevention devices will not be required. The customer may be required to cut off the well casing, fill well with concrete, or otherwise make well permanently unusable in accordance with well abandonment regulations of the Department of Health Services.
2. Where salt water, or water otherwise polluted, is available for industrial or fire protection purposes.
3. Where the premises are, or may be engaged in industrial processes using or producing process waters or liquid industrial wastes, or, where the premises are or may be engaged in handling sewage or any other toxic, contaminating, or polluting substance or liquid.
4. Where the circumstance are such that there is special danger of backflow of sewage or other contaminated liquids through plumbing fixtures or waste-using or treatment equipment, or storage tanks and reservoirs, or from contaminated water from lawn or irrigation sprinkler heads.

17.2 APPROVED DEVICES REQUIRED

Backflow prevention devices and installations shall be approved by the Department of Health Services and the District.

Maintenance and annual checks of backflow prevention devices shall be the responsibility of customer.

17.3 PLUMBING CHANGES REQUIRED

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 plumbing or piping connections as an **additional** precaution and as a protection to the backflow prevention devices. In making plumbing connections the customer shall be guided entirely by local or state plumbing ordinances.

17.4 RELIEF VALVE REQUIRED

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

17.5 BACKFLOW PREVENTION on ADDITIONAL WATER SUPPLY LINES

Whenever backflow prevention has been found necessary on a water supply line entering a customer's premises, any and all water supply lines from the District's mains entering such premises, buildings, or structures shall be protected by an approved backflow prevention device, regardless of the use of the additional water supply lines.

17.6 PROTECTION AGAINST INTERSTREET MAIN FLOW

Two or more services supplying water from different street mains to the same building structure or premises through which an interstreet main flow may occur, shall have at the customer's expense, a standard check valve on each water service to be located adjacent to and on the property side of the respective meters.

Such check valves shall not be considered adequate for backflow prevention purposes as set forth herein.

17.7 INSPECTION OF BACKFLOW PREVENTION DEVICES

The double check valve or other approved backflow prevention devices shall be inspected and tested periodically for water tightness by persons authorized by the Department of Health Services to perform such services. A copy of the inspection reports and any defects shall be made known to the District.

The regulations of the State Department of Public Health require that the owner of any premises on which, or on account of which, check valves or other protective devices are installed, shall inspect these devices for water tightness and reliability at least once every year or at the discretion of the District. The devices shall be serviced, overhauled, or replaced whenever they are found to be defective and all costs of repair and maintenance shall be borne by the customer. District shall supply forms to be signed by licensed plumbers or other authorized persons on their annual check of the device. Failure to have the device checked and report form thereof signed will result in District discontinuance of service as herein set forth.

17.8 PROTECTION AGAINST BACKFLOW FROM LAWN OR IRRIGATION SPRINKLERS

The installation, at the customer's expense, of an approved single or double check valve shall be required on a sprinkling system to prevent siphoning or backflow of contaminated water from the sprinkler heads as required by the Uniform Plumbing Code and Department of Health Services regulations.

17.9 DISCONTINUANCE OF SERVICE FOR DEFECTIVE APPARATUS

The service of water to any premises may be immediately discontinued by the District if any defect is found in the check valve installations, pressure reducing valves, or other protective devices, or, if it is found that unprotected cross connections exist or if customer fails to have the annual report form signed. Service will not be restored until such defects are corrected and certification is made thereto.

SECTION 18. PURCHASING PROCEDURES

Public projects, as defined by the Act, of fifty thousand dollars (\$50,000.00) or less may be let to contract by informal procedures as set forth in Section 22032, et seq. of the Public Contract Code.

18.1 CONTRACTOR LIST

A list of contractors shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

18.2 NOTICE INVITING INFORMAL BIDS

Where a public project is to be performed which is subject to the provisions of this Ordinance, a notice inviting informal bids shall be mailed to not less than three contractors for the category of work to be bid, as shown on the list developed in accordance with Section 18.1. Additional contractors and construction trade journals may be noticed at the discretion of the Board, provided, however:

1. When there is no list of qualified contractors maintained by the agency for the particular category of work to be performed, the notice inviting bids shall be sent to not less than three contractors, or suppliers, selected by the District.
2. When the product of service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

18.3 AWARD OF CONTRACTS

The President of the Board is authorized to award all informal contracts pursuant to this section.

SECTION 19. ANNEXATION COSTS AND FEES

Prior to Annexation to the District, applicant shall submit to District a copy of the application submitted to LAFCO for District's review. An administrative fee deposit of \$500 will be paid to the District prior to commencement of any proceeding by the Board of review by District staff on the proposed annexation. Administrative fees shall be sufficient to cover District costs for engineering, legal, and other charges which may be incurred by the District in examining maps, legal descriptions, preliminary utility plans, and other documents in connection with proposed annexation. Whenever the deposit for review exceeds the costs incurred by the District, balance shall be refunded to the annexation applicant following conclusion of the final hearing by the District Board on the proposed annexation. Should the amount of deposit be insufficient to pay costs incurred by the District, the applicant shall pay all costs prior to final hearing by the District Board on the proposed annexation.

In addition to all application review fees, an annexation fee of \$765 per acre shall be paid to the District prior to final action by the Board.

SECTION 20. BUY-IN FEE

Whenever development outside the District boundary is annexed to the District and proposes to connect to District facilities, such development shall be subject to a “buy-in” fee established by resolution of the Board. Payment of the buy-in fee to the District will allow development use of facilities existing at the time of annexation to the District and in no way relieves developers from improving or expanding facilities in accordance with development conditions established by the District.

SECTION 21. FIRE SERVICE FEE

In addition to all monthly user fees, District shall establish, by resolution, a fire service fee. Fire service fee shall be accounted for separately and utilized by the District for fire protection purposes. Fire service fee shall not be less than \$2.00 per month per unit and shall be charged to each and every unit of residential, commercial, industrial, and other use or structure or facility that would benefit from fire protection services provided by the District.

SECTION 22. SEVERABILITY CLAUSE

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance or any part thereof, is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance or any part thereof. The Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid.

SECTION 23. REPEAL OF CONFLICTING ORDINANCES

This ordinance is intended to be a complete enactment of rules and regulations, governing the District’s system of water supply. To the extent any existing or prior ordinances and resolutions of the District applicable to its water systems, works, and facilities are inconsistent herewith, all such existing or prior water ordinances and resolutions shall be and the same shall be deemed revoked upon this ordinance becoming effective except existing contracts.

The foregoing Ordinance was duly and regularly passed and adopted by the Board of Directors of VALLEY SPRINGS PUBLIC UTILITY DISTRICT at a regular meeting thereof, held on the **26th day of August, 1993.**

**VALLEY SPRINGS
PUBLIC UTILITY DISTRICT**

PART II

WASTEWATER

**RULES AND
REGULATIONS**

ORDINANCE NO. 2001-03

RESOLUTION NO. 2011-01

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GENERAL REGULATION AND ORDINANCE NO. 2001-03

A GENERAL REGULATION AND ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF PRIVATE SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM, IN THE VALLEY SPRINGS SANITARY DISTRICT, CALAVERAS COUNTY, CALIFORNIA.

Be it ordained and enacted by the Board of Directors of the Valley Springs Sanitary District, Calaveras County, State of California, as follows:

ARTICLE I Definitions

SECTION 101 Additional Definitions. For the purpose of this ordinance, additional terms shall have the meaning indicated in Chapter 1 of the latest edition of Western Plumbing Officials Uniform Plumbing Code, adopted by the Western Plumbing Officials Association, which Chapter is designated as Appendix 1 hereof and incorporated herein by reference as though set forth in full.

SECTION 102 Application. “Applicant” shall mean the person making application for a permit for a sewer installation and shall be the owner of premises to be served by the sewer for which a permit is requested or his authorized agent.

SECTION 103 Board. Board” shall mean the Board of Directors of the Valley Springs Sanitary District, and shall be the governing body of the District.

SECTION 104 B.O.D. “B.O.D. (denoting Biochemical Oxygen Demand)” shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expresses in parts per million by weight. pH shall mean the logarithm of the reciprocal of weight of hydrogen ions in grams per liter of solution.

SECTION 105 Building. “Building” shall mean any structure used for human habitation or a place of business, industrial facility, recreational or other purpose containing sanitary facilities.

SECTION 106 Building Drain. “Building drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, extends two (2) feet outside the building foundation.

SECTION 107 Building Sewer. “Building sewer” shall mean that portion of any sewer beginning at the building drain of any building or industrial facility and running to the property line or to a private sewage disposal system.

SECTION 108 Combined Sewer. “Combined sewer” shall mean a sewer receiving both surface runoff and sewage, and are not allowed in the District.

SECTION 109 Commercial. “Commercial” shall mean any premises used for commercial or business purposes, and contributing less than three hundred (300) gallons per day of sewage to the sewer system.

SECTION 110 Connection Fee. “Connection Fee” shall mean a fee to be paid by the Owner of the property to the District prior to the issuance of a connection permit.

SECTION 111 Contractor. “Contractor” shall mean an individual, firm, corporation, association or partnership duly licensed by the State of California to perform the type of work to be done under the permit.

SECTION 112 County. “County” shall mean the County of Calaveras, State of California.

SECTION 113 County Engineer. “County Engineer” shall mean the County of Calaveras, Director of Public Works.

SECTION 114 Customer. “Customer” shall mean any firm, person, corporation, association, or governmental agency served by the District for compensation.

SECTION 115 District Engineer. “District Engineer” shall mean the registered professional engineer designated by the Board to consult with, and furnish to the Board such engineering data and services as it may require.

SECTION 116 District. “District” shall mean the Valley Springs Sanitary District, Calaveras County, State of California or its authorized representatives. Valley Springs Sanitary District may be designated by the initials V.S.S.D.

SECTION 117 District sewage collection system. “District sewage collection system” shall mean the sewage collection system constructed or acquired by the District.

SECTION 118 District Sewer System. “District sewer system” shall mean the District sewage collection and disposal system, including all trunk sewers, main sewers, lateral sewers, and outside sewers heretofore or hereafter constructed by the District, all comprising the District sewer system.

SECTION 119 Garbage. “Garbage” shall mean solid wastes from the preparation, cooking, and the dispensing of food, and from the handling, storage, and sale of produce.

SECTION 120 Industrial Waste. “Industrial waste” shall mean any and all liquid or solid waste substance, not sewage, from any producing, manufacturing or processing operation of whatever nature.

SECTION 121 Lateral Sewer. “Lateral sewer” shall mean the portion of a sewer lying within a public street connecting a building sewer to the main sewer.

SECTION 122 Main Sewer. “Main sewer” shall mean a public sewer designed to accommodate more than one (1) lateral sewer.

SECTION 123 Manager. “Manager” shall mean the person or persons appointed by the Board to administer and enforce the rules and regulations of the District.

SECTION 124 Multi-family Dwelling. “Multi-family Dwelling” shall mean any premises designed, improved or used as a residence for two or more families living independently of each other in two or more structurally joined dwelling units with separate entrances; this term shall include apartment houses and duplexes, but it shall not include hotels, motels, dormitories, or similar structures.

SECTION 125 Occupant. “Occupant” shall mean any person actually occupying any premises, whether as owner or tenant or otherwise.

SECTION 126 Outside Sewer. “Outside sewer” shall mean a sanitary sewer beyond the limits of the Service Area.

SECTION 127 Owner. “Owner” shall mean the person owing the fee, or the person in whose name the legal title to the property or buildings under claim of, or exercising acts of ownership over the same for himself, or his executor, administrator, guardian or trustee of the Owner.

SECTION 128 Permit. “Permit” shall mean any written authorization required pursuant to this or any other regulation of the District for the installation of any sewage works in the Service Area.

SECTION 129 Person. “Person” shall mean any human being, individual, firm, company, partnership, association, private, public or municipal corporations, the United States of America, the State of California, districts and political subdivisions, governmental agencies, and mandatories thereof.

SECTION 130 Premises. “Premises” shall mean any lot shown as such upon all subdivision maps within the District or any piece or parcel of land comprising one or more lots or recorded in one ownership or any building or structure, or any part of any building or structure, used or capable of use for human habitation or for the carrying on of a business or occupation for any recreational, commercial or industrial undertaking.

SECTION 131 Private Sewer. “Private Sewer” shall mean a sewer serving an independent sewage disposal system not connected with a public sewer which accommodates one or more buildings or industries.

SECTION 132 Privy. “Privy” shall mean an excavation in the ground over which is placed a privy house containing seats, and are not allowed in the service area.

SECTION 133 Properly Shredded Garbage. “Properly shredded garbage” shall mean garbage that has been shredded to such a degree that all particles will be freely carried under the flow conditions normally prevailing in public sewers, with no particle being greater than one-half (1/2) inch in any one dimension.

SECTION 134 Public Sewer. “Public Sewer” shall mean a sewer lying within a street and which is controlled by or under the jurisdiction of the District.

SECTION 135 Sanitary Sewer. “Sanitary Sewer” shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not permitted.

SECTION 136 Service Area. “Service Area” shall mean the area served by the Valley Springs Public Sanitary District.

SECTION 137 Sewage. “Sewage” shall mean a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments.

SECTION 138 Sewage Treatment Plant. “Sewage treatment plant” shall mean any arrangement of devices and structures used for treating and disposing of sewage.

SECTION 139 Sewage Works. “Sewage works” shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

SECTION 140 Sewer. “Sewer” shall mean a pipe or conduit for carrying sewage.

SECTION 141 Sewer Service. “Sewer service” shall mean the services and facilities for collection of sewage furnished or available to premises by the District collection system.

SECTION 142 Sewer Service Charges. “Sewer Service Charges” shall mean fees, tolls, rates, rentals or other charges for service and facilities furnished by the District in connection with its sewer system.

SECTION 143 Side Sewer. “Side sewer” shall mean the sewer line beginning at the building drain (two feet outside the building foundation) of any building and terminating at the main sewer and includes the building sewer and lateral sewer together.

SECTION 144 Single Family Dwelling. “Single Family Dwelling” shall mean premises designed, improved or used as a residence for one family only and for no other purposes.

SECTION 145 Standby. “Standby” shall mean charges to potential users prior to connection to public sewer insuring service for future use.

SECTION 146 Storm Drain. “Storm Drain” shall mean a sewer which carries storm and surface or ground waters and drainage, and excludes sewage and polluted industrial wastes.

SECTION 147 Street. “Street” shall mean any public highway, road, street, avenue, alley, way, public place, public easement or right-of-way.

SECTION 148 Superintendent. “Superintendent” shall mean the person in charge of the maintenance and operation of the sewage works of the Valley Springs Sanitary District or his authorized representative.

SECTION 149 Vacancy. “Vacancy” shall mean any building or premise, or part thereof, that is not being occupied. No credit, adjustment or refund will be made to any owner because of a vacancy unless said premises are disconnected from the sewer system.

SECTION 150 Trunk/Transmission Main. “Trunk /Transmission Main” shall mean any sewer constructed to accommodate more than one main sewer and usually does not have any connections of Lateral Sewers or Side Sewers.

SECTION 151 Suspended Solids. “Suspended solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

SECTION 152 Watercourse. “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 153 Shall. “Shall” is mandatory.

SECTION 154 May. “May” is permissive.

ARTICLE II
RESOLUTION NO. 11-01 AMENDMENTS

SEWER SERVICE FEES

SECTION 201 - RATE SCHEDULE

A. Each permittee shall pay sewer service fees in accordance with the amount of sewage from permittees property which enters the public sewer, which fees shall be fixed by the Board from time to time, by Resolution. Said fees may include a standby charge which shall be paid whether the permittee uses the public sewer or not. The sewer service fees shall be set in accordance with the current Revenue Program for the VSPUD. Sewer service fees shall be based on each permittees use of public sewer, compared to a base discharge fee computed as the discharge from the average single family residence in the District.

Pursuant to Section 5471 of the Health and Safety Code of the State of California, fees for services and facilities furnished by the District to any property connected to or making use of the sanitation and sewage system of District are established and declared to be as follows:

1. Base Fee —

Residential units, multiple residential units, and mobile home units shall be charged a monthly base fee. Self contained motor homes and trailers three (3) x monthly fee for dump stations.

Commercial sewer service fees shall be the base fee or based upon the actual average monthly water consumption for the proceeding three (3) month period of December, January, and February. The monthly water meter records shall be utilized to establish the average monthly water consumption.

The sewer rates and collection fees shall be proportional to each user's average monthly water consumption. For those user's whose average monthly water consumption is less than 6,000 gallons per month, the minimum flat rate of \$49.50 per month shall be charged. For those user's whose average monthly water consumption is more than 6,000 gallons per month, the annual sewer service and collection charge shall be proportionally calculated utilizing the following formula:

Sewer service and collection charge = \$594.00 /yr at (Average Monthly water consumption)

Example:	Average People Per house		x	Gallons per day		x	Days in month		=	Gallons per month
	2.0			100			30			6,000

Example:	Total water usage		÷	Mos.		=	Average Mo. Usage		÷	Gal's per month		=	2		x	Sewer fee		=	Mo. fee
	36,000	÷		3			12,000			6,000			2			\$49.50			\$99.00

MONTHLY REGULAR RATE:	\$49.50 flat rate per dwelling unit
COMMERCIAL:	Consumption of over 6,000 gallons of water per month will result in an additional \$8.25 charge per 1,000 gallons usage.
MOBILE HOME PARKS:	\$49.50 per month for each lot-space occupied at any time during any month. Non-occupied spaces must be inspected by District personnel prior to monthly billing in order to be reduced to the \$20 standby fee.
TRAILER PARK LAUNDROMATS:	\$20.00 / Machine
STANDBY:	\$20.00 per vacant lot with sewer lateral
INFRASTRUCTURE FEE:	\$5.00 flat rate adjusted yearly on change in the Consumer Price Index for California

All other uses shall be charged a monthly rate of \$49.50 per unit.

All fees, rates, and charges, shall be collected with all other charges levied shall be itemized and billed upon a single bill, and collected as one charge by District.

Continual over consumption of the 6,000 gallons per month during December, January and February will result in being charged commercial rate.

CAPITAL IMPROVEMENT FEES BY TYPE OF USE:

<u>TYPE OF USE</u>	<u>FEE</u>
Residential Unit	\$7,130 / ESFRU
Multiple Family Dwelling Unit	\$7,130 / ESFRU
Hotel-Motel Units & Bed and Breakfasts	\$2,460 / Bedroom+ \$1,250 / Kitchen + \$360 / DFU
Mobile Home Park	\$7,130 / SPACE
Restaurants & Markets	\$7,130 + \$360 / DFU
Car Wash	\$7,500 + \$360 / DFU
Laundromats	\$7,500 + \$360 / DFU
All other Commercial Uses	\$7,130 + \$360 / DFU

Remodeling or Expansion of Existing <u>Residential</u> Structure	\$360 / DFU
Remodeling or Expansion of Existing <u>Commercial</u> Structure	\$280 / DFU
Schools (per classroom)	\$7,130 + \$340 / DFU
Industrial	\$7,130 + \$360 / DFU
Any Commercial, Industrial, or other use that will Generate High waste volumes or impose high BOD loads.	\$9,450 + \$380 / DFU*

*(To be set by Board based on projected flow & BOD loading)

(ESFU) = Equivalent single family residential unit that contains not more than 20 WSFU and no more than 20 DFU.

(DFU) = Drainage fixture unit as set forth in the 2001 CPC.

Modifications to existing buildings shall be charges a capital improvement fee (CIF) as noted above based on “Drainage fixture units” (DFU) as defined in the California Plumbing Code (CPC) when the total number of added DFUs is three or more.

Residential premises that contain more than 20 DFUs shall be charged a capital improvement fee determined as follows:

$$\frac{\text{TOTAL DFU}}{20} \times \text{FEE (as set forth above)}$$

SECTION 201-A Power To Inspect Premises. In order to effect the power of this Ordinance, and pursuant to Section 6523.2 of the Health and Safety Code of the State of California, the District Manager and his/her authorized representatives are given the power and authority to enter upon private property during business hours for the purpose of inspection and maintenance of sanitary and waste disposal facilities, including, but not limited to, ascertaining the nature of such premises, the type of activities carried on therein, the number of plumbing fixtures situated therein, and any other facts or information reasonable necessary to ascertain the applicability of any sewer charges to such premises, or the amount of such charges.

SECTION 201-B Vacancy. No credit, adjustment or refund will be made to any owner because the premises or any part thereof are vacant unless said premises are disconnected from the sewer system.

SECTION 201-C Refunds. When any refund becomes due and owing by virtue of action of the Board or by virtue of any error made in ascertaining the charge applicable to any customer, the Board is authorized to make payable such monies from the specific fund established for the deposit of sewer system charges.

SECTION 201-Ca Collection of Sewer Service Charges. The foregoing service charges shall be collected with the service charges levied and collected by the Valley Springs Public Utility District, a duly formed public utility district, and said service charges shall be itemized, billed upon the same bill and collected as one item, together with and not separately from the service charges levied and collected by the Valley Springs Public Utility District.

SECTION 201-D Due Date of Sewer Service Charges. All service charges of District shall be due and payable on the first day of each month. All bills shall be mailed, first class mail, postage prepaid, to the owner of the premise who is connected to the sanitation and sewerage system of the District. Proof of mailing of said bills shall be conclusive evidence of receipt thereof.

SECTION 201-E Persons Responsible. All sewer service charges shall be billed to the owner of the premises on the date on which such premises are connected to the service area sewer system, or to the successor in interest to such person. It shall be made the duty of all owners and users of all premises to inform the District immediately of all circumstances, and of any change or changes in any circumstances, which will in any way affect the applicability of any charge to premises owned by him/her or the amount of any such charge. The owner of the premises is and shall be responsible for payment of any and all sewer charges applicable to premises owned by him.

SECTION 201-F Delinquency Date. Except as otherwise provided elsewhere in this ordinance, sewer service charges shall be delinquent thirty (30) days following the date of billing.

SECTION 201-G Penalties For Nonpayment. All bills not paid within thirty (30) days after the date the bill was rendered shall be delinquent and a penalty of ten percent of the bill or amount due plus a penalty not exceeding one-half percent per month, shall accrue for the period of said nonpayment and will be collected as a part of the principal thereof.

SECTION 201-H Lien. The Board may impose a lien upon the real property served by the sanitation and sewerage system for any unpaid connection fees and service charges which are due, payable and delinquent for more than thirty (30) days from the date of the mailing of bills. Notice of Intention to impose a lien for delinquent connection fees and service charges shall be given in writing by mail to the owner of the premises receiving sanitation and sewerage service from District. This lien shall be in addition to any and all other rights which District may have to enforce collection of its delinquent connection fees and service charges.

SECTION 201-I Monthly Fees. If connection is made to the District sewer system during the first twenty-five (25) days of a calendar month, a full monthly sewer service charge shall be charged. If any connection is made to the District sewer system after the twenty-fifth (25th) day of a calendar month then no sewer service charge shall be charged for such portion of such calendar month.

SECTION 202 PERMITS AND FEES

SECTION 202-A Connection Fees. The owner of property requesting connection to the wastewater collection system shall pay to the District all fees, prior to issuance of a connection permit including capital improvement fees, annexation fees, connection fees, permit fees, and all other fees and charges required to be paid pursuant to this ordinance and other rules and regulations of the District. If any permit is not used and lapses as provided in Article III, Section 304, no part of the permit fee shall be refunded.

A capital improvement fee, sufficient to maintain District facilities in good condition and in compliance with District's discharge permits with sufficient capacity to serve anticipated growth, shall be established by resolution of this Board.

Fees and charges shall be based on drainage fixture units (DFU) and shall be determined in accordance with Table 7-3 of the 1997 Uniform Plumbing Code Fees for combined uses or any combination of use on a single parcel shall be determined by the Board as set forth herein.

Any person or entity found operating any **use that discharges waster to District facilities** without first paying the required fees shall **pay twice the required feed set forth above. Fees may be changed by resolution by the Board at a duly advertised meeting.**

SECTION 202-B Time Limit on Permits. Unless an extension of time is granted by the Board, if work under a permit is not commenced and completed within one (1) year or two (2) years under certain conditions, from the date of issuance, the permit shall become void and no further work shall be done until a new permit shall have been secured. After said work has been completed, and the District has approved the work, the permit shall be in full force and effect.

SECTION 202-C Annexation Fees. The owner of lands within areas proposed to be annexed to the District shall deposit with the District an *administrative deposit* of \$1,000 prior to the commencement of proceedings by the Board on the proposed annexation. This **deposit will be used** to cover costs of engineering, legal, and all other charges which may be incurred by the District in preparing and examining maps. Legal descriptions, and other documents in relation thereto, and other expenses regularly incurred in connection **with the annexation**. Should the amount of the deposit exceed actual costs incurred by the District, the excess shall be refunded to the owner or owners following the conclusion of the final hearing on the proposed annexation. Should the

amount of the deposit be insufficient to pay **actual** costs incurred by the District, the owner or owners shall advance each additional sum as shall be necessary to pay said costs prior to the final hearing of the proposed annexation.

SECTION 202-D Buy-In-Fees. In order to meet the current and future needs of the District sewage collection and treatment facilities, areas outside the District boundaries desiring to utilize the sewage facilities shall pay a buy-in-fee of **\$750 per connection** applicable only to property located outside District **boundaries as they existed** prior to March 8, 1989. The buy-in-fee shall be paid prior to connecting to existing District sewage facilities.

This Ordinance supersedes and is a recodification of all previous Ordinances which are in conflict herewith of the District. The provisions of any Ordinance heretofore adopted by District which are not part of the subject matter of this Ordinance shall remain in full force and effect. Any provisions of the Ordinances shall be deemed effective as of the date of adoption of said former Ordinances. This Ordinance shall be posted in three (3) public places in the District within fifteen (15) days after its adoption unless by law it shall become effective sooner.

ARTICLE III **Connections and Permits**

SECTION 301 Sewer Required. No person owning any premises within the District (a) on which the nearest outlet of the plumbing system of such premises can be connected to the District sewerage collection system by installation of a house sewer of not more than two hundred (200') in length, or (b) having no plumbing system, but in which a plumbing system could be installed with the nearest outlet connected to the District sewerage collection system by installation of a building sewer of not more than two hundred (200' in length, and upon which any sewage is produced, shall use any means of sewage disposal other than through the District sewer system. Every person owning any premises so located and upon or in which any sewage is produced shall be required to connect said premises to the District sewerage collection system within sixty (60) days from the date when a main sewer or lateral sewer located within the distance specified above is completed and available for connection to said premises. The District hereby declares that further maintenance or use of cesspools, septic tanks or other local means of sewage disposal on any premises so located shall constitute a public nuisance and may invoke any legal means to abate same.

SECTION 302 Permit Required. No person whose premises are not now connected with the District sewer system shall connect any premises or cause any premises to be connected with the District sewer system without first obtaining a permit to do so from the Manager.

SECTION 303 Statement Estimating Sewage Quantity. The Manager may require of any person who applies for any such permit to file a statement or affidavit for the guidance of the Manager and the Board in ascertaining the amount of the monthly sewer service charge payable by such person under this Ordinance. Each such statement or affidavit shall contain such information as may be required by the Manager. Failure by any person to file such statement or affidavit containing such required information shall constitute a violation of this Ordinance. No statement or affidavit shall be conclusive as to the matters therein set forth, nor shall the filing of any statement or affidavit preclude the District from collecting from the persons responsible for payment (as herein provided) by appropriate action such sum as is actually due and payable for monthly sewer service charges under the provisions of this Ordinance. Each such statement or affidavit, and each of the several items therein contained, shall be subject to verification by the Manager.

ARTICLE IV

Duties of the Manager; Surety Bond

SECTION 401 Duties of Manager. It shall be the duty of the Manager to supervise all connections to the District sewer system, and (subject to the approval of the Board) to establish and administer such reasonable rules and regulations applicable to the used and operation of the District sewer system as may be deemed advisable or necessary, provided, that such rules and regulations so established shall not be in conflict with any provision of this Ordinance and shall be at all times subject to appeal to the Board whose decision shall be final. It shall be the duty of the Manager to collect all sewer service charges. The Manager shall keep an accurate accounting and records showing the source, amount and disposition of all funds received from sewer service charges and connection fees. The District shall cause to be issued and shall maintain in good standing a surety bond conditioned upon the full and prompt deposit by the Manager of all sewer service charges and connection fees as provided in Section 201 and 202 of Article II hereof.

ARTICLE V

Sewer Extensions

SECTION 501 Requesting Service. Whenever one or more owners of premises not then served by the District sewer system and which are not required to connect thereto by Section 301 of Article III hereof desire that a sewer be made available to such premises, they shall make written application to the Board for extension of the District sewer system to such premises, setting forth the exact location of the premises by Lot and Block numbers and the nature of the improvement contemplated which will require sewer service. The Board shall consider each such application and take appropriate action as described in this section.

SECTION 502 Board Action. If the Board finds that the conditions enumerated in this section exist, it shall order the construction of the sewer and take such steps as are necessary to accomplish the construction. Such action shall be taken, however, only if the Board finds that each and every one of the following conditions prevail:

1. That the sewer proposed will be part of the District sewer system.
2. That there is or will be sufficient money in the District's sewer construction fund to accomplish the construction.
3. That sewer service charges hereunder from the proposed sewer will begin to be paid within such reasonable time and will be in such amounts, as in the opinion of the Board, that will warrant the construction.
4. That the applicant, or applicants, for the construction have made application for a permit to connect to the proposed sewer and have paid the connection fees (if any) provided for in Section 201 hereof.

SECTION 503 Payment of Costs. If the Board finds that all of the conditions enumerated in the foregoing paragraph (Section 502) do not exist, but if it appears that the proposed sewer will be part of the District sewer system and if the owners or occupants of the premises to be served by the proposed sewer will pay all or any agreed portion of the cost of construction of the sewer extensions thereof and obtain the permit and pay the fees (if any) as provided for in Section 201 hereof, the Board may give its consent to such construction if each and every one of the following conditions are agreed to in writing and met by applicant:

1. District engineer will engineer and design or approve the plans for sewer system to be installed, using the plot plan and contours submitted by applicant. Engineer will make necessary field survey as required.
2. That all sewers be installed within a minimum ten foot wide deeded utility easements, excepting private sewers within the property boundary of the individual premises it serves.
3. District shall receive those required easements needed to extend the sewer system from the present District system to where it enters the development or premises to be served by the extension, prior to acceptance into the District system.
4. That applicant will install all sewers to the exact design and specifications as set forth by the District, which may require replacing some part of present District system if it is determined they are inadequate to handle the additional sewage

produced by such extension. Construction field controls shall be provided subject to approval of District, Agent, and Engineer.

5. District may require large enough mains to be installed to allow for future expansion and development that will be served by said main.

6. Construction of all extensions to be inspected by District inspector or such other inspector as District may appoint. District inspector to be on the project at all times during all phases of the construction.

7. That all engineering fees, inspection fees, salaries and other expenses that may be incurred by such design and construction of said installation be reimbursed to the Valley Springs Sanitary District by the applicant prior to connecting to the system.

8. That the applicant hold District harmless for any and all damages arising from said construction of extension.

9. All construction practices and procedures to be in line with those generally accepted as good construction practices and procedures with the safety and safeguard of the public being exercised to the utmost at all times during construction.

10. Any other conditions that the District may set forth.

11. Applicant shall provide District with a reproducible as-built map in duplicate prior to connecting to system.

12. Those principle persons representing applicant for said extensions shall enter into a written agreement prepared by the District agreeing to all terms of this Ordinance relating to said extension and to any other conditions the District may deem necessary at the time of application.

District further reserves the right to require a cash deposit or performance bond be posted by applicant to cover all costs incurred by District on said extension. This deposit or bond would be posted prior to district engineer, inspector, etc. performing any services relating to said extension.

13. District shall require applicant to post a cash or other District approved bond in such amount as may be deemed necessary by District to cover entire cost of said extension. This bond to act as a faithful performance and completion bond by applicant.

14. Upon request by applicant and approval of Board, applicant may post a cash bond in amount set by District engineer and Board, to equal estimated total cost of said extensions plus 10%. District will then have said extension engineered and

constructed to comply with all other conditions of this Ordinance. Applicant will be refunded a sum equal to the difference between bond and actual costs incurred by District on said extension. Applicant shall agree to pay any additional sums over the bond posted that may be incurred by District on said extension.

SECTION 504 Empty.

SECTION 505. No extensions shall be made outside the District, unless the entire area to be served by said extension is annexed into the District. The annexation must be fully completed and the Certificate of Annexation in possession of Valley Springs Sanitary District prior to any engineering and/or construction of said extension.

SECTION 506. All sewer extensions, and all sewer connections to the District system, must meet the design and construction specifications of the District prior to connecting to the District system.

SECTION 507. All sewer extensions, excepting private sewers as provided elsewhere in this ordinance shall become the property of the District upon connecting to the District system.

SECTION 508. Henceforth from the date of this Ordinance, each sewer service must be connected to the District main via a separate, individual private sewer.

ARTICLE VI

Disposition of Revenues and Uses to Which Revenues Shall Be Applied

SECTION 601 Disposition of Revenues. All revenues received by the Manager under this Ordinance, including all sewer service charges and connection fees, shall be deposited twice a month in the District's depository. Any sums required to be deposited for bond interest and principal payments will be deposited with the Treasurer of Calaveras County for the purposes and in the funds provided in that certain resolution adopted by the Board.

ARTICLE VII

Enforcement and Appeals

SECTION 701 Manager's Responsibility. The Manager is hereby charged with the enforcement of all the provisions of this Ordinance.

SECTION 702 Violation Notifications. In the event of a violation of any terms of this Ordinance, or any rule or regulation established pursuant to this Ordinance, the Manager, in writing, shall notify the person causing, allowing or committing such violation, specifying the violation and, if applicable, the time after which (upon the failure of such

person to prevent or rectify the violation) the Manager will exercise his authority to disconnect the premises from the District sewer system; provided that such time shall not be less than five (5) days after the deposit of such notice in the United States Post Office at Valley Springs, California, addressed to the person to whom notice is given, provided, however, that in the event such violation results in a public hazard or menace, then the Manager may enter upon the premises without notice and do such things and expend such sums as may be necessary to abate such hazard, and the reasonable value of the things done and the amounts expended in so doing shall be a charge upon the person so in violation.

SECTION 703 Enforcement Action. Upon failure of the owner of any premises to pay any connection fee or sewer charges prior to delinquency, any one or more of the following actions authorized by this paragraph may, or where required hereby must, be taken by the District or District officials to enforce such payments:

- a) In each case where all or any part of any bill, remains unpaid on the delinquent date thereof, a basic penalty of 10% of the amount of such bill may be added to such bill for the first month delinquent and in addition an amount equal to one and one-half of one percent (1.5%) per month of the amount of such bill shall be added to such bill for each month during the time that said bill shall remain unpaid after the delinquent date thereof.
- b) In each case where any bill for sewer service remains unpaid after such bill becomes delinquent, the Manager may direct the Superintendent to disconnect the premises from the District sewer system, all subject to the provisions of Paragraph "a" of this Section 703. Whenever premises have been disconnected from the District sewer system for nonpayment of sewer service charges, such premises shall not be reconnected to the District sewer system until all delinquent charges and penalties have been paid and until a connection permit shall have been obtained and until a connection fee of \$50.00 shall be paid, and until the owner of such premises otherwise have complied with this Ordinance.
- c) In each case where premises are disconnected from the District sewer system, the Board shall cause the District to take or to request any authorized public officer to take such steps as may be legally taken to abate such premises and to prohibit occupancy of such premises until they shall be reconnected to the District sewer system.
- d) In each case where all or any part of any bill for sewer service remains unpaid for thirty (30) days following the delinquent date thereof, the Board may cause the District to initiate an action at law against the person billed for the amount of the delinquent bill, including all basic and monthly penalties, plus Court costs, and shall cause the District to prosecute such action to final judgment against the defendant in such action.

SECTION 704 Appeals. Any person who shall have a right to appeal as provided in any section of this Ordinance or who shall be dissatisfied with any determination hereinafter made hereunder by the Manager may, at any time within thirty (30) days after such determination, appeal to the Board by giving written notice to the Manager and to the Board, setting forth the determination with which such person is dissatisfied. The Board may, at any time, upon its own motion appeal from any determination made by the Manager hereunder. In the event of any such appeal, the Manager shall transmit to the Board a report upon the matter appealed. The Board shall cause notice to be given, at least 10 days prior to the time fixed for such hearings, to all persons affected by such appeal, of the time and place fixed by the Board for hearing such appeal.

Pending decisions upon any appeal relative to the amount of any charges hereunder, the person making such appeal shall pay such charge. After the appeal is heard, the Board shall order refunded to the person making such appeal such amount, if any, as the Board shall determine should be refunded.

ARTICLE VIII

Repairs, Maintenance and Cleaning

SECTION 801 Repairs, Maintenance and Cleaning. All repairs, maintenance and cleaning of private sanitary sewers within the Valley Springs Sanitary District shall be the duty and obligation of the owner of each said private sanitary sewer, who shall be responsible for the costs thereof. Should the owner fail to make repairs or to properly maintain or clean any private sanitary sewer, and the Board of Directors of the District finds that such failure shall interfere with or endanger the operation of the public sanitary sewer of the District or be detrimental or injurious to the inhabitants thereof or their property herein, the District may perform the necessary repairs, maintenance or cleaning of the private sanitary sewer and shall include the cost thereof in the monthly sewer charge of the owner failing to make such necessary repairs, maintenance or cleaning, the employees of the District shall have the right to enter upon the private property of the user for such purposes.

ARTICLE IX

Sewage from Mobile Homes, Motor Vehicles, House Trailers and Campers

SECTION 901 Monthly Fees. Any commercial or other establishment having facilities for accepting sewage from self-contained motor vehicles, house trailers, mobile homes, and campers and subsequently discharging this sewage into the public sanitary sewer of the District shall pay a monthly service in accordance with Rate Ordinance and in addition to all other charges normally charged to said establishment.

SECTION 902 Requirements. Facilities for accepting sewage from self-contained house trailers and campers to be discharged into the public sanitary sewer of District shall meet all of the following conditions:

1. Written application accompanied with full detailed plans for the District's consideration.
2. Design and construction must meet District Engineer's approval.
3. Only raw sewage from house trailers and campers shall be discharged into said facility.
4. The facility shall have a locking cover that shall be kept locked at all times that the property owner or his agent is not in attendance.
5. The District's Board reserves the right to terminate service to this facility at any time by giving ten (10) days prior written notice via certified United States mail to the owner or operator thereof.
6. The applicant shall reimburse the District for all engineering fees and other costs arising from reviewing said application and inspection fees during construction of said facility.
7. The applicant shall enter into an agreement with the District prior to any engineering by the District or other expenditures by the District as a result of this application or construction in connection with said application.

ARTICLE X

Use of Public Sewers Required

SECTION 1001 Discharge of Wastes. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the Valley Springs Sanitary District, any human or animal excrement, or other objectionable waste.

SECTION 1002 Discharge to Natural Outlet. It shall be unlawful to discharge to any natural outlet within the Valley Springs Sanitary District, any sanitary sewage, industrial wastes or other polluted waters.

SECTION 1003 Construction of Privy, Cesspool, etc. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

SECTION 1004. Subject to the provisions of Section 203, the owner of all houses, buildings or properties used for human occupancy, employment, recreation, schooling, or other purposes, situated within the District, and where there is now available, or when in

the future there is available within reasonable distance, a public sewer, is hereby required at his expense to install suitable toilet facilities and to connect such facilities directly with the public sewer in accordance with the provisions of this ordinance. Every person owning any premises so located and upon or in which any sewage is produced shall be required to connect said premises to the District sewer system within sixty (60) days from the date when a main sewer or lateral sewer is completed and/or available for connection to said premises. (A reasonable distance shall be determined by the Board).

SECTION 1005 Use of Recycled Water. The State Legislature has determined that the use of potable domestic water for certain non-potable uses may constitute a waste or unreasonable use of water if recycled water is available which meets specified conditions. (Water Code sections 13550 et. Seq.)

It is the policy of the Valley Springs Public Utility District to require that water users within the Agency retail and wholesale service areas use recycled water, wherever feasible, for future non-potable uses when it is of adequate quality and quantity, available at reasonable cost, not detrimental to public health and not injurious to plant life, fish and wildlife. The Agency shall coordinate and work with Calaveras County and the cities within its retail and wholesale service areas to ensure that this recycled water policy is implemented.

In determining whether recycled water is feasible for a particular property or nondomestic use, the Agency shall consider the following factors:

- Whether the recycled water may be furnished for the intended use at a reasonable cost to the customer and the Agency.
- Whether the recycled water is of adequate quality and is available for the intended use.
- Whether the use of recycled water is consistent with all applicable federal, state and local laws and regulations.
- Whether the use of recycled water will not be detrimental to the public health, will not degrade water quality, will not adversely affect downstream water rights, and will not adversely affect plant life, fish and wildlife.

The Agency may provide potable water or other non-recycled water supplies for non-potable uses when sufficient recycled water is not available after consideration of the above factors and the demands of existing recycled water customers. However, the Agency shall condition the provision of such potable water or other non-recycled water supply on the customer utilizing recycled water when it becomes available.

The use of recycled water is strictly controlled by the California Department of Health Services (DHS) and the Central Valley Regional Water Quality Control Board (CVRWQCB). The regulations governing the delivery of recycled water are found in

Sections 60301, et seq. of Chapter 3 of Division 4 of Title 22 of the California Code of Regulations.

In the Agency service areas, uses of recycled water may include, but are not limited to, commercial landscape irrigation, residential or multi-family dual plumbed landscape irrigation, construction water, cemeteries, industrial process water, golf courses, car washes, and recreational impoundments.

All sites using recycled water are required to have a User Reclamation Plan (URP) or an Engineer's Report (Report) which describes the use, method of supervision, specific requirements, and other pertinent information. The use of potable water or other non-recycled water supplies for non-potable uses should be allowed only if a water balance plan is prepared that shows the replacement of the potable water or other non-recycled water supply within a reasonable period of time.

For all commercial sites, a URP approved by the Agency and DHS is required.

For all residential sites, a Report approved by the Agency and DHS is required.

ARTICLE XI

Private Sewage Disposal

SECTION 1101 Private Sewer. Where a public sewer is not available under the provisions of Article III, the building shall be connected to private sewage disposal system complying with the provisions of this article.

SECTION 1102 Permit Required. Before start of construction of a private sewage disposal system the owner shall first obtain a written permit from the Sanitary Board.

SECTION 1103 Inspection Required. A permit for private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction, and in any event, the applicant shall notify the Superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be within 48 hours of receipt of notice by the Superintendent.

SECTION 1104 Design. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of California and the Calaveras County Department of Environmental Health. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 15,000 square feet. No septic tank shall be permitted to discharge to any public sewer or natural outlet.

SECTION 1105 Disconnection. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article III, a direct connection shall be made between the building sewer and the public sewer in compliance with this Ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be completely disconnected, abandoned, and filled with suitable material.

SECTION 1106 Operation and Maintenance. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District.

SECTION 1107 Conflict with County Requirements. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the County Health Officer.

ARTICLE XII

Building Sewers and Connections

SECTION 1201 Unauthorized Work. No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereof.

SECTION 1202 All Costs Paid By Owner. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the judgment of the Superintendent or the Sanitary Board.

SECTION 1203 Separate Sewers. A separate and independent building sewer shall be provided for every building.

SECTION 1204 Use of Old Building Sewers. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Ordinance.

SECTION 1205 Empty

SECTION 1206 Minimum Size Building Sewer. The size and slope of the building sewer will be subject to the approval of the Superintendent, but in no event shall the diameter be less than four inches.

SECTION 1207 Minimum Cover. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The pipe shall have a minimum of 18 inches cover unless otherwise approved

by the Superintendent. Pipe having less than 18 inches cover shall be encased in concrete. Change in direction or grade in excess of 5' (feet) at any one joint shall be made only with approved curved pipe fittings.

SECTION 1208 Pumping Required. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

SECTION 1209 Excavation, Pipe Laying and Backfill. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with the manufacture except that no backfill shall be placed until the work has been inspected. Excavation in County streets shall be done only after an encroachment permit has been received from the County and all excavation, backfilling, and street resurfacing shall be accomplished to the County's satisfaction.

SECTION 1210 Connection to Public Sewer. The connection of the building sewer to the public sewer shall be made to a fitting installed by the Owner at the expense of the owner, and inspected and approved by the District.

SECTION 1211 Inspection Required. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representatives.

SECTION 1212 Public Safety. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

ARTICLE XIII **Use of the Public Sewers**

SECTION 1301 Unauthorized Unpolluted Discharge. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage or unpolluted industrial process waters to any sanitary sewer.

SECTION 1302 Storm Sewers. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Superintendent.

SECTION 1303 Unauthorized Polluted Discharge. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

1. Any liquid or vapor having a temperature higher than 150° F.
2. Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil, or grease.
3. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
4. Any garbage that has not been properly shredded.
5. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers, or the interference with the proper operation of the sewage works.
6. Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
7. Any waters or waste containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
8. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
9. Any noxious or malodorous gas or substance capable of creating a public nuisance.

SECTION 1304 Grease, Oil, Sand Traps Required. Grease, oil and sand interceptors (traps) shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located so as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors (traps) shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water-tight, and equipped with easily removable covers which, when bolted in place, shall be gas-tight and water-tight.

Sizing Grease Interceptors per present Uniform Plumbing Code. All interceptors shall have a 1,000 gallon capacity or larger and be approved by the District and shall be so located so as to be readily and easily accessible for cleaning and inspection.

SECTION 1305 Grease Trap Operation and Maintenance. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

SECTION 1306 Applications Required. In accordance with this Ordinance no person shall install a grease trap interceptor without first obtaining a written application from the District and paying a fee as required per rate schedule of \$50.

ARTICLE XIV
Minimum Design Requirements

****** SEE VSPUD IMPROVEMENT STANDARDS ******

ARTICLE XV
Protection From Damage

SECTION 1501 Damage to System. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or temper with any structure, appurtenance, or equipment which is a part of the public sewage works.

ARTICLE XVI
Violation of Ordinance

SECTION 1601 Violation. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed \$500.00, or imprisonment in the County jail of the County of Calaveras for a period not to exceed one month, or by both such fine and imprisonment.

ARTICLE XVII
Validity of Ordinance

SECTION 1701 Ordinance Validity. If any section, subsection, subdivision, 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. The Sanitary Board of the Valley Springs Sanitary District hereby declares that it would have passed this Ordinance, and each section, subsection, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional.

ARTICLE XVIII
Adoption of Ordinance

SECTION 1801 Adoption. This Ordinance supersedes and is a recodification of all previous Ordinances which are in conflict herewith of the District. The provisions of any Ordinance heretofore adopted by District which are not part of the subject matter of this Ordinance shall remain in full force and effect. Any provisions of the Ordinance which are a recodification of former Ordinances shall be deemed effective as of the date of adoption of said former Ordinances. This Ordinance shall be posted in three (3) public places in the District within fifteen (15) days of the date of adoption and shall be effective thirty (30) days after its adoption unless by law it shall become effective sooner.

Passed and Adopted at a meeting of the Board of Directors of the Valley Springs Sanitary District the 9th day of January, 1985.