

ORDINANCE NO. _____

CABAZON WATER DISTRICT

**RULES AND REGULATIONS
GOVERNING WATER SERVICE**

Adopted _____

**ARTICLE 1
GENERAL PROVISIONS**

1.1 WORDS AND PHRASES

For the purpose of these rules and regulations, words and phrases used in the present tense shall include the future; all words in the plural number shall include the singular number; and all words in the singular number shall include the plural number.

1.2 PRESSURE CONDITIONS

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

1.3 MAINTENANCE OF WATER PRESSURE AND SHUTTING DOWN FOR EMERGENCY REPAIRS

The District shall not accept any responsibility for the maintenance of pressure. The District reserves the right to discontinue service while making emergency repairs. Customers dependent upon a continuous supply of water should provide emergency storage.

1.4 HIGH ELEVATION SERVICE

1.4.1 Individual Service

Where property is situated at such an elevation that it cannot be assured of a dependable supply from the District's system, the owner, as a condition of the installation of water service, must agree to accept such water service as the District is able to render from its existing distribution system and if necessary, to construct and maintain at owner's expense on his property a booster pump and/or a tank of sufficient capacity to furnish an auxiliary supply of water at such times, as pressure in the water mains may be insufficient to supply the property with water, and to execute a written release to the District for all claims for failure to furnish an adequate water supply.

1.4.2 Subdivision Service

Where all or part of a subdivision is situated at such an elevation that it cannot be assured of a dependable supply from the District's system, the developer, as a condition of the service, shall construct a hydro-pneumatic booster pumping station of sufficient capacity to supply adequate flow and pressure to the affected lots, including dedicating same along with necessary land to District. The design of said hydro-pneumatic booster pumping station will be performed in accordance with Article 6.

1.5 TAMPERING WITH DISTRICT PROPERTY

No one except an employee or representative of the District shall at any time and in any manner operate any cocks, gates, or valves of the District's system, or interfere with meters or their connections or other parts of the water system.

1.6 PENALTY FOR VIOLATION

For failure of the Customer to comply with all or any part of these rules and regulations or to pay any applicable rates and charges of this District, the Customer's service shall be discontinued and water shall not be supplied to such Customer until said Customer shall have complied with the rule or regulation, or rate or charge which Customer has violated, or in the event that Customer cannot comply with said rule or regulation, until Customer shall have satisfied the District that in the future Customer will comply with all rules and regulations established by the District and with all rates and charges of the District. The District will comply with the provisions in Article 10 when terminating water service for nonpayment of a delinquent account. The penalties set forth in this Section 1.6 are in addition to any penalties imposed pursuant to Article 16.

1.7 CUSTOMER COMPLAINTS

1.7.1 Administrative Rulings

Customers are welcome to contact the District office with any questions or complaints during regular business hours. The appropriate District staff will address such questions or complaints and make every reasonable attempt to arrive at a mutually agreeable resolution with the customer. If desired, the Customer may make an appointment to meet with the Manager.

Complaints regarding disputed bills and delinquent accounts must be handled through the provisions in Article 10.

Should the Customer be unable to have its questions or complaint satisfied by the staff, the Customer may either submit the question or complaint in writing, with a full and detailed explanation to the Board for review or appear in person before the Board at its next regular meeting. Action by the Board shall not ordinarily be delayed more than the time of the next regular meeting, unless further delay is agreed to by the Customer or necessary to fully investigate the facts underlying the question or complaint.

1.7.2 Appeal of Administrative Ruling

All rulings, decisions, and determinations are to be made by the District's authorized representatives in accordance with the Rules and Regulations. Such rulings may be appealed in writing, addressed to the Board and delivered to the Manager within 5 days. Such appeals will be considered by the Board at its next regular meeting.

1.7.3 Ruling Final

All rulings of the Board shall be final.

**ARTICLE 2
DEFINITIONS**

Whenever the following words are encountered in these Rules and Regulations, they shall mean the following:

2.1 AIR-GAP SEPARATION

means a physical break between the supply line and the receiving vessel measured by the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other vessel and the flood level rim of said vessel.

2.2 APPLICANT

means any person, firm, corporation, or agency which makes application to the District for water service.

2.3 APPROVED BACKFLOW PREVENTION DEVICES

means devices that have passed laboratory and field evaluation tests performed by a recognized testing organization which has demonstrated its competence to perform such tests to the satisfaction of the California Department of Health Services.

2.4 APPROVED

means accepted by the District as meeting specifications required by these Rules and Regulations, or applicable State laws and regulations.

2.5 APPROVED WATER SUPPLY

means a water supply regulated by a State or local health agency as to its potability and use as drinking water.

2.6 AUXILIARY WATER SUPPLY

means any water supply other than the District's water supply, including water from another public potable water supply.

2.7 AWWA STANDARD

means an official standard developed and approved by the American Water Works Association (AWWA).

2.8 BACKFLOW

means the flow of water or other liquids, gases, mixtures, or substances into the District's potable water system from any source or sources other than a District-approved water source or sources. Backpressure and backsiphonage are causes of backflow.

2.9 BACKFLOW PREVENTER or BACKFLOW PREVENTION DEVICE

means a device or mechanical arrangement designed to prevent backflow that has been approved pursuant to Section 7601 of Title 17 of the California Code of Regulations.

2.10 BACKPRESSURE

means the condition where water or other liquids, mixtures, or substances under pressure can potentially flow from any source other than the intended source into the District's water system.

2.11 BACKSIPHONAGE

means the condition where water or other liquids, mixtures, or substances under vacuum can potentially flow from any source other than its intended source into the District's water system.

2.12 BASIC FACILITY CHARGE

means a charge levied on a premises for the purpose of providing water supply capacity within the District's water system. It is a charge intended to recover costs for water supply including, but not limited to, water well pumping plants, water transmission pipelines and water storage reservoirs.

2.13 BOARD

means the Board of Directors of the Cabazon Water District.

2.14 CONTAMINATED FLUID or POLLUTED FLUID

means a fluid or solution which is determined to be chemically, biologically, or otherwise contaminated or polluted in a form or concentration such that, in the judgment of the Manager, the fluid or solution could create a danger to the health and well-being of Customers by jeopardizing the physical properties, the potability, or the aesthetic quality of the District's water supply, or the physical properties of the District's water system.

Contaminated or polluted fluids may include, but not be limited to, all types of processed waters and "used waters" originating from the District's potable water system which have deteriorated in sanitary quality; water containing chemicals in fluid form; plating acids and alkaline; circulating cooling waters connected to open cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters from wells, springs, streams, and rivers; waters conveyed through canals or open systems; water containing oils, gases, glycerin, paraffins, caustic, and acid solutions; and other liquids and gaseous fluids used for industrial or fire fighting purposes.

2.15 CONTAMINATION

means a degradation of the quality of the potable water by any foreign substance which creates a hazard to the public health or which may impair the usefulness or quality of the water.

2.16 CONTRACTOR

means any person, firm, or corporation holding a valid contractor's license in accordance with the provisions of the Business and Professions Code of the State of California, or other applicable

law, with whom a contract has been made for the performance of the work necessary to construct approved water works facilities.

2.17 COST

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

2.18 CROSS-CONNECTION

means any actual or potential physical connection or arrangement of piping or fixtures, including but not limited to any temporary connections such as swing connections, removable sections, four-way plug valves, spools, dummy pipe sections, swivel or changeover devices, or sliding multiport tubes, between a potable water system used to supply water for drinking purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome, and potable. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices, or other devices through which backflow could occur, shall be considered to be cross-connections.

2.19 CUSTOMER

means the owner, tenant, lessee, or occupant of a premises to which the District provides water service. Customer also means any person who purchases, receives, or consumes water from the District's water supply system or who initiates or requests to do so.

2.20 CUSTOMER WATER SYSTEM

means any and all portions of water piping, related appurtenances, and related apparatus beyond the District's service connection.

2.21 DEVELOPER

means any person, firm, corporation, or agency which undertakes any development requiring new facilities for water service, including subdivisions and parcel map divisions.

2.22 DEVELOPMENT

means any improvements or alterations rendered upon real property which make necessary or desirable the installation of new facilities for water service.

2.23 DISTRIBUTION SYSTEM CHARGE

means a charge levied on a premises for the purpose of providing water distribution capacity within the District's water system. It is a charge to recover costs for water distribution pipelines including appurtenances such as air valves, isolation valves, blow-offs, and fire hydrants.

2.24 DISTRICT

means the Cabazon Water District.

2.25 DOUBLE CHECK VALVE ASSEMBLY

means an assembly of at least two independently acting check valves including tightly closing shut-off valves on each side of the check valve assembly and test cocks available for testing the watertightness of each check valve.

2.26 ENGINEER

means the Cabazon Water District's engineer.

2.27 HEALTH AGENCY

means the California Department of Health Services.

2.28 INSTALLATION CHARGE

means a charge covering material, labor, and equipment for installing water system facilities.

2.29 LOCAL HEALTH AGENCY

means the Riverside County Community Health Agency.

2.30 LOT

means that portion of a parcel of land which is delineated or described as a single integral unit of a subdivision map.

2.31 MAIN

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

2.32 MAIN EXTENSION

means the installation of any water main and appurtenances beyond the existing water system.

2.33 MANAGER

means the Cabazon Water District's General Manager, or the representative or other designated agent of the Manager.

2.34 OWNER

means the person having fee title, or the person in whose name the legal title to a property appears, by deed duly recorded in the County Recorder's office, or the person in possession of the property or buildings under claim of, or exercising acts of ownership over the same for himself or as executor, administrator, guardian, or trustee of the owner.

2.35 PARCEL MAP DIVISION

means any tract of land, improved or unimproved, which comprises a parcel map division under the laws, ordinances, or regulations of the State of California or the County of Riverside.

2.36 PERSON

means an individual, association, corporation, company, partnership, municipality, special district, public utility, or other public body or institution, including the United States of America, the State of California, and all political subdivisions, governmental agencies, and mandataries thereof.

2.37 POTABLE WATER

means water which, according to recognized standards, is safe for human consumption.

2.38 PREMISES

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

2.39 PRIVATE FIRE PROTECTION SERVICE

means water service and facilities for building sprinkler systems, hydrants, hose reels and other facilities for installation on private property for fire protection and the water available therefor.

2.40 PRIVATE PLUMBING

means the Customer's pipeline and appurtenances extending from the service connection to the Customer's house, building, or structure which receives water.

2.41 PUBLIC FIRE PROTECTION SERVICE

means the service and facilities for building sprinkler systems, hydrants, hose reels, and other facilities for installation on private property for fire protection and the water available therefor.

2.42 REDUCED PRESSURE PRINCIPAL ASSEMBLY OR DEVICE ("RP")

means an assembly or device incorporating at least two independently acting approved check valves, an automatically operating differential relief valve located between the check valves, a tightly closing shut-off valve on each side of the check valve assembly, and equipped with appropriate test cocks for testing water tightness of each component of the assembly or device.

2.43 REGULATIONS

mean the current edition of, and any amendments or revisions to, the District's regulations governing water service.

2.44 SERVICE CONNECTION

means the facilities necessary to extend water service from a water main to a premises, consisting of connection to the water main, service saddle, corporation stop, service line, curb stop, water meter, and meter box. Where service connections are divided, each branch service connection shall be deemed a separate service connection.

2.45 SERVICE CONNECTION CHARGE

means a charge levied for construction of the facilities necessary to extend water service from a water main to a residence, or commercial or industrial establishment, consisting of connection to the water main, service saddle, corporation stop, service line, angle meter stop, curb stop, water meter and meter box.

2.46 SUBDIVIDER

means any person, firm, or corporation who develops a subdivision or parcel map division.

2.47 SUBDIVISION

means any tract of land, improved or unimproved, which comprises a subdivision under the laws, ordinances, or regulations of either the State of California or the County of Riverside.

2.48 TEMPORARY WATER SERVICE

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

2.49 WATER SERVICE

means water service and facilities rendered for normal domestic, commercial, or special purposes on a permanent basis, and the water available therefor.

**ARTICLE 3
NOTICES**

3.1 NOTICES TO CUSTOMERS

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

3.2 NOTICES FROM CUSTOMERS

Notices from the Customer to the District may be given by Customer or Customer's authorized representative in writing at the District's operating office, or by telephone in emergencies.

**ARTICLE 4
APPLICATION FOR REGULAR WATER SERVICE**

4.1 APPLICATION FOR REGULAR WATER SERVICE

The property owner or his agent designated in writing shall make application for regular water service by personally signing an “APPLICATION FOR WATER SERVICE.” Tenants may add their names to the application submitted by the owner or agent. A copy of the Application is attached on the following page.

4.2 WATER SERVICE TO CUSTOMERS OTHER THAN PROPERTY OWNER

4.2.1 Property Owner’s Signature

Water service accounts are opened in the name of the property owner only. If a property owner rents the premises to a tenant, the tenant may have water service and other services turned on, provided that service to the tenant be furnished on the account of the landlord or property owner and the landlord or property owner so notifies the District. (Gov. Code, § 53064.5.)

4.2.2 Owner Responsibility

Delinquent and unpaid charges for water and other services remain the responsibility of the property owner to pay. (Cal. Wat. Code, § 31701(e), 31701.5.)

4.2.3 Notice of Owner Responsibility

District shall notify the holder of title to land whenever delinquent and unpaid charges for water and other service or either which could become a lien on such property remain delinquent and unpaid for 60 days. (Cal. Wat. Code, § 31701.6.)

A property owner may make application for water service on the following District application form or by letter giving the same information:

APPLICATION FOR WATER SERVICE

I hereby make application for water service for Lot _____, Block _____, Subdivision _____ on _____ Street, in the CABAZON WATER DISTRICT, and agree to pay all bills for service rendered at said premises and hereby waive the benefit of all statutes of limitation as to all said bills. I also hereby agree to be governed by the rules and regulations of said service now in effect or hereafter adopted by the Board of Directors of the CABAZON WATER DISTRICT. I acknowledge that the CABAZON WATER DISTRICT and its officers, agents, consultants and employees shall not be liable for injury or death to any person, or damage to any property, arising during or growing out of the performance of any act undertaken pursuant to this application for water service by applicant, owner, or contractor. The applicant, owner, or contractor shall be answerable for, and shall save the CABAZON WATER DISTRICT and its officers, agents, consultants, and employees harmless from any liability imposed upon the CABAZON WATER DISTRICT or its officers, agents, consultants, or employees including all costs, expenses, attorney, expert, or other fees and interest incurred in defending any court action or proceeding arising out of any such act. The CABAZON WATER DISTRICT shall be kept whole and harmless at all times of any claims resulting from matters involving quantities, quality, time or occasion of delivery, or any other phase of the maintenance, operation, and service of a Customer's water system.

_____, Owner

Mail Address: _____

Phone: _____

Date: _____

Signature: _____

4.3 UNDERTAKING OF APPLICATION

Such application will signify the Owner's or Customer's willingness and intention to comply with these water service rules and regulations and any resolutions, orders, or other rules and regulations of this District as they may now exist or as they may be changed or amended by the Board.

4.4 PAYMENT FOR PREVIOUS SERVICE

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

4.5 WATER USED WITHOUT APPLICATION

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

4.6 SERVICE CONNECTION INSTALLATION CHARGES

The District may fix a charge for the installation of service connections. Where a charge has been fixed for the installation of the size of service connection desired, such charge shall be paid in advance by the applicant unless special authorization is given.

Where no such charge is fixed, the District reserves the right to require the applicant to deposit an amount equal to the estimated cost of installation of such service connection. Fixed charges will apply to parcels newly created by lot splits or parcel map divisions in existing subdivisions.

4.7 INSTALLATION OF SERVICE CONNECTIONS

Service connection installations may be made only to property abutting distribution mains as have been constructed in public roads, streets, alleys, or easements, or to mainline extensions as herein provided. Except for new subdivisions, only duly authorized employees or agents of the District may install individual service connections.

4.7.1 District installed

District will install service connections within existing subdivisions with existing improvements at a location as requested by applicant.

4.7.2 Developer Installed

Developer installed service connections in new subdivisions installed prior to the construction of streets or in advance of street improvement must be accepted by the District in the installed location, or relocated at the developer's expense.

4.8 CHANGE IN CUSTOMER'S EQUIPMENT

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

4.9 SIZE AND LOCATION

The District reserves the right to determine the size of the service connection and its location in relation to the boundaries of the premises to be served. The Customer's service piping should not be laid until the service connection has been installed. In the event the Customer's service piping is laid prior to the service connection being installed, and its location does not correspond with that of the service connection at the property, then the Customer must bear the additional cost of connecting the Customer's service piping to the service connection.

4.10 SERVICE CONNECTIONS

Each service connection from the main to the premises shall be installed by the District and shall consist of connection to the water main, service saddle, corporation stop, service line, curb stop, water meter, and meter box. The service connection shall become the property of the District and shall be maintained by the District. Also installed by the District may be a check valve and a hand valve, enclosed in a meter box. This check valve, hand valve, and meter box, as well as all other piping and fixtures beyond the meter, shall be the property of and shall be maintained by the owner. If any of the District's equipment is damaged to an extent requiring replacement, such replacement shall be at the Customer's expense.

4.11 DOMESTIC, MULTIPLE PURPOSE, AND SPECIAL CONNECTIONS

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

4.11.1 Separate Building

Each house, building, mobile home, or house trailer under separate ownership must be provided with a separate service connection.

4.11.2 Different Owners

A service connection shall not be used to supply adjoining property of a different owner or to supply property of the same owner across a property line, street, or alley.

4.11.3 Divided Property

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

4.11.4 Outside District's Service Area

In the event an applicant requests a service connection to a property outside District's established service area, the District may consider such service and, upon resolution of

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the Board, may serve said property provided applicant shall be bound by these Rules and Regulations and pay all Charges and Fees specified herein. In addition, applicant shall pay equivalent in lieu charges, fees and taxes normally applied to tax bills. The Board will establish additional charges for such service as it may from time to time deem appropriate.

**ARTICLE 5
WATER SERVICE INVOLVING INDIVIDUAL MAIN
EXTENSIONS AND SUBDIVISION FACILITIES**

5.1 GENERAL PROVISIONS

5.1.1 Ownership of Facilities

All facilities installed under this article shall be sole property of the District, and before service is commenced for permanent or temporary use, the applicant shall execute, provide, and deliver to the District all documents necessary to vest title in the District, together with any conveyances of fee title, easements, and rights-of-way which might be required.

5.1.2 Land and Easements

Except for facilities which may be located in dedicated public streets, the applicant shall provide the District with fee title or easements for such land and rights-of-way as may be required for the construction, operation, maintenance, repair, and replacement of any facilities installed hereunder.

5.1.3 Right to Refuse Service

The District shall not be obligated to provide water service to any new development if District's water supply, pumping capacity, distribution system, or storage facilities are inadequate. The District's decision on the feasibility of all new developments and what may be required to supply them with water shall be final.

5.1.4 Street Grades

The District will not be required to make or approve any main extensions where street grades are not those which have been established by proper public authority.

5.1.5 Compliance with Applicable Requirements

All facilities constructed and installed pursuant to this article shall comply with the rules and regulations of this District, all applicable ordinances and regulations of any public authority having jurisdiction, and all provisions of law. All estimates of cost shall be based on such compliance. All materials used shall be new.

5.1.6 Definition of Costs

Whenever the applicant is required to deposit or pay the District's costs in connection with any new development, such cost shall include, but not necessarily be limited to, the expense of processing applications, inspecting the development site, and inspecting the construction work together with a reasonable allowance for overhead, and any outside engineering and legal charges which may be necessarily incurred.

5.1.7 Definition of Facilities

Whenever the term "facilities" is used herein, it shall include, but not necessarily be limited to, all wells, well pumping plants, booster pumping plants, storage tanks, main extensions or pipelines, fire hydrants and services, individual water users' services, and miscellaneous plant and appurtenances which may be necessary for service to the applicant.

5.1.8 Sizing and Materials

a. Water Supply Facilities

The minimum transmission or water supply pipeline size permitted by District shall be 12-inch nominal diameter unless engineering analysis determines a larger size is required. In general, transmission pipelines shall be constructed along a grid system not more distant than one half mile each way (approximately along section lines and quarter section lines).

b. Distribution System Facilities

The minimum distribution waterline size permitted by District shall be 8 inch nominal diameter for internal, residential development unless engineering analysis determines a larger size is required.

All materials used for the construction of District facilities shall be in accordance with the approved materials list. Waterlines larger than 8" shall be ductile iron pipe (DIP). Waterlines with an 8 inch nominal diameter may be DIP or AWWA C-900 polyvinyl chloride pipe (PVC); pressure class as approved by District. All connection piping and fire hydrant laterals shall be DIP.

5.1.9 Oversizing

The District may require oversizing of any facilities, but if it does so, it will pay the material costs in excess of those required to serve the applicant. In no case, however, shall any main extension be constructed with pipe of less than 8 inches inside diameter, and no oversizing shall be considered to exist in any such installation.

5.1.10 Construction Schedule

Because the District's water system is small and serves a limited number of Customers, the construction schedule for all facilities, whether installed by the applicant or the District, shall be under control of the District. The District may require the applicant to submit a detailed schedule of proposed construction for its approval.

5.1.11 Service Connections

Services connections shall be constructed at the cost of the applicant. The applicant shall construct, own, and maintain the service line extension from the Customer control valve to the premises. The construction of the service line shall be done by the applicant and shall remain the property of the applicant. The District shall have no obligation to maintain any such service line.

5.1.12 Fire Hydrants

Fire hydrants shall be constructed at the cost of the applicant. The number, location, type, and size of such fire hydrants will be determined by the District in cooperation with the local fire official and Article 12.

5.1.13 Connections to Other Water Systems

The District's water system shall not be connected to any other water system without the express prior approval of the Board of Directors. Under no circumstances, shall there be any interconnection of the District's water system and any other water system without proper backflow prevention.

5.1.14 Liability; Indemnification

The District and its officers, agents, consultants and employees shall not be liable for injury or death to any person, or damage to any property, arising during or growing out of the performance of any act undertaken pursuant to these rules and regulations by applicant, owner, or contractor. The applicant, owner, or contractor shall be answerable for, and shall save the District and its officers, agents, consultants, and employees harmless from any liability imposed upon the District or its officers, agents, consultants, or employees including all costs, expenses, attorney, expert, or other fees and interest incurred in defending any court action or proceeding arising out of any such act, or in seeking to enforce this section.

5.2 INDIVIDUAL MAIN EXTENSIONS

5.2.1 Application

Any applicant desiring an individual main extension shall make written application to the District. Such application shall contain a description of the property to be served, the kind of use proposed, the type and square footage of any proposed building to be served, and such other information as the District may require.

5.2.2 Deposit and Construction

The design of all main extensions, and the size, type, and quality of material, and the location of all facilities will be performed by the District at the cost of the applicant, unless permitted otherwise by the District. The actual construction work will also be performed by the District, unless permitted otherwise by the District. As soon as a cost estimate has been prepared by the District, the applicant shall be required to deposit a sum equal to 110% of the total estimated cost of the work. Any adjustment between the actual cost of the work and the amount deposited shall be paid by the applicant to the District within 60 days after completion of the work and final determination of the cost by the District. Interest shall accrue at the legal rate upon any additional sums owed by the applicant which are not then paid. Any off-site facilities required to provide additional capacity, pressure, or storage shall be included in the cost of such main extension and shall be paid by the applicant.

5.3 SUBDIVISIONS AND SIMILAR DEVELOPMENTS

5.3.1 Application

Any applicant desiring water service for a subdivision, parcel map divisions, or similar developments requiring installation of new facilities, or similar developments requiring installation of new facilities, shall make a written application to the District. Such application shall contain or incorporate the following:

- a. Legal description of the property to be served.
- b. Three copies of a tentative tract map, parcel map, or development plan prepared by the developer's engineer, showing the proposed lots or parcels.
- c. Present zoning of the land to be subdivided, or the zoning to be requested from the appropriate governing body.
- d. Type and square footage of proposed building construction.
- e. If the development is a subdivision restricted to the sale of lots, the subdivider shall indicate the minimum square footage of building that will be required in any declaration of restrictions and provide sufficient information to permit the District to determine water requirements.
- f. For developments of an industrial, commercial, institutional, or other special nature, the applicant shall describe the essential features of the development in sufficient detail to enable the District to determine water requirements.
- g. A map showing the desired location of proposed connections to the District's existing water system.

5.3.2 Examination of Application

Upon receipt of such application, the District will determine whether the proposed development is within the boundaries of the District and can be served water. If the proposed development is outside the District, the District will so notify the applicant. If a subdivision is involved and can be served water, the District will then deliver to the subdivider a "will serve letter," which is required of subdividers when they submit their tentative tract map or tentative parcel map to the County of Riverside, as specified by Section 5.6(2) of Riverside County Ordinance No. 460.2, and also when the application for preliminary approval of the proposed subdivision is submitted to the California Division of Real Estate. For developments of 500 or more units, the District will supply a Water Supply Assessment, if appropriate, pursuant to the provisions set forth in SB 221 and SB 610.

5.3.3 Construction by Developer

The required on-site facilities may be constructed by the developer, subject to the following terms and conditions. Off-site facilities, however, shall not be constructed by the developer without the District's prior written approval and consent.

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- a. Construction drawings and specifications for the proposed water system facilities shall be prepared and submitted to the District in accordance with the Improvement Plan Requirements of Article 6 herein, and must be approved by the District's engineer. The scope of approval shall include, but not be limited to, size, type, and quality of materials, and the location of all facilities.
- b. The facilities shall be constructed by a contractor holding a valid contractor's license in accordance with the laws of the State of California. Such contractor shall be approved in writing by the District before any work is commenced. The applicant shall furnish the name and license number of the contractor to the District at least 30 days before construction is to begin.
- c. The applicant shall provide the District with a performance bond, letter of credit, or other security arrangement approved by the District to guarantee installation of facilities. The security arrangement shall be in an amount equal to 110% of the cost of constructing the facilities, as estimated by the District.
- d. The required facilities may include, as determined by the District, off-site or back-up facilities as well as those located on the property to be subdivided or developed.
- e. Evidence that the contractor carries adequate public liability and worker's compensation insurance shall be furnished to the District.
- f. A service connection of the size and material specified by the District shall be installed for each lot or parcel of the subdivision prior to the installation of street paving.
- g. The contractor shall be represented on the work at all times by a duly authorized agent.
- h. All work shall be subject to continuous inspection by the District. The developer shall deposit with the District prior to the commencement of any work an amount equal to 10% of the estimated cost of the facilities to provide for such inspection costs. The amount shall be adjusted upon completion of the work to the actual inspection costs incurred.
- i. The applicant, either directly or through the contractor, shall guarantee the facilities against any defects in materials and workmanship for a period of one year following acceptance of the facilities by the District. Such guarantee shall be secured by letter of credit, surety bond, or other arrangement approved by the District, in an amount not less than 100% of the cost of the facilities.
- j. Prior to the District accepting the facilities and incorporating them into its maintained distribution system, the contractor shall provide the District with a set of reproducible "as-built" or "record" drawings thoroughly describing all facilities and showing in detail the exact location and depth of all buried facilities.

5.3.4 Construction by District

If the applicant requests that the District construct the facilities, and the District is willing, the applicant shall deposit with the District a sum in cash equal to the total estimated cost of the work. The District shall thereupon proceed with construction, either by force account or by contract. Any adjustment between the actual cost of the work and the amount of deposit shall be made within 60 days after the completion of the work and final determination of the cost by the District. Interest shall accrue at the legal rate upon any additional sums then owed by the applicant which are not then paid.

5.3.5 Written Agreement

Whether the construction is to be done by the contractor or by the District, no facilities for subdivisions or similar new developments shall be installed until a written agreement covering such work has been entered into between the applicant and the District, based upon these provisions and including any other matters which may be required in connection with such work.

5.3.6 Reimbursement Contracts

The applicant shall not be entitled to any reimbursement of the cost of on-site facilities for subdivisions or other new developments or for off-site facilities constructed solely for the benefit of the applicant.

- A. Exemption: A Mainline Extension and Refund Agreement may apply, at the discretion of the District, in certain limited cases where water facility extensions have capacity in excess of the capacity needed to serve applicant's property and abut undeveloped property other than the applicant's property.

**ARTICLE 6
IMPROVEMENT DRAWING REQUIREMENTS**

6.1 GENERAL REQUIREMENTS

Drawings for any proposed water system facilities shall be prepared by a civil engineer registered in the State of California. All improvement drawing sheets shall be 24"x36". Each sheet shall contain a title block in the lower right hand corner, with provision for a general description of the proposed facilities, signature of the registered civil engineer under whose direction the drawings were prepared. Plan and profile scales, sheet reference number, and revision date and notes.

6.2 IMPROVEMENT DRAWING CHECKING

The developer shall deposit with the District a sum of cash, in an amount to be determined in consultation with the District's engineer, to defray the District's costs of checking the water system improvement drawings submitted, drafting necessary contracts and agreements, and related expenses; the developer shall agree to pay any additional costs incurred for such purposes. Three sets of prints of the proposed improvement drawings shall be submitted to the District for review.

Unless otherwise determined, District will use \$10 per diameter-inch per foot of proposed waterline for construction cost estimating purposes (i.e. \$80 per foot for an 8 inch waterline). The developer shall deposit a sum equal to 7 and one half percent of said estimated cost. The District will refund that portion not expended for these purposes.

After receipt of the required deposit and improvement drawings, the District will check the drawings and notify the developer if any changes are to be made. After any necessary revisions have been made and three copies of the final prints have been submitted and approved, the developer shall submit the reproducible drawings to the District for signature, after which the developer shall furnish the District with one set of mylar drawings of the approved water system. After the improvement drawings have been approved, changes shall not be made without the consent of the District. If changes are desired, the developer shall submit prints showing the proposed changes. If the District approves the requested changes, the developer will be notified to make the changes and add appropriate revision notes to the reproducible drawings, and replace the superseded copies of the mylar drawings.

6.3 PREPARATION OF IMPROVEMENT DRAWINGS

Improvement drawings shall consist of the following:

- a. A general location map on the first sheet, at a scale of 1" – 1,000' or less, showing the property to be developed, its relation to existing streets and its location with respect to Section, Township and Range.
- b. Construction drawings at a scale of 1" – 40' for waterlines (or less for site and grading plans) which shall show all existing facilities, including pumping plants, storage reservoirs, pressure stations, water mains, gate valves, fire hydrants, and pertinent miscellaneous appurtenances in the vicinity of the proposed facilities, and all proposed facilities together with, where applicable, all lots, lot numbers, parcels, parcel numbers, streets and street names of the development.

- c. Detailed drawings at a scale sufficient to show the details of the proposed construction where required.

6.4 CONSTRUCTION DRAWINGS

The developer's engineer shall prepare all construction drawings of the proposed facilities in conformance with the following:

- a. All applicable provisions of Riverside County Ordinance No. 460 and any amendments thereto, and any special instructions, oral or written, by qualified representatives of the Cabazon Water District.
- b. In street rights of way, all pipeline stationing shall be referenced to the street centerline. For pipelines elsewhere, all stationing shall be referenced to the pipeline centerline.
- c. The size, class and location of all pipelines shall be shown on the drawings clearly and unambiguously. The distance between the proposed pipeline location and the related street centerline shall be shown accurately.
- d. Any and all utilities which will interfere with the proposed pipelines shall be shown in sufficient detail to allow the jurisdictional authority and the District to adequately check the drawings.
- e. The location of all gate valve installations, air valve installations, blow off installations, fire hydrant installations, and their appurtenances shall be shown on the drawings.
- f. The location and size of all service installations shall be shown.
- g. Where easements must be obtained, the location and width of the easement shall be shown.

6.5 DETAILED DESIGN OF WELLS, WELL PUMPING PLANTS, BOOSTER PUMPING PLANTS, AND STORAGE RESERVOIRS.

The detailed design of all such facilities will, unless otherwise approved by the Board, be performed by District staff or District's engineer working with district staff. In the event a particular development requires such facilities to be designed by applicant, the applicant's engineer shall work with District staff to obtain concept and location approval prior to preparation of drawings and specifications. The applicant's engineer shall then maintain close contact with the District staff during preparation of the drawings.

**ARTICLE 7
GENERAL USE REGULATIONS**

7.1 NUMBER OF SERVICES PER PREMISES

Applicants may apply for as many services as may be reasonably required for their premises provided the service line extensions from the meters to the premises are independent of one another and there are no interconnections on the premises.

7.2 WATER WASTE

No Customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a Customer's premises, the District may discontinue the service if such conditions are not corrected within three days of the District giving the Customer written notice.

7.3 RESPONSIBILITY FOR EQUIPMENT ON PREMISES

All facilities installed by the District on private property for the purpose of rendering water service, up to and including the water meter, shall remain the property of the District and may be maintained, repaired or replaced by the District without consent or interference of the owner or other Customer. The owner or Customer shall use reasonable care in the protection of the facilities. No payment shall be made by the District for placing or maintaining said facilities on private property.

7.4 CHANGES IN DISTRIBUTION SYSTEM

Any person making improvements or changes which will result in cutting, refitting, relocating, raising or lowering of service connections, water mains, fire hydrants, meters, valves, or other parts of the water system by the District, will be required to agree in writing to indemnify the District for all cost incurred by the District in making such changes. When the location of a meter is changed at the Customer's request, the cost of making such change will be at the Customer's expense.

7.5 RESPONSIBILITY FOR PRIVATE PLUMBING FACILITIES

The District has no responsibility in the maintenance and operation of a Customer's water system beyond the meter and point of ownership by the District. The Customer shall be responsible and liable for their own water systems. Customers shall, at Customer's risk and expense, furnish, install, and keep in good and safe condition all equipment that may be required for receiving, controlling, applying, and utilizing water. The District shall not be responsible for any loss or damage caused by the improper care or wrongful act of the Customer or of any of Customer's tenants, agents, employees, contractors, licensees, or permittees in installing or maintaining, using, operating, or interfering with such equipment. The District shall not be responsible for damage to property caused by spigots, faucets, valves, faulty pipes, and other equipment that are open when water is turned on at the meter, either when the water is turned on originally or when turned after a temporary turn off. Customers having water heaters, boilers, refrigeration, or other devices requiring a continuous water supply should take all necessary action to prevent damage or the causing of injury to such devices requiring continuous water supply should take all necessary action to prevent damage or the causing of injury to such devices as a result of the shutting off of the water supply. At the discretion of the District, a meter bypass shall be installed as a part of

the service to provide for a continuous supply of water during removal or repair of the meter. The District shall be kept whole and harmless at all times of any claims resulting from matters involving quantities, quality, time or occasion of delivery, or any other phase of the maintenance, operation, and service of a Customer's water system.

7.6 DAMAGE TO WATER SYSTEM FACILITIES

The owner shall be liable for any damage to the service facilities when such damage is from causes originating on the premises by an act of owners or their tenants, agents, employees, contractors, licensees, or permittees, including the breaking or destruction of locks by the owner 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 owner's premises. The District shall be reimbursed by the owner for any such damage on presentation of a bill.

7.7 DAMAGES THROUGH LEAKING PIPES AND FIXTURES

The District's jurisdiction and responsibility ends at the property line and the District will not be liable for damages occasioned by water running from open or faulty fixtures, or from broken or damaged pipes inside the property line. When turning on the water supply to vacant premises pursuant to a request, the District will endeavor to ascertain whether water is running on the inside of the building. If such is found to be the case, the water will be shut off at the curb cock on the inlet side of the meter.

7.8 DAMAGE TO METERS

The District reserves the right to set and maintain a meter on any service connection. The owner shall be held liable, however, for any damage to the meter due to owner or other Customer's negligence or carelessness and in particular for damage caused by hot water or steam from the premises.

7.9 QUICK CLOSING VALVES

No person or Customer shall install or use a quick closing valve or other device when such valve or device during its operation causes water hammer or an abrupt change of pressure in any District service connection or main. When such a condition exists, the Customer shall be required to discontinue use of such valve or device immediately upon notification by the District. If notice of correction of such condition is not complied with, the water service shall be discontinued until the correction is made by a proper installation to eliminate all such water hammer or abrupt change of pressure which affects District service connections or mains.

7.10 GROUND WIRE ATTACHMENTS

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

7.11 CONTROL VALVE ON THE OWNER'S PROPERTY

The District requires the owner to provide a control valve on Customer's side of the service installation, as close to the meter location as practicable, to control the flow of water to the piping

on Customer's premises, and a suitable check valve to prevent back flow, on the owner's side of the service installation. The owner or other Customer shall not use the service curb stop to turn water on and off for Customer convenience.

7.12 CROSS-CONNECTIONS

The owner must comply with State and Federal laws governing the separation of dual water systems and installation of backflow protection devices to protect the public water supply from the danger of cross-connections. Backflow protection devices, which the District may require the owner to install, must be installed as near the service as possible and shall be open to test and inspection by the District. Backflow protection devices must be approved by the District prior to installation.

7.13 CROSS-CONNECTIONS: SPECIAL CASES

In special circumstances, when the Customer is engaged in the handling of especially dangerous or corrosive liquids or industrial or process waters, the District may require the Customer to eliminate certain plumbing or piping connections as an additional precaution and as a protection to the backflow prevention devices.

7.14 CHECK VALVES

If the placing of an approved check valve or other device on the property side of the water meter of any Customer is necessary for the safety of the District's water system or appurtenances thereof, such approved check valve shall be immediately installed by the District at the expense of the Customer. Future maintenance and repairs will be performed by the District at the Customer's expense. Check valves or other devices necessary for the safety and protection of the Customer's private plumbing and appliances will be the responsibility of the Customer to install and thereafter maintain.

7.15 RELIEF VALVES

As a protection to the owner'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 used. The relief valve shall be installed between the check valves and the water heater.

7.16 BACKFLOW DEVICE

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

7.17 BACKFLOW DEVICE: INSPECTION

Backflow prevention devices may be inspected and tested periodically for performance, including watertightness, by 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 owner.

7.18 BACKFLOW DEVICE: DISCONTINUED SERVICE

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

7.19 INTERRUPTIONS IN SERVICE

The District will not be liable for interruption, shortage, or insufficiency of supply, or for any loss or damage occasioned thereby, if caused by accident, act of God, fire, strikes, riots, war, or any other cause. When necessary, temporary shutdowns may be made by the District to make improvements or repairs. Whenever possible and as time permits, all Customers affected will be notified prior to making such shutdowns. The District shall not be liable for any damages incurred as a result of the District's inability to notify affected properties of any temporary shutdown.

7.20 INGRESS AND EGRESS

Representatives from the District shall have the right of ingress and egress to the owner's premises at reasonable hours for any purpose reasonably connected with providing water service, including the following purposes:

- a. Reading, testing, or changing meters installed, operated, maintained, and repaired by the District.
- b. Inspecting any and all buildings, grounds, and premises (including any and all plumbing, water piping, fixtures and connections therein) to determine the manner and quantity of such use, or the existence of any condition causing or likely to cause the wastage of water, or affecting, or likely to affect, water service.
- c. Determining the existence, use operation, maintenance, or repair, on, or about said buildings, grounds, or premises of:
 1. any plumbing or water piping or water fixtures or connections which may now or hereafter cause, create, or permit backflow, or back-siphonage, or any other condition affecting or likely to affect the purity and potability of the water supply furnished by the District; or
 2. any source of water supply which may now or hereafter be connected with the water supply of the District; or
 3. any source of pressure, vacuum, contamination, or pollution (including any and all equipment, fixtures, or appliances connected or used therewith or therefor) affecting, or likely to affect, the purity or potability of the water supply of the District; and
 4. facilitating the enforcement by the District of any and all of its rules and regulations.

Each inspector, agent, and employee will, upon the request of any Customer, display appropriate evidence of identification.

**ARTICLE 8
METERS**

8.1 METER INSTALLATIONS

Meters shall be installed by the District in the road, street, or sidewalk areas, and shall be the property of the District. Charges for installation or removal of meters shall be determined from time to time by the Board of Directors. All meters will be sealed by the District at the time of installation, and no seal shall be altered or broken except by one of the District's authorized employees or agents.

8.2 CHANGE IN LOCATION OF METERS

Meters moved for the convenience of the owner will be relocated at the owner's expense. Meters moved to protect the District's property will be moved at District's expense. If the lateral distance which the owner desires to have the meter moved exceeds 8 feet, the applicant may be required to pay for a new service at the desired location.

8.3 METER TESTS

If an owner desires to have the meter serving the owner's premises tested, he or she shall first deposit a fee with the District. Fees for testing meters shall be determined by the Board of Directors from time to time. The owner may be present when the meter is tested. The meter will be tested at an independent testing facility. The owner must deposit with the District an amount of cash adequate to cover the estimated costs of removal and replacement, handling, and testing of the meter. The District's estimate of such charges shall be final. Should the meter register more than three percent fast, the deposit will be refunded, but should the meter register less than three percent fast, the deposit will be retained by the District.

8.4 ADJUSTMENT FOR METER ERRORS: FAST METERS

If a meter tested at the request of an owner is found to be more than three percent fast, the excess charges for the time service was rendered the owner requesting the test, or for a period of six months, whichever shall be the lesser, shall be refunded to the owner.

8.5 ADJUSTMENT FOR METER ERRORS: SLOW METERS

If a meter tested at the request of an owner is found to be more than three percent slow in the case of domestic services, or more than five percent slow for other than domestic services, the District may bill the owner for the period, not exceeding six months, that the meter was in use.

8.6 NON-REGISTERING METERS

If a meter is found to be not registering, the charges for service shall be based on estimated consumption. Such estimates shall be made from previous consumption for a comparable period or by such other method as is determined by the District, and its decision shall be final.

**ARTICLE 9
FEES, CHARGES, CREDIT, AND DEPOSITS**

9.1 REGULAR WATER SERVICE

Every applicant shall pay to the District all charges necessary for regular water service then in effect as established by the Board.

9.1.1 Time of Payment

Every applicant shall pay to the District fees and charges for regular water service prior to issuance of a financial arrangement letter from the District to the appropriate governmental entity or prior to the provision of water service, whichever occurs first.

9.1.2 Service and Meter Installations

Charges for service and meter installations shall be based on the size of the meter.

9.1.3 Basic Facility Charges

Every applicant for regular water service shall, in addition to all other charges, pay a Basic Facility Charge based on the size of the applicant's service and meter connection.

The purpose of the Basic Facility Charge is to recover costs for water supply including water well pumping plants, water transmission pipelines, and water storage reservoirs. The Basic Facility charge shall also apply to existing regular service connections for which increased capability is requested and larger service connections and meters are installed. In such event, the charge shall apply to the difference in service capacity between the new meter and service and the old meter and service which is being replaced.

The Basic Facility Charge will be established by the Board, and adjusted, from time-to-time, as determined by the Board. The property to be served shall have its Basic Facility Charge computed based on the size of the meter requested.

- A. Exemption: The Basic Facility Charge shall apply to applications for regular service, regardless of type of use, but shall not apply to applications for temporary service or private fire protection service.

9.1.4 Distribution System Charge

Every applicant for regular water service shall, in addition to all other charges, pay a Distribution System Charge where an existing waterline abuts applicant's benefited property. The purpose of the Distribution System Charge is to recover costs for water distribution pipelines including appurtenances such as air valves, isolation valves, blow-offs, and fire hydrants.

The Distribution System Charge will be established by the Board, and adjusted, from time-to-time, as determined by the Board. The property to be served shall have its Distribution System Charge computed based on an assumed 100 foot abutted footage being served by an 8 inch domestic pipeline and for a water meter up to and including 2

inch. For multiple water meters or water meters larger than 2 inch, a special study will be performed to determine the appropriate charge.

- A. Exemption: The Distribution System Charge shall be waived whenever a water service is provided from a waterline constructed at the sole expense of the applicant or the applicant's predecessor-in-interest provided said waterline was designed and constructed in accordance with District standards, and accepted by the District.

9.1.5 Customer Control Valve Installations

Charges will be collected for the installation of Customer control valves. The charges will be determined in accordance with the sizes of the meters.

9.1.6 Service Connection Installations

Charges will be collected for the installation of service connections. The charges shall be based on the sizes of the service lines required to provide adequate service.

- A. Exemption: Developers who install water facilities shall not be charged Service Connection Charges for those service connections that developer installs which meet District standards and are accepted by the District.
- B. Pavement Removals and Replacements: If pavement removal and replacement is required, a charge will be added to the Service Connection Charge.

9.2 SERVICE SIZE LARGER THAN TWO INCH INSTALLATIONS

A charge will be collected for installation of regular service connections larger in diameter than two inches. An estimate shall be prepared by the District, and upon payment of the amount of said estimate by the applicant, the work shall be scheduled. Should the records show that the cost exceeds the amount paid by the applicant, the applicant shall be billed for the difference and the same shall become immediately due and payable within ten days thereafter. Should the same not be paid within ten days, the District shall discontinue water service to the premises where the work was done and shall not furnish water thereto until said bill, together with an additional charge for restoration of service, is paid.

9.3 SERVICE RELOCATIONS

A charge will be collected for the relocation of active service connections and shall consist of the actual cost, including labor, material, and equipment plus applicable overheads, or consist of the charge of a regular service connection of equal size, whichever in the opinion of the District shall be more appropriate.

9.4 SERVICE REMOVALS

A charge will be collected for the removal of service connections and shall consist of the actual cost, including labor, material, and equipment plus applicable overheads.

9.5 CHANGE IN METER SIZES

A charge will be collected for the installation of a larger meter at the request of the Customer and upon District approval. The charge will consist of the difference in meter charges. If, however, the installation of a larger meter requires a larger service connection installation, the charge to the Customer shall include the full cost of the service connection.

9.6 SERVICE CONNECTION CHARGES

Every applicant who wishes to connect to the District's water system shall execute the District's standard water service application and pay all Charges where applicable. In addition, where a tenant or lessee applies for water service, the property owner must also apply. (Cal. Gov. Code, § 53064.5; Cal. Wat. Code, § 31007.5.)

- A. Exemption: The Service Connection Charge shall be waived whenever a Developer or applicant constructs a water service connection in accordance with District requirements.

9.7 METER TEST DEPOSITS

A deposit will be required to cover the reasonable cost of a meter test as set by the Board.

9.8 REPLACEMENTS

A charge will be collected for the replacement of service connections or portions thereof, including, but not limited to, meter boxes, valve covers, extensions, and valve lids. The specific amounts of such charges and the time of payment by the Customer shall be determined by the District and may include a reasonable minimum charge.

9.9 PLAN CHECK FEES

Plan Check Fees are established by the Board and shall be charged for the District's services in checking the drawings required for proposed water facilities.

9.10 INSPECTION FEES

The District shall provide inspection at the applicant's expense at the applicable hourly rate paid by the District for an inspector.

9.11 DESIGN REVIEW FEES

Design Review Fees are established by the Board and shall be charged for the District's services in analyzing the water system requirements for proposed developments.

9.12 TEMPORARY SERVICE CONNECTIONS

Temporary Service Connection Charges as follows are set by the Board:

9.12.1 Deposits

Deposits will be required for each construction meter, in addition to a deposit for each backflow device. When service is terminated, the deposits shall be refunded less any outstanding charges.

9.12.2 Installations

A charge will be collected for the installation of each construction meter, in addition to a charge for the installation of each backflow protection device.

9.12.3 Relocations

A charge will be collected for the relocation of each construction meter and backflow protection device.

9.13 RESTORATION OF SERVICE

A charge to be set by the Board will be collected for restoring service that has been discontinued.

9.14 BACKFLOW PROTECTION DEVICE INSTALLATION

Customer shall be responsible for installation of each backflow protection device at Customer's own expense. The District may agree to install, maintain, and test a backflow protection device, charges at actual cost for said installation, maintenance, or test plus 15% to cover District overhead expenses.

9.15 MONTHLY CHARGES

9.15.1 Metered Services

For all metered services, the charges for water service shall consist of a "Monthly Service Charge" and "Quantitative Charge" for water delivered.

- A. Monthly Service Charges. The monthly charge for each type or class of service shall be determined by size of the meter and shall be set by the Board.
- B. Quantitative Charges. The quantitative charge for all metered and unmetered water used for all purposes shall be set by the Board.

9.15.2 Private Fire Protection Services

A Monthly Service Charge as set by the Board shall be determined by the size of the service for private fire protection services.

9.15.3 Backflow Protection Devices

A monthly service charge will be collected for testing and necessary minor repairs of each device if Customer requests District to perform such service. The District may agree to perform such service at actual cost plus 15 percent to cover District overhead expenses.

9.15.4 Construction and Temporary Services

Monthly Service Charges in accordance with Articles 9.15.1 and 9.15.3 will be collected for metered and unmetered service for construction work and for service of temporary or limited duration.

9.16 CREDIT POLICY

9.16.1 Establishing Credit

Water service, in all cases, will be kept in the name of the Customer. Each applicant for water service will be required to establish credit to the satisfaction of the District before service will be rendered. Customer's credit will be deemed established with no deposit required if the new Customer can furnish a letter/statement from the water entity which provided prior service to the new Customer stating that an account history was maintained where service had not been discontinued for nonpayment for twelve consecutive months during the past two years.

Where prior service for a period of time is a condition for establishing credit with the District, residence and proof of prompt payment of rent for that period of time is a satisfactory equivalent. (Gov. Code, § 60371(c).)

9.16.2 Amount of Deposit

Where credit cannot be established, a deposit shall be required and shall consist of two times the average monthly bill of similar service using the most recent twelve months of consecutive service to determine the average. Where a deposit amount cannot be determined by taking an average of the twelve most recent months of service, a minimum deposit will be required based on the size of the water meter which serves the property. The minimum deposit shall be set by the Board.

The decision of the District to require a new residential applicant to deposit a sum of money with the District prior to establishing an account and furnishing service shall be based solely upon the credit worthiness of the applicant as determined by the District. (Gov. Code, § 60375.5.)

9.16.3 Application of Deposit

Deposits shall be held for one year. Upon the completion of one year's continuous service, during which time service had not been discontinued for nonpayment, the deposit shall be applied to the water account. If service is discontinued for nonpayment, the deposit shall remain with the District until service is ordered discontinued by the applicant.

The deposit, less the amount of any unpaid water bills or other applicable charges, will be refunded without interest upon discontinuance of service by the applicant.

Refunded deposits shall be forfeited to the District if unclaimed by the depositor within three years from the date of service is discontinued.

**ARTICLE 10
DISCONTINUANCE AND RESTORATION OF SERVICE**

10.1 DISCONTINUANCE OF SERVICE

10.1.1 District Initiated

When discontinuing service, the District will comply with Chapter 9.6, Division 1, Title 6 of the California Government Code governing District Utility Services. (Gov. Code, § 60370 et seq.)

10.1.2 Service to Multiunit Residential Structures, Parks, and Camps

Whenever the District furnishes residential water through a master meter, or furnishes individually metered service in a multiunit residential structure, mobilehome park, or farm labor camp where the owner, manager, or farm labor employer is listed by the District as the Customer of record of the service, District shall make a good faith effort to inform the actual users of the services, when the account is in arrears, by means of a notice, that service will be terminated in 10 days. The notice shall further inform the actual users that they have the right to become Customers of the District without being required to pay the amount due on the delinquent account. (Gov. Code, § 60371(a).)

The District is not required to make service available to the actual users unless each actual user agrees to the terms and conditions of service, and meets the requirements of the District's rules and tariffs. However, if one or more actual users are willing and able to assume responsibility for the entire account to the satisfaction of the District, or if there is a physical means, legally available to the District, of selectively terminating service to those actual users who have not met the requirements of the District's rules and tariffs, the District may make service available to the actual users who have met those requirements. (Gov. Code, § 60371(b).)

Any actual user who becomes a Customer of the District pursuant to this section whose periodic payments, such as rental payments, include charges for residential water where these charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the District for those services during the preceding payment period. (Gov. Code, § 60371(d).)

10.1.3 Notice and Termination for Nonpayment of Delinquent Account

a) District will not terminate residential service for nonpayment of a delinquent account unless the District first gives notice of the delinquency and impending termination, as provided in Section 10.1.2. (Gov. Code, § 60372(a).)

b) District shall not terminate residential service for nonpayment in any of the following situations:

(1) During the pendency of an investigation by the District of a Customer dispute or complaint.

(2) When a Customer has been granted an extension of the period for payment of a bill.

(3) On the certification of a licensed physician and surgeon that to do so will be life threatening to the Customer and the Customer is financially unable to pay for service within the normal payment period and is willing to enter into an amortization agreement with the District pursuant to paragraph (e) with respect to all charges that the Customer is unable to pay prior to delinquency. (Gov. Code, § 60372(b).)

c) Any residential Customer who has initiated a complaint or requested an investigation within five days of receiving the disputed bill, or who has, within 13 days of mailing of the notice required by subdivision (a), made a request for extension of the payment period of a bill asserted to be beyond the means of the Customer to pay in full during the normal period for payment, shall be given an opportunity for review of the complaint, investigation, or request by a the Manager. The review shall include consideration of whether the Customer shall be permitted to amortize the unpaid balance of the account over a reasonable period of time, not to exceed 12 months. No termination of service shall be effected for any Customer complying with an amortization agreement, if the Customer also keeps the account current as charges accrue in each subsequent billing period. (Gov. Code, § 60372(c).)

d) Any Customer whose complaint or request for an investigation pursuant to paragraph (c) has resulted in an adverse determination by the District may appeal the determination to the Board. Any subsequent appeal of the dispute or complaint to the Board is not subject to this section. (Gov. Code, § 60372(d).)

e) Any Customer meeting the requirements of subsection (3) of paragraph (b) shall, upon request, be permitted to amortize, over a period not to exceed 12 months, the unpaid balance of any bill asserted to be beyond the means of the Customer to pay within the normal period for payment. (Gov. Code, § 60372(e).)

10.1.4 Termination for Nonpayment

a) The District will not terminate residential service on account of nonpayment of a delinquent account unless the District first gives notice of the delinquency and impending termination, at least 10 days prior to the proposed termination, by means of a notice mailed, postage prepaid, to the Customer to whom the service is billed not earlier than 19 days from the date of mailing the District's bill for services, and the 10-day period shall not commence until five days after the mailing of the notice. (Gov. Code, § 60373(a).)

b) The District shall make a reasonable, good faith effort to contact an adult person residing at the premises of the Customer by telephone or in person at least 48 hours prior to any termination of service except that whenever telephone or personal contact cannot be accomplished, District shall give, by mail or by posting in a conspicuous location at the premises, a notice of termination of service, at least 48 hours prior to termination. (Gov. Code, § 60373(b).)

c) Every notice of termination of service pursuant to subdivision (a) shall include all of the following information:

(1) The name and address of the Customer whose account is delinquent.

(2) The amount of the delinquency.

(3) The date by which payment or arrangements for payment is required in order to avoid termination.

(4) The procedure by which the Customer may initiate a complaint or request an investigation concerning service or charges, except that if the bill for service contains a description of that procedure, the notice pursuant to subdivision (a) is not required to contain that information.

(5) The procedure by which the Customer may request amortization of the unpaid charges.

(6) The procedure for the Customer to obtain information on the availability of financial assistance, including private, local, state, or federal sources, if applicable.

(7) The telephone number of a representative of the District who can provide additional information or institute arrangements for payment.

Every notice of termination of service pursuant to subdivision (b) shall include the items of information in paragraphs (1), (2), (3), (6), and (7). All written notices shall be in a clear and legible format. (Gov. Code, § 60373(c).)

d) If a residential Customer fails to comply with an amortization agreement, the District shall not terminate service without giving notice to the Customer at least 48 hours prior to termination of the conditions the Customer is required to meet to avoid termination, but the notice does not entitle the Customer to further investigation by the District. (Gov. Code, § 60373(d).)

e) No termination of service may be effected without compliance with this section, and any service wrongfully terminated shall be restored without charge for the restoration of service. (Gov. Code, § 60373(e).)

10.1.5 Cessation of Services When Business Offices Not Open

The District shall not, by reason of delinquency in payment for water services, cause cessation of the services on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the District are not open to the public. (Gov. Code, § 60374.)

10.1.6 At Customer's Request

A Customer may have service discontinued by notifying the District at least 48 hours in advance of the desired date of discontinuance. Service will only be discontinued on the District's normal working days and during normal working hours, unless otherwise approved by the District in advance.

10.2 RESTORATION OF SERVICE

10.2.1 General Provisions

A Customer whose service has been discontinued may have it restored by making application and paying applicable restoration of service charges.

10.2.2 Unauthorized Restoration

It shall be a violation of these Regulations for any person to make a reconnection to the water system once service to the premises has been discontinued, or to otherwise connect to the system without prior authorization.

**ARTICLE 11
METER READING, BILLING, AND COLLECTION**

11.1 METER READING AND BILLING

11.1.1 Rendering of Bills

Bills for water service shall be based upon bi-monthly meter readings and bi-monthly billings, unless modified by the Board.

11.1.2 Proration of Bills

The charges applicable to opening periods, closing bills, and bills rendered for periods corresponding to less than two months will be computed as follows:

The amount of the minimum charge and the quantity allowed therefor, in each of the several quantity rate blocks, will be prorated on the basis of the ratio of the number of days in the period to the number of days in an average billing period. The measured quantity of usage will be applied to such prorated amounts and quantities.

11.1.3 Payment of Bills

Unless otherwise mandated by the Board, every other month, the District shall mail a statement covering charges for all water received by the Customer during the preceding two months, which charges are due and payable upon receipt. If it is necessary for the District to visit the premises to collect payment for the second and each subsequent time, a collection fee to be determined by the Manager will be added to the amount owing. Any check submitted for payment of water service which is not honored and has been returned by the bank shall be subject to a return check fee. Such checks not replaced by the Customer with cash, including a returned check fee as determined by the District, shall result in discontinuance of water service.

11.1.4 Delinquent Accounts

The bill for water service is delinquent if not paid within 30 days after billing. When delinquency occurs, a final notice will be mailed to the billing address. If payment has not been received 15 days after final notice has been issued, the service address, if different from the billing address, will be tagged 48 hours in advance of scheduled turnoff to give the occupant opportunity to pay the outstanding account. If the occupant does not pay the outstanding account or make arrangements for payment by the date of scheduled turnoff, then service may be discontinued without further notice.

Service shall not be restored to the premises until all charges which are delinquent, including fees, if any, have been paid in full. An owner whose deposit has been discontinued for nonpayment of bills or whose deposit shall have been applied in whole or in part of the payment of any bills, will be required to reestablish credit by a cash deposit. A Customer who has a delinquency on any premises may not receive new water service on another premises until all delinquencies, including fees, are paid in full. Additionally, when a service has been turned off for nonpayment, all charges may be transferred to another account held in the sole name of the same owner. This account

will become delinquent if payment is not made within 15 days from the date of delinquency transfer, and will be subject to turnoff without further notice. The District may file liens against the property to enforce collection of delinquent accounts.

11.2 METER TEST AT CUSTOMER'S REQUEST

11.2.1 General Provisions

A Customer may request the District to test the meter serving the premises. The District will require the Customer to deposit an amount for such test in accordance with Article 9.7. Based on the results of the meter test and in accordance with Article 8, the deposit will be returned if the meter is found to register more than three percent fast. A written report of the test will be available to the Customer.

11.3 ADJUSTMENT OF BILLS FOR METER ERROR

11.3.1 General Provisions

When a water meter is found to be out of order, the charge for water will be based, at the option of the District, on one of the following:

- A. The average monthly consumption for the three preceding months during which the meter is known to have registered correctly; or
- B. 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 circumstances and conditions; or
- C. The consumption as registered by a substitute meter; or
- D. In accordance with Article 11.3.03.

11.3.2 Meter Reading Inaccessibility

When a meter is covered or otherwise inaccessible so that it cannot be read, an average bill will be rendered and accumulated errors, if any, will be adjusted when the meter is first thereafter read.

11.3.3 Adjustment Based Upon Meter Test

All adjustments for meter reading, billing and collection will be made in accordance with Article 8.

11.4 COLLECTION BY SUIT

11.4.1 Suit

All unpaid rates and charges and penalties herein provided may be collected by suit or by any other method available under law.

11.4.2 Costs

Defendant shall pay costs of suit including attorney's fees in any judgment rendered in favor of the District.

**ARTICLE 12
PUBLIC FIRE PROTECTION**

12.1 USE OF FIRE HYDRANTS

Fire hydrants are for use by the District or by organized fire protection agencies pursuant to contract with the District. Other parties desiring to use fire hydrants for any purpose must first obtain written permission from the District prior to use and shall operate the fire hydrants in accordance with instructions issued by the District. Unauthorized use of fire hydrants will be prosecuted as allowed by law.

12.2 MOVING OF FIRE HYDRANT

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

12.3 FIRE HYDRANT LOCATION AND SPACING

Unless more stringent requirements are imposed by the local fire official, fire hydrants shall be located one at each intersection and shall be spaced no farther than 660 feet in any direction for residential development or 330 feet for commercial or industrial development. Distances between fire hydrants shall be measured along all street centerlines.

12.4 FIRE HYDRANT FLOW

Unless otherwise specified by the local fire official, the minimum flow from any residential fire hydrant shall be 1,000 gpm for a two hour duration and the minimum flow from any commercial fire hydrant shall be 1,500 gpm for a two hour duration. All fire flows shall be delivered with a minimum residual watermain pressure of 20 psi.

**ARTICLE 13
PRIVATE FIRE PROTECTION SERVICE**

13.1 PAYMENT OF COST

The applicant for private fire protection service shall pay the total actual cost of installation of the service from the distribution main to the Customer's premises including the cost of a detector check meter or other suitable and equivalent device, valve and meter boxes, said installation to become the property of the District. The District may agree to install the connection and meter at actual cost plus 15 percent to cover District overhead expenses.

13.2 NO CONNECTION TO OTHER SYSTEM

There shall be no connections between this fire protection system and any other water distribution system on the premises.

13.3 USE

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

13.4 METER RATES

Any consumption recorded on any fire hydrant meter will be charged at double the regular service rates except that no charge will be made for water used to extinguish fires where such fires have been reported to the fire department.

13.5 RATES

The rates for private fire protection shall be established by the Board of Directors upon receipt of the application.

13.6 VIOLATION OF AGREEMENT

If water is used from a private fire service in violation of the agreement of these Rules and Regulations, the District may, at its option, discontinue and remove the service.

13.7 WATER PRESSURE AND SUPPLY

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

13.8 RULES

The following rules shall apply to fire service connections:

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

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- b. If the District does not require a meter, and if water is used through a fire service connection for any other purpose than extinguishing fires, the District shall have the right to place a meter on the fire service connection at owner's expense, or shut off the entire water supply from such premises.
- c. The District reserves the right to install on all fire service connections a check valve of a type approved by the National Board of Fire Underwriters, and to equip the same with a by-pass meter at the expense of the owner of the property.
- d. The District shall have the right to take a domestic, commercial, or industrial service connection from the fire service connection at the curb to supply the same premises as those to which the fire service connection belongs. The District shall also have the right to determine the proportion of the installation costs properly chargeable to each service connection, if such segregation of costs shall become necessary.

**ARTICLE 14
TEMPORARY SERVICE**

14.1 DURATION OF SERVICE

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

14.2 DEPOSIT

The applicant shall deposit in advance the estimated cost of installing and removing the facilities required to furnish said service exclusive of the cost of salvageable material. Such facilities shall meet District standards and be approved in writing by the District. Upon discontinuance of service, the actual cost shall be determined and an adjustment made as an additional charge, refund, or credit.

14.3 INSTALLATION AND OPERATION

All facilities for temporary service to the Customer's connection shall be made by the District and shall be operated in accordance with its instructions.

14.4 RESPONSIBILITY FOR METERS AND INSTALLATION

The Customer shall use all possible care to prevent damage to the temporary service facilities from the time they are installed until they are removed, or until 48 hours notice in writing has been given to the District that the contractor or other person has completed use of the meter or meters and the installation. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the Customer.

14.5 SUPPLY FROM FIRE HYDRANT

An applicant for temporary use of water from a fire hydrant must make application to the District and pay all charges for the installation and removal of the meter to be installed on said hydrant. The applicant shall also provide its own hydrant wrench necessary to operate such hydrant, or pay a deposit for the loan of such equipment. The applicant shall pay for all water used in accordance with the meter readings and at the rates prescribed by the Board. The fact that some fire hydrants are already equipped with auxiliary valves, or that some applicants may desire to furnish their own equipment for installation on fire hydrants, shall not affect or vary this Rule and Regulation, or in any way prevent or modify its application.

14.6 UNAUTHORIZED USE OF HYDRANTS

Tampering with any fire hydrant for the unauthorized use of water therefrom, or for any other purpose, is a misdemeanor, punishable by law. (See Wat. Code, § 31029; cf. Wat. Code, § 31106; Pen. Code, § 148.4.)

14.7 SUPPLY FROM OTHER THAN A FIRE HYDRANT

In the event District has an existing waterline with available capacity but no fire hydrant or other immediate outlet to provide requested temporary service, the applicant may, at its own expense,

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construct an outlet, provided a plan is prepared and, submitted by the Applicant, and, reviewed and approved by the District's engineer. Plan shall include information regarding desired flow and pressure and shall include location and configuration based on the District's available record drawings; all materials shall be in accordance with the District's approved materials list. Applicant shall pay all charges including plan check and inspection fees as determined by the District. Applicant shall secure any other county permits as required to perform the work.

**ARTICLE 15
CROSS-CONNECTION CONTROL**

15.1 MANAGER - POWERS AND DUTIES

The Manager is hereby authorized to implement a cross-connection control program. Whenever the District is empowered by the terms of the Article to review, evaluate, or approve the safety and adequacy of a Customer's water system, or to make any finding or determination as to the degree of hazard presented by a Customer's water system, or the need for and adequacy of any protective measures as defined herein, the Manager shall have the final authority to make such reviews and evaluate Customer's compliance with the requirements of the Article.

15.2 INSTALLATION AND MAINTENANCE OF WATER SERVICE CONNECTIONS

a. No water service connection to any Customer shall be installed or maintained unless the District's water supply is protected as required by State law and these Rules and Regulations.

b. Whenever the District determines that backflow may occur within a water supply line entering a Customer's premises, any and all water supply lines from the District's mains entering such premises and the buildings or structures thereon shall be protected by an approved backflow prevention device, the installation of which shall be completed at the expense of the Customer before new service is initiated or existing service continued.

c. Each service connection from the District water system that supplies water to any premises having an auxiliary water supply shall be protected against backflow of water from the premises into the District water system unless the auxiliary water supply is accepted as an additional source by the District, and is approved by the public health agency having jurisdiction.

d. Each service connection from the District water system that supplies water to any premises on which any substance is handled in such fashion as may allow its entry into the District system shall be protected against backflow from the premises into the District system, including process waters and waters originating from the District water system which have been subjected to deterioration in sanitary quality.

e. Backflow prevention devices shall be installed on service connections to any premises having: (1) internal cross-connections that cannot be permanently corrected and controlled to the satisfaction of the State or local health department and the District, or (2) intricate plumbing and piping arrangements or plumbing and piping arrangements which are not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross-connections exist.

15.3 INSPECTION OF CUSTOMER WATER SYSTEMS

a. Customer water systems shall be open for inspection by the District at reasonable times to determine whether cross-connections or other hazards exist. When such a condition becomes known, the District may deny or discontinue service to the Customer's premises if the Customer fails to take necessary corrective action.

- b. The District shall evaluate the degree of potential health hazard to the public water supply which may be threatened as a result of conditions existing in the Customer's water system. At minimum, the evaluation will consider: the existence of cross-connections, the nature of materials handled on the premises, the probability of a backflow occurring, the degree of piping system complexity, and the potential for piping system modification. In evaluating the hazard, special attention will be given to the following types of Customer water systems:
1. Systems utilizing an auxiliary water supply.
 2. Systems in which harmful substances are handled under pressure in a manner that might allow their entry into the public system.
 3. Systems having internal cross-connections which have not been abated to the satisfaction of the District or where cross-connections could not be easily inspected, or
 4. Systems having a repeated history of cross-connections being established and re-established.
- c. The District shall review all requests for new service to determine if backflow protection is needed. Drawings and specifications must be submitted to the District upon request for review of possible cross-connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention device is necessary to protect the District water system, the required device must be installed before service will be granted.
- d. The District may require an on-premises inspection of a Customer water system to evaluate cross-connection hazards. The District will transmit a written notice requesting an inspection appointment. Any Customer who cannot or will not allow an on-premises inspection shall be required to install any backflow prevention device the District considers necessary.
- e. The District may, at its discretion, require a reinspection for cross-connection hazards of any premises it serves. The District will transmit a written notice requesting an inspection appointment. Any Customer who cannot or will not allow an on-premises inspection shall be required to install any backflow prevention device the District considers necessary.
- f. The District shall notify the Customer of the survey findings, including any corrective action to be taken, if required. Customers will be given 30 days to complete all required corrective action including installation of backflow prevention devices. If the Customer fails to take the required corrective action prescribed in the first notice within the 30 day period, the District may deny or terminate water service to the Customer.

15.4 REQUIRED BACKFLOW PREVENTION DEVICES

The California Code of Regulations Title 17, Section 7604, Table 1 lists the minimum standards for types of backflow protection required in specific situations to protect the public water supply, which standards are incorporated herein by this reference. Situations not covered by Table 1 shall be evaluated on a case-by-case basis and the appropriate backflow protection to be required in

each instance shall be determined by the Manager. The Customer may choose a higher level of protection than that required by the District.

The type of protection that shall be required to prevent backflow into the public water supply shall be commensurate with the degree of hazard presented by the Customer's water system. Types of protective devices that may be required (listed in an increasing level of protection) are: Double Check Valve Assembly, Reduced Pressure Principle Assembly, and Air-gap Separation. Each protective device must be approved as required by Section 7601 of Title 17 of the California Code of Regulations.

15.5 INSTALLATION, SPECIFICATION, AND APPROVAL OF BACKFLOW PREVENTION DEVICES

Any backflow prevention device required by these Rules and Regulations shall be of a model and size approved by the District and shall be installed by the Customer at the Customer's expense. If the District is required to install a backflow prevention device for Customer, Customer will be responsible for the actual cost of the installation plus 15% for District overhead expenses. The required backflow prevention devices shall, in each instance, be located on the Customer's side of, and as close as is practicable to, the service connection and shall otherwise conform to the installation and location standards prescribed in Section 7603 of Title 17 of the California Code of Regulations, which standards are incorporated herein by this reference. The District shall have the final authority in determining the required location of a backflow prevention device.

a. Double Check Valve Assembly ("DC") The double check valve assembly shall, at minimum, conform to AWWA Standard C506-78 (R83) adopted on January 28, 1978 for double check valve type backflow preventive devices which Standard is incorporated herein by this reference.

The device shall be installed above ground surface, if possible, and in a manner where it is readily accessible for testing and maintenance; it shall be installed at least twelve inches (12") and not more than thirty-six (36") above ground surface measured from the bottom of the device and within a minimum clearance of twelve inches (12") on each side and each end.

If a double check valve assembly is put below grade it must be installed in a vault such that there is a minimum clearance of six inches (6") between the bottom of the vault and the bottom of the device, a maximum of eight inches (8") between the top of the device and ground surface and minimum clearance of six inches (6") between the sides and the ends of the clearance device and the sides and ends of the vault.

Special consideration must be given to "Y" type double check valve assemblies. These devices must be installed on their "side" with the tests cocks in a vertical position so that either check valve may be removed for service without removing the device. Vaults which do not have an integrated bottom must be placed on a three inch (3") layer of gravel.

b. Reduced Pressure Principle Backflow Prevention Device ("RP") An approved reduced pressure principle device shall, at minimum, conform to AWWA Standard Code C506-78 (R83) adopted on January 28, 1978 for reduced pressure principle backflow prevention devices which Standard is incorporated herein by this reference. The device must be readily accessible for in-line testing and maintenance; it shall be installed at least

twelve inches (12") and not more than thirty-six inches (36") above ground surface measured from bottom of the device and with a minimum clearance of twelve inches (12") on each side and each end.

c. Air-Gap Separation (AG) All piping from the service connection to the receiving tank shall be above ground surface and be entirely visible. No water use shall be provided from any point between the service connection and the air-gap separation. The water inlet piping shall terminate a distance of at least two (2) pipe diameters above the overflow rim or weir of the receiving tank.

15.6 INSPECTIONS AND TESTING BACKFLOW PREVENTION DEVICES

a. It shall be the duty of each Customer to have certified inspections and operational tests made for any backflow prevention device installed on its premises at the time of installation and at least once per year thereafter. The backflow prevention device shall also be tested as soon as reasonably possible after being relocated or repaired.

If the District deems the hazard substantial, the District may require certified inspections at more frequent intervals. Inspections and tests shall be carried out at the expense of the Customer in accordance with Article 9.15.03 by a person certified to perform such tests by the Local Health Agency, with copies of test results being provided to the District by the tester, in form acceptable to the District, within 30 days of completion of the inspection and testing.

No device shall continue in or be returned to service unless it is functioning as required. Defective backflow prevention devices shall be repaired, overhauled, or replaced with an approved device at the expense of the Customer.

b. The District will notify each affected Customer when it is time for the Customer's backflow prevention device to be inspected and tested. The written notice shall give the Customer 30 days to have the device inspected and tested and it shall be accompanied with the necessary form to be completed and resubmitted to the District.

If the Customer does not have the backflow prevention device inspected and tested as prescribed in the notice within the 30 day period allowed, the District may terminate water service to that Customer.

c. Upon request, the District may arrange to have the Customer's backflow prevention device inspected and tested. The Customer will be charged for the inspection and test and any maintenance required to keep the device in approved working order; the charges will be added to Customer's next regular water bill.

d. Reports of testing, maintenance, and location of backflow preventers shall be maintained by the District for a minimum of three years.

15.7 REMOVAL, RELOCATION, OR REPAIR OF BACKFLOW PREVENTION DEVICES

The District must approve the removal, relocation, or replacement of any backflow prevention device.

- a. Removal - The use of a device may be discontinued and the device removed from service upon presentation to the District of sufficient verification that a hazard no longer exists or is not likely to be created in the future.
- b. Relocation - A device may be relocated by the Customer following confirmation by the District that the relocation will continue to provide the required protection and satisfy installation requirement. Following relocation, the device shall be retested.
- c. Repair - A device may be removed for repair by the Customer, provided that water use is either discontinued until the repair is completed and the device is returned to service, or the service connection is equipped with other backflow protection approved by the District. Following repair, the device shall be retested.
- d. Replacement - A device may be removed and replaced by the Customer provided the water use is discontinued until the replacement device is installed. All replacement devices must be approved by the District and must be of a type commensurate with the degree of hazard involved and otherwise conforming to these rules and regulations.

15.8 VIOLATION - PENALTY

The Manager may deny or discontinue service to any Customer violating these Rules and Regulations. Conditions or water uses that may serve as a basis for denial or termination of water service include, but are not limited to:

- a. Refusals by a Customer to:
 - 1. Install a required backflow prevention device; or
 - 2. Test a backflow prevention device or allow it to be tested; or
 - 3. Replace or repair a faulty backflow prevention device.

In the event of such refusals or any other failure to comply with these rules and regulations, the District may terminate a Customer's water service if no corrective action has been completed pursuant to written notice specifying the corrective action required and the time period allowed for the corrective action to be completed.

- b. Situations in which the District has knowledge that conditions or water uses within a Customer's water system result, or may result, in any:
 - 1. Direct or indirect connection between the District water system and a sewer line; or
 - 2. Unprotected direct or indirect connection between the District water system and a system or equipment in which contaminated fluids or polluted fluids are present; or
 - 3. Unprotected direct or indirect connection between the District water system and an auxiliary water system; or
 - 4. Other situation which, in the judgment of the Manager, presents an immediate health hazard within or to the District's water supply system.

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If the District discovers that any of these situations exist, the District may terminate water service and lock the service valve after making reasonable efforts to notify the Customer of the District's intent to terminate water service. The water service shall remain disconnected until the Customer has corrected the offending condition.

All expenses incurred by the District in terminating and resuming water service pursuant to these rules and regulations must be paid by the Customer prior to resumption of service.

**ARTICLE 16
ENFORCEMENT**

16.1 GENERAL PROVISIONS

The following procedures are established for enforcement of these Regulations, not for penalty. All Customers shall be held strictly responsible for any and all acts of tenants, agents, and employees, and those Customers shall be liable for any expense, loss, or damage incurred by the District, all pursuant to these Regulations.

16.2 VIOLATIONS

16.2.1 Written Notice

Any person violating these Regulations will be notified pursuant to Article 10.1.1, except when immediate discontinuance of service is required as provided for in that Article.

16.2.2 Corrective Action

Upon being notified by the District of any defect arising in any service connection or of any violation of these Regulations, the Customer shall immediately take whatever corrective action may be necessary.

16.2.3 Violation is a Misdemeanor

Sections 31029 and 31106 of the Water Code of the State of California provide that violation of an ordinance of a County Water District by any person is a misdemeanor. Each incident in violation of these Regulations shall be deemed a separate violation, and each day or part of a day a violation of these Regulations continues shall be deemed a separate offense hereunder and shall be punishable as such.

16.3 PUBLIC NUISANCE

Continued habitation of any building or continued operation of any industrial facility in violation of these Regulations is hereby declared to be a public nuisance. The District may cause proceedings to be brought for the abatement of the occupancy of the building or industrial facility during the period of such violation.

16.4 ABATEMENT

During any period of discontinuance of service, occupancy of such premises shall constitute a public nuisance, whereupon the District may cause abatement proceedings to be brought against said premises. In such event, and as a condition of restoration of service, the Customer shall pay to the District a reasonable attorney's fee and the cost of suit arising in said action.

**ARTICLE 17
SEVERABILITY**

17.1 SEVERABILITY OF REGULATIONS

These Regulations and the various sections, parts, and clauses thereof, are hereby declared to be severable. If any part, article, section, subsection, paragraph, sentence, clause, or phrase of these Regulations is for any reason held to be unconstitutional or unlawful, such provision shall not affect the validity of the remaining portions of these Regulations.

**ARTICLE 18
ADOPTION**

18.1 EFFECTIVE DATE

Except as otherwise provided herein, these Rules and Regulations shall take effect as of August 1, 2004.

ADOPTED this _____ day of July, 2004.

President

ATTEST:

Secretary

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