

**EXHIBIT A**  
**ORDINANCE NO. 1**

**AN ORDINANCE ESTABLISHING RATES, RULES AND  
REGULATIONS FOR WATER SERVICE**

**BY THE  
KINGSBURY GENERAL IMPROVEMENT DISTRICT**

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Exhibit B – Resolution 2010-2 The Validity of Utility Connection Permits

**KINGSBURY GENERAL IMPROVEMENT DISTRICT**

**ORDINANCE NO. 1**

**AN ORDINANCE ESTABLISHING RATES, RULES AND REGULATIONS FOR WATER SERVICE**

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE KINGSBURY GENERAL IMPROVEMENT DISTRICT, DOUGLAS COUNTY, NEVADA, AS FOLLOWS:

**ARTICLE I. DEFINITIONS**

When used in this Ordinance, the following terms shall have the meanings defined below:

1.1 **ADDITIONAL DEFINITIONS:**

For the purpose of this Ordinance, additional terms, definitions and requirements of the most recent version of the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials is adopted by the District and shall apply for the application and implementation of the Ordinance. Said Code is herein referred to as the "UPC."

1.2 **APPLICANT:**

The person making application for a permit for water connection, which shall be the owner or authorized agent of the owner of the premises to be served by the requested permit.

1.3 **APPLICATION FOR SERVICE:**

The written request for water service on the District's form as distinguished from an inquiry as to the availability of or charges for such service.

1.4 **APPROVED:**

Accepted by the District as meeting an applicable specification stated or cited in this Ordinance; or suitable, in the judgment of the District, for the proposed use.

1.5 **AUXILIARY WATER SUPPLY:**

Any water supply on or available to the premises (other than the District's water supply) will be considered an auxiliary water supply. These auxiliary waters may include, but not be limited to, water from another purveyor's public potable water supply or any source such as a well, spring, river, stream, lake, or "used waters" or "industrial fluids." These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

1.55 BASE RATE:

The monthly amount charged to each Customer, based on their respective water meter size, but irrespective of water use, representing the Customer's proportionate share of the District's fixed operational costs and debt service.

1.6 BACKFLOW:

The reversal of the normal flow of water caused by either backpressure or backsiphonage.

1.7 BACKFLOW PREVENTION ASSEMBLY:

An assembly or means designed to prevent backflow.

1.8 Reserved

1.9 BOARD:

The District's Board of Trustees.

1.10 BUILDING:

Any structure used for human habitation, place of business, recreation or other purpose containing water facilities or requiring water or sewer service.

1.11 CAPACITY RATIO:

The relative flow of each water service line size as compared to that of a ¾" service.

| Water Service Line Size | Capacity Ratio |
|-------------------------|----------------|
| ¾"                      | 1.00           |
| 1"                      | 1.67           |
| 1.5"                    | 3.33           |
| 2"                      | 5.33           |
| 3"                      | 10.67          |
| 4"                      | 16.67          |
| 6"                      | 33.33          |
| 8"                      | 53.33          |

1.115 CONSUMPTION CHARGES:

The monthly amount charged to each Customer, as determined by their respective water meter size and volume of water use, representing the Customer's proportionate share of the District's variable operational costs.

1.12 CONTAMINATION:

An impairment of the quality of potable water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates an actual or potential hazard to the public health through poisoning or through the spread of disease.

1.13 CONTRACTOR:

An individual, firm, corporation, partnership, association, or other legal entity duly licensed by the State of Nevada to perform the type of work to be done.

1.14 COUNTY:

Douglas County, Nevada.

1.15 CROSS-CONNECTION:

Any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems, one of which contains potable water and the other nonpotable water or industrial fluids of questionable safety, through which, or because of which, backflow may occur into the potable water system. This includes any temporary connections such as hoses, swing connections, removable sections, four way plug valves, spools, dummy section of pipe, swivel or change-over devices or sliding multi-port tube and any other physical connection.

1.16 CROSS-CONNECTION, CONTROLLED:

A connection between a potable water system and a non-potable water system with an approved backflow prevention assembly properly installed, maintained and inspected as required by law, this ordinance or applicable codes so that it will continuously afford the protection commensurate with the degree of hazard.

1.17 CUBIC FOOT:

The volume of water that occupies one cubic foot. A cubic foot is equal to 7.481 gallons.

1.18 Reserved

1.19 CUSTOMER:

The legal owner of a property or premises, or the owner of a private water system having a service from the District.

1.20 DISTRICT:

The Kingsbury General Improvement District acting through its duly authorized officers or employees within the scope of their duty or authority.

1.205 FEE SCHEDULE:

That schedule which sets forth the charges, fees, penalties, fines, rates and similar financial matters charged by the District to its Customers and others, as amended by the Board from time to time.

1.21 FIXTURE:

Any sink, tub, shower, water closet, dishwasher, clothes washer, irrigation system or outlet, or any plumbing fixture connected to the water system. The fixture unit value shall be as described and valued in the UPC.

1.22 Reserved



1.23 GALLON:

The volume of water that occupies 231 cubic inches.

1.24 HAZARD:

The term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

A. HAZARD, HEALTH:

Any condition, device, or practice in the water supply system and its operation that could create, or in the judgment of the District, may create a danger to the health and wellbeing of the water Customer.

B. HAZARD, PLUMBING:

A plumbing type cross-connection in a Customer's potable water system that has not been properly protected by an approved air-gap or approved backflow prevention assembly.

C. HAZARD, POLLUTIONAL:

An actual or potential threat to the physical properties of the water system or the portability of the public or the Customer's potable water system which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.

D. HAZARD, SYSTEM:

An actual or potential threat of severe damage to the physical properties of the public potable water system or the Customer's potable water system or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

1.25 INDUSTRIAL ESTABLISHMENT:

A business, the waste from which has a greater concentration of suspended solids, or a greater biological oxygen demand (BOD), or chemical oxygen demand (COD), or is more variable in content and rate of discharge and may require more extensive or different treatment than domestic waste.

1.26 INDUSTRIAL FLUIDS SYSTEM:

Any system containing a fluid or solution that may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated waters; all types of process waters and "used waters" originating from the public potable water system which may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalines, circulating cooling waters connected to an open cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, irrigation canals or systems, or the like; oils, gases, glycerin, paraffins, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other purposes or for fire-fighting purposes.

1.27 MAIN:

A water line in a street, highway, right-of-way, alley, or easement used for public fire protection or for the District's distribution of water.

1.28 MAINTENANCE:

Upkeep of property or equipment in good working order as required by law, this ordinance or applicable codes or dictated by industry practice, including tests, repair, renewal and replacement.

1.29 MANAGER:

The general manager of the District, his or her successor or other person duly designated to perform the services or make the determinations permitted or authorized.

1.30 Reserved

1.31 PERMANENT SERVICE:

Water services within the District are considered permanent, even though the use of the water may be continuous, intermittent or seasonal in nature unless specifically identified otherwise by the District. Typically, permanent services will have paid a connection fee.

1.32 PERMIT:

Any written authorization required pursuant to this ordinance or any other District regulation for installation of or connection to the District water system, including without limitation, a permit to draw water from any District water system appurtenance.

1.33 PERSON:

Any individual, firm, partnership, corporation, limited liability company, joint venture, association, political subdivision, governmental agency, municipality, trust, estate or any other legal entity whatsoever.

1.34 POLLUTION:

The presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade or threatens to degrade its quality so as to impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for beneficial use.

1.35 PRIVATE FIRE PROTECTION SERVICE:

The furnishing of water by the District for connection to a private fire sprinkler system or private fire hydrant.

1.355 Reserved:

1.357 PUBLIC WATER SYSTEM:

Has the definition ascribed in NRS 445A.235 unless the usage requires otherwise.

1.36 REMODEL; REMODELING:

To make over or rebuild portions of a building; the act or process of making over or partially reconstructing a building. This includes additions to existing structures.

1.37 REDEVELOPMENT:

To develop again: rebuild, restore, rezone, or improve an area of existing structures.

1.38 RESIDENTIAL UNIT:

A self-contained living unit with kitchen and bathroom facilities including those in single family homes, apartments, mobile homes, trailers, cabins, condominiums, townhouses, timeshare units and vacation club units or as otherwise defined by Douglas County. Douglas County's definition of "kitchen" shall apply. A self-contained area with its own kitchen and bathroom facilities that is partitioned off from or added to any existing residential unit or lot shall be considered a separate residential unit.

1.39 SERVICE AREA:

The water service areas as may be duly established by the Board from time to time. The District's present service area is described as follows:

The service area consists of all of the lands described as follows: W 1/2 Section 7; W 1/2, W 1/2 E 1/2, E 1/2 SE 1/4 Section 18; Section 19; Section 30; W 1/2 W 1/2 Section 20; W 1/2 Section 29, T. 13 N., R. 19 E., M.D.B. & M. Section 21; 23; 24; & 25; S 1/2 S 1/2 Section 13; S 1/2 S 1/2 Section 14; N 1/2, Portion N 1/2 S 1/2, Portion S 1/2 SE 1/4 Section 22; Portion NW 1/4 NW 1/4, NE 1/4 NW 1/4, NE 1/4, E 1/2 SE 1/4 Section 26; Portion NE 1/4 NE 1/4 Section 27, T. 13 N., R. 18 E., M.D.B. & M.

1.40 SERVICE CLASSIFICATIONS:

Service Classifications shall be defined as follows:

A. RESIDENTIAL SERVICE - Class 1

Service to a residential Customer, including in a single-family dwelling, an individual townhouse, condominium, mobile home units under one ownership or management as those designations are defined by Douglas County.

B. MULTIPLE UNIT RESIDENTIAL BUILDINGS, APARTMENTS AND MOBILE HOME PARKS - Class 2

Mobile homes in multiple housing parks, vacation club or timeshare, or apartments in a multiple residential unit building served by a master meter.

C. COMMERCIAL SERVICE

Service to Customers engaged in selling, warehousing or distributing a commodity, in some business activity, or in a profession, or in some form of economic or social activity (offices, stores, clubs, schools, public service facilities, hotels, etc.), and for purposes that do not come under another classification.

D. INDUSTRIAL SERVICE

Service to Customers engaged in a process that changes raw or unfinished material into another form or product, such as factories, snowmaking, pumping plants, extractive, fabrication or processing activities.

E. IRRIGATION SERVICE

Service to Customers for agriculture, floriculture, or horticultural use or separate service for landscape or playing field irrigation.

F. PRIVATE FIRE PROTECTION SERVICE

The furnishing of water for connection to a private fire sprinkler system or private fire hydrants.

1.41 SERVICE CONNECTION:

The terminal end of a service extension from the public potable water system; i.e., where the District loses jurisdiction and sanitary control over the water at its point of delivery to the Customer's water system, usually at a water valve belonging to the District and at or near the property line.

1.42 SERVICE LINE:

The piping running from the water main to the premises served is broken into two portions: the "District's service line" and the "Customer's service line." The District's service line runs from the water main to the property line and includes the District's water valve and/or meter. The "Customer's service line" is all piping between the house piping and the District's water valve and/or meter.

The District may require an alternative location for the placement of the meter other than at the water valve. If the District requires or allows an alternative meter placement, it does not accept responsibility for the Customer's service line maintenance or replacement. Any line that is between the meter and the property line shall be the Customer's responsibility, even though it might be otherwise deemed the District's service line.

1.43 SERVICE SIZE FOR BILLING PURPOSES:

Water service size for billing purposes is a single size even when compound water meters are used. The water service size for billing purposes is determined by correlating the calculated demand for the Customer service connection, less fire protection flow and sizing requirements, using the UPC or from standard engineering practice to a standard water meter flow rate capacity. This calculated water service size for billing purposes may vary from the actual meter size installed due to changes in certain site conditions/uses or the installation of a meter larger than required by the flow capacity or supply capability.

1.44 TEMPORARY WATER SERVICE:

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

1.45 Reserved

1.46 VACATION CLUB UNIT:

Real property used for vacation club purposes under the specific approval of Douglas County.

1.47 WATER, NONPOTABLE:

Water which is not safe for human consumption or which does not meet applicable State or Federal standards.

1.48 WATER, POTABLE:

Any water which, according to applicable State and Federal standards, is safe for human consumption.

1.49 WATER, USED:

Any water supplied by a water purveyor from a public potable water system to a Customer's water system after it has passed through the point of delivery and is no longer under the sanitary control of the water purveyor.

\* \* \* \*

**ARTICLE II. GENERAL PROVISIONS**

2.1 SHORT TITLE; EFFECTIVE DATE:

This Ordinance shall be known and may be cited as "Kingsbury General Improvement District Water Ordinance No. 1." This ordinance, as amended, shall take effect October 1, 2017 but without prejudice to written commitments made by the District to Applicants within six (6) months prior to the effective date.

2.2 ENABLING LAWS:

This ordinance is adopted pursuant to the applicable provisions of NRS Chapter 318, and other appropriate sections of Nevada Revised Statutes, Nevada Administrative Code and Douglas County ordinances.

2.3 MISSION:

The District will exercise reasonable care and diligence to deliver to its Customers a continuous and sufficient supply of potable water at proper pressure and to avoid shortages or interruptions in service. The District shall not be liable for interruptions, shortages, insufficiency of supply, lack of potability, fluctuations or variations in pressure, or any loss or damage occasioned thereby.

2.4 SEVERABILITY:

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

2.5 CONTROL OF SYSTEM:

The entire water system including metering and measuring devices shall be under the exclusive control and management of the District. When the District finds it necessary or convenient to make repairs or improvements to its system the District shall have the right to temporarily suspend the delivery of water and the District shall not be liable for any loss or damage occasioned thereby. Repairs or improvements will be made as rapidly as practical and, when possible, at such times as will cause the least inconvenience to the Customer.

2.6 PERMIT REQUIRED FOR WATER USE:

Connections and water use shall be made in accordance with the provisions of District rules, regulations, ordinances and specifications. No person shall connect, increase or alter the use of water without making application to the District, securing a permit and paying applicable fees. This includes, but is not limited to, building additions, remodeling, partitioning existing structures, demolition or replacement of 20% or more of the service line.

Anyone found to be using or altering the use of a water service without the approval of the District will be held liable for the service utilized from the date of such use or from the earliest reasonable date that use can be determined. Charges for unauthorized use will be considered to have been due when the use occurred and will be subject to the penalties due on delinquent amounts and such other damages and or penalties prescribed by law. No person other than duly authorized representatives of the District or fire department shall open or draw water from any District service, including fire hydrants, without prior written District approval and payment of all fees.

2.7 CONNECTION FEES AND SERVICE CHARGES:

All connection fees, charges, penalties, fines and costs of any kind and charged by the District are set forth in the District's Fee Schedule, as amended from time-to-time.

2.8 ISSUANCE OF PERMIT:

Upon application for water service and payment of all applicable charges and inspection deposit, and Customer's signed acknowledgement to comply with all permit conditions, the District will issue a water connection permit providing there is sufficient water and capacity available in the system to meet the requested service. The application may be denied if delinquent charges are owed to the District by the Applicant or if Applicant has not complied with all requirements of the ordinances, rules and regulations of the District.

2.9 PROVIDING OF SERVICE CONNECTION, SIZE AND LOCATION:

A service connection of suitable capacity as determined by the District, from the District's distribution line to the curb or property line abutting the street or District right-of-way shall be provided to all subdivided lots. A service connection to a parcel of land not part of a developed subdivision will be the responsibility of the property owner.

Any change in the location or size of an existing service connection, service line, and/or meter, including replacement in-kind or otherwise, requires a Connection Permit from the District. Upon application, District shall perform a fixture unit count in accordance with the UPC to ensure the existing or proposed District service line, water meter and Customer service line meets UPC requirements. When the District determines upsizing of the District service line or the water meter is required under the UPC, requiring increased service capacity, payment of additional connection fees in accordance with the Fee Schedule will be required. In addition, all costs to construct, purchase, install, replace, relocate, or change service lines and water meters shall be solely the responsibility of the property owner. When feasible, the District will analyze fixture unit counts to provide property owners alternative options to increasing capacity and paying additional connection fees.

2.10 STATE AND FEDERAL STATUTES -- CROSS CONNECTION:

The regulations of the Nevada Department of Environmental Protection and of the U.S. Environmental Protection Agency prohibit unprotected cross-connections between the public water supply and any secondary water source.

2.11 UNIFORM PLUMBING CODE:

The latest edition of the UPC is automatically adopted by the District upon publication, and shall be observed and followed for all water and sewer connection services and volumes and in the determination of water service.

2.12 WATER WASTE:

Where water is wasted from leaky faucets, pipes or fixtures, by letting water run in the house, street or gutter, to stand in puddles on lawns or gardens, or where there is an unusual water use, the use shall be considered as waste of water; and service may be discontinued. The District has adopted a Water Conservation Plan to support its efforts to reduce water waste. Nothing in this section shall be construed to apply to the accidental breaking of any hose, water pipe, or other irrigation device unless the same is not abated within a reasonable time after notice of such break is given by the District to the person owning, controlling or maintaining the property. If such breaks are not repaired or the water turned off within the specified time allowed in the notice, the District will discontinue service to the premises. If personal notice cannot be given, the water will be shut off and a notice shall be placed on the front door stating the reason(s) for said shut off. The shut off and turn on of water shall be paid for in accordance with the Fee Schedule.

2.12.1 ENFORCEMENT:

Any person who violates the provisions of Section 2.12 shall be penalized in accordance with the Enforcement provisions of Section 2.23.1 pertaining to water conservation.

2.13 Reserved

2.14 NOTICES TO CUSTOMERS:

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

2.15 NOTICES FROM CUSTOMERS:

Notice from the Customer to the District may be given in writing at the District's administrative office.

2.16 RIGHT OF ENTRY BY DISTRICT:

Authorized representatives of the District shall have the right of ingress and egress from a Customer's premises at reasonable hours for any purpose reasonably connected with this Ordinance and all rules and regulations duly adopted hereunder or amendments hereto.

2.17 APPEALS:

Any person who is dissatisfied with any determination made under this Ordinance may, within thirty (30) days after such determination, appeal to the Board by giving written notice to the Manager setting forth the determination with which such person is dissatisfied and the bases for such dissatisfaction.

Prior to hearing of an appeal concerning the amount of charges due, charges shall be paid in full by the person making appeal. Any charge or amounts previously paid under protest will be refunded forthwith, when applicable, in accordance with Board determination at the appeal hearing.

2.18 DUTY OF MANAGER UPON CUSTOMER APPEAL:

The Manager shall promptly investigate and transmit to the Board of Trustees a report upon the matter appealed. The Board shall cause written notice to be given at least ten (10) days prior to the time fixed for hearing to all persons affected by such application of the time and place fixed by the Board for hearing such appeal. Following hearing, the Board may approve, disapprove or revise any determination made by the Manager.

2.19 RELIEF FROM CHARGES DUE TO LOSS:

Effective September 1, 2018 all leak adjustments will be handled by our ServLine Program. Requests must be submitted to ServLine customer Service at 775-339-9500: address of property where loss occurred; whether the property was occupied at the time of the loss; cause of loss, date loss was discovered; date loss was repaired; copies of repair invoices and receipts; letter of explanation if repairs made by Customer; and photographs and other information that may be required by ServLine. Leak Adjustment requests must be submitted within 30 days of the billing date. No customer shall receive more than one leak adjustment that could incorporate two (2) consecutive months of consumption. Typical eligible leaks include underground or unseen, unknown leaks occurring in underground piping between the meter and the structure and pipes under the structure that can be accessed through a crawl space. These leaks are typically continuous in nature.

**Adjustments on water bills will NOT be made on the following:**

- a. Residential customers who do not have their own water meter and are served through a master meter no larger than 2.0 inches.
- b. Commercial, Residential Class 2, or Industrial Customers.
- c. Premises left or abandoned without reasonable care for the plumbing system.
- d. Leaks on irrigation systems or irrigation lines, leaks in water features such as fountains, etc., leaks on any water lines coming off the primary water service line, plumbing leaks in any structure other than the primary residence.
- e. Negligent acts such as leaving water running.
- f. Excess water charges not directly resulting from a qualifying plumbing leak.
- g. Filling of swimming pools or leaks in swimming pools.
- h. Watering of lawns or gardens.

Any customer declining to participate in the program will be responsible for the full amount of their water bill with no adjustments being made. Our new Kingsbury General Improvement District ServLine Program is the only way in which qualifying leak adjustments will be made for leaks occurring after September 1, 2018.

2.20 DISCONTINUANCE OF SERVICE:



A. FAILURE TO MAINTAIN FACILITIES

Failure of the Customer to maintain its facilities in a suitable condition to prevent waste of water may result in a discontinuance of service.

B. CROSS-CONNECTION

The lack of provision for or maintenance of any unprotected actual or potential cross-connection, or the lack of adequate backflow protection or maintenance of backflow prevention devices may result in discontinuance of service.

C. VIOLATION OF DISTRICT RULES AND REGULATIONS

Failure to comply with this Ordinance or any District rules or regulations for installation, inspection, or operation of water facilities may result in discontinuance of service.

D. NON-PAYMENT OF BILLS

A Customer's service may be discontinued for non-payment of a bill for service furnished if full payment of the bill is not received in the District office by the payment due date printed on the bill, provided the District has given the Customer at least five (5) days prior written notice of such intention. Service will be restored upon payment of outstanding fees and charges. Shut-off and restoration of service will be billed as individual service calls in accordance with the Fee Schedule.

E. FRAUDULENT USE OF WATER

When the District has discovered that a Customer has obtained service by fraudulent means, or has diverted water service for unauthorized use, the service to that Customer may be discontinued without notice. The District will not restore service to such Customer until that Customer has complied with all rules and regulations and reasonable requirements of the District and the District has been reimbursed for the full amount of the service rendered and the actual cost to the District incurred by reason of fraudulent use, including penalties, if any.

2.21 SERVICE TO MULTIPLE UNITS ON SAME OR ADJOINING PREMISES:

Separate houses, mobile homes, condominiums, apartments, buildings, living or business quarters on the same premises, (or on adjoining premises if under a single control or management), may be served at the option of the District by either of the following two methods: 1) The premises may be served by separate service lines to each or any unit, provided that the piping system from each service is independent of the others and is not interconnected; or 2) The premises may be served by a single service line to supply the entire premises under a single ownership or management, provided that a single owner or manager is responsible to pay the water billings for the entire premises.

2.22 DISTRICT APPROVAL AND FINAL ACCEPTANCE REQUIRED UPON CHANGES TO PROPERTY:

Any new construction, addition, remodeling, major repair of more than 20% of a water service line (as measured by length), or demolition shall require a District connection permit. The water service, meter, and any other needed appurtenances must be brought into compliance with the UPC. Written approval by the District, and final acceptance by a District inspector, is also required for all such projects. Charges for water service line sizes will be calculated as set forth in the Fee Schedule.

Exceptions for requirement of a permit are identified in the District's Fee Schedule.

2.23 WATER CONSERVATION REQUIRED:

No water user shall waste water or make, cause or permit the use of water for any purpose contrary to any provision of this Section, or in quantities in excess of the use permitted by the conservation stage in effect pursuant to this Section. The conservation stage shall be determined by the Board of Trustees, except that in a sudden emergency such as failure of a major supply line or pumping facility, the Manager may call for and immediately enforce Stage 4, Emergency Water Supply Storage conservation measures.

Stage 1 – Normal Conditions. During Stage 1, when conditions are normal and there is an adequate water supply, property owners and their tenants shall not waste water and shall comply with the following:

- a. Unless used on new lawns or landscaping, and the District office has been notified, no outside irrigation will be allowed between the hours of 10:00 AM and 4:00 PM.
- b. Water shall not be allowed to flow from the property onto impervious surfaces or adjacent property.
- c. Property owners shall repair all leaks in plumbing and irrigation systems in a timely manner.
- d. Hoses shall not be used for washing vehicles without the use of a shut-off nozzle attached to the hose. Continuous discharge from hose nozzle is prohibited.
- e. Water users are encouraged to report to the District all signs of water leaks or water waste.

Stage 2 – Moderate Water Supply Shortage. During Stage 2, when the District has determined there is a moderate water supply shortage, Stage 1 restrictions apply, plus the following additional restrictions:

- a. Designated irrigation days shall be established which require a property whose street address ends with an even number to water on even-numbered calendar days and a property whose street address ends with an odd number to water on odd-numbered calendar days. No irrigation is allowed on the 31<sup>st</sup> of the month. An exemption shall exist under Stage 2 restrictions for new lawn planted within thirty (30) days of the commencement of Stage 2, or to comply with the Tahoe Regional Planning Agency's revegetation requirements on new construction or remodels. Irrigation of lawns, gardens, landscaped areas, trees, shrubs or other plants is permitted at anytime if: 1) a hand-held hose is used, or 2) a hand-held, faucet filled bucket of five (5) gallons or less is used, or 3) a drip or soaker-type irrigation system is used.
- b. Water shall not be used to wash sidewalks, driveways, parking areas, tennis courts, decks, patios or other improved areas, except in conjunction with driveway repair and sealing or to alleviate immediate fire or sanitation hazards.
- c. All commercial establishments where food or beverages are provided shall serve water to their customers only when specifically requested by the customer.

Stage 3 – Severe Water Supply Shortage. During Stage 3, when the District has determined there is a severe water supply shortage, Stage 1 and Stage 2 restrictions shall apply, plus the following restrictions:

- a. There shall be no new lawn or landscape installation.
- b. There shall be no washing of vehicles or other motorized equipment except at commercial washing facilities that recycle wash water.
- c. Irrigation of lawns, gardens, landscaped areas, trees, shrubs or other plants is permitted only once per week except irrigation may be done at anytime only if: 1) a hand-held hose is used, or 2) a hand-held, faucet filled bucket of five (5) gallons or less is used, or 3) a drip or soaker-type irrigation system is used. The Board may permit an exception for commercial and public facilities.

- d. The operation of any ornamental fountain or similar decorative water structure is prohibited unless a recycling system is used and a notice to the public of such recycling system is prominently displayed.
- e. The filling of outdoor swimming pools is permitted only if they are covered during periods of non-use.

Stage 4 – Emergency Water Supply Shortage. During Stage 4, when the Board has determined there is an emergency water supply shortage, or the Manager has determined there is a temporary emergency water supply shortage due to failure of a major supply line or pumping facility, Stage 1, 2 and 3 restrictions shall apply, plus the following restrictions:

- a. The use of water for other than domestic and commercial use is prohibited except that the Board (or Manager in the case of a temporary emergency) may grant discretionary exemptions for individual water users or specific facilities or impose reasonable conditions in lieu of compliance with this Section.
- b. The use of water for dust or dirt control, grading and construction purposes is prohibited.
- c. The flushing of fire hydrants, except for emergency purposes, is prohibited.

2.23.1 ENFORCEMENT:

The Manager, and other authorized District representatives, have the duty and are authorized to enforce all provisions of this Section 2.23. Any person, who violates the provisions of this section, or the provisions of the Water Waste Section 2.12, shall be penalized as follows: After receiving a notification of offence, it is the Customer’s responsibility to notify the District and request an inspection to verify changes have been made. Offences will be tabulated within a rolling calendar year.

- a. For the first offense; issuance of a warning.
- b. For the second offense; issuance of a warning.
- c. For the third offense, assessment of a penalty in the amount specified in the Fee Schedule.
- d. For the fourth offense, assessment of a penalty in the amount specified in the Fee Schedule and discontinuance of water service until such time that the Customer installs any necessary retrofits or completes necessary repairs to avoid further water wasting.

\* \* \* \*

**ARTICLE III. DISTRICT RESPONSIBILITIES**

3.1 SERVICE LINE:

The District is responsible for the installation and/or maintenance of water lines only to the end of its service connection. The District reserves the right to assume maintenance of any metering device at its sole discretion.

3.2 NEW CONSTRUCTION FIELD LOCATIONS FOR CUSTOMERS:

After a Customer's good faith but unsuccessful effort to locate its water service for new construction, the District may, at the request of a Customer, field locate water lines and facilities if District personnel and equipment are available for that purpose. The Customer shall post a deposit with District, as estimated by District, to pay for District costs, including mileage, labor and equipment for such location efforts. When District record drawings do not show locations for water services, or its record drawings are significantly inaccurate as determined by District, the District will locate and identify services, including field locations, at District's expense.

3.3 POLLUTION AND CONTAMINATION PROTECTION:

The District shall have regulatory responsibility for the protection of the public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If in the judgment of the District an approved backflow prevention assembly is required at the Customer's water service connection for the safety of the water system, the District shall give the Customer notice in writing to install an approved backflow prevention assembly at specific locations at the Customer's premises and at Customer's expense.

3.4 NOT RESPONSIBLE FOR CUSTOMER-CAUSED DAMAGE:

The District shall not be responsible for any loss or damage directly or indirectly resulting from or caused by the accidental, proper, improper or negligent installation, operation, use, repair or maintenance of water facilities or equipment by the Customer or any other person.

The District is not responsible for water meters damaged by any cause including but not limited to freezing or tampering. District's responsibility for meters is limited to ordinary wear and tear. District has no ownership or responsibility for any Customer water service lines.

3.5 WATER PRESSURE AND SUPPLY:

The District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and merely agrees to furnish such quantities and pressures as are available in its general distribution system and as required by Nevada law. The District will endeavor to give reasonable notice to Customers before a curtailment of services; however, the District shall not be liable for shutdowns or variations to the system that occur without prior notice.

The District shall not accept any responsibility for the maintenance of pressure, and it reserves the right to discontinue service while making repairs and when necessary for the protection of health, property or District facilities. Consumers dependent upon a continuous supply should provide emergency storage.

\* \* \* \*

**ARTICLE IV. CUSTOMER RESPONSIBILITIES**

4.1 LEGAL OWNER OF PROPERTY RESPONSIBLE PARTY:

The legal owner of a property or premises served by the District is solely and completely responsible for compliance with District rules, regulations, ordinances and specifications, including payment of all District charges. This responsibility cannot be assigned or delegated to others.

4.2 MAINTENANCE AND REPAIR OF PRIVATE LINES:

The Customer, at Customer's sole expense, shall furnish, install, and maintain in good repair all Customer service lines from the District service connection to the premises served. This includes but is not limited to pressure reducing valves, heat expansion tanks or other appurtenances installed on the Customer's water service. The Customer must notify the District of any changes to the service line to enable a fixture count to be completed to ensure the correct service line is installed.

A Customer may request that the District waive service call fees for turning the water on and off at the time a Customer installs their own shut off valve. Service call fees shall only be waived upon District verification that a new shut off valve was installed.

4.3 NEW CONSTRUCTION OR REMODEL REQUIREMENTS:

Any new construction, addition, remodeling, partitioning of existing structures or demolition requiring the issuance of a permit by the County shall require a District connection permit. A completed connection permit application shall be submitted for plan review along with a plan review fee in accordance with the Fee Schedule, and two (2) sets of improvement plans including a minimum of, but not limited to, site plan, existing and proposed floor plans, existing and proposed elevation plans and plumbing fixture schedules and details. When fire protection water service is required, flow demand and water service pressure requirements and design of said system must be supplied by a licensed fire system designer.

Changes to the water service, meter, and any other needed appurtenances must be brought into compliance with the UPC. The District will issue a connection permit only after all connection permit conditions are acknowledged by the property owner, or its designated agent or contractor, and all connection fees and charges are paid in full. Final inspection and written approval by the District is required for all such projects as specified in Article V.

4.4 SEPARATE SERVICE LINE REQUIRED WHEN PROPERTY IS PARCELED:

When a townhouse, duplex, triplex or other multiple-unit building is parceled, a separate water service line, District water shut off valve and meter set-up must be installed to each unit as a condition of water service to the property. In cases where the provision of separate water service lines and valves is not feasible, the property owner(s) must set up and maintain a property owners' association to receive and pay District bills for service to the property.

4.5 METER INSTALLATION:

The Customer shall be responsible for the cost and installation of all meters, piping, connectors, water boxes and necessary valves and connections for the meters, as well as trenching, backfill and resurfacing except as provided for by § 2.9 of this Ordinance. The District shall assume maintenance responsibility of a metering device following inspection for proper installation. The expense of relocating services or meters shall be the responsibility of the Customer.

4.6 DAMAGE CAUSED BY CUSTOMER ACTIONS:

The Customer shall be liable for damages to facilities owned by the District caused by an act of the Customer or the Customer's guests, tenants, employees, agents or contractors.

4.7 BACKFLOW PREVENTION DEVICES:

The Customer served by a backflow prevention device shall be responsible for the installation, maintenance, repair, replacement, protection and cost of periodic testing of such devices as required by this Ordinance.

4.8 REQUIREMENTS OF SERVICE LINE REPLACEMENT OR REPAIR:

Prior to replacement of 20% or more of a Customer's service line, the Customer shall obtain a District connection permit and ensure that the service line complies with then existing District specifications and the UPC. The District requires inspection of repairs made to a Customer's water service line or replacement of any portion of the Customer's service line.

4.9 DISTRICT-REQUIRED CORRECTIVE ACTION:

If the District determines that corrective action is needed on facilities that are the Customer's responsibility, the District shall serve the Customer with written notice and allow a reasonable time for satisfactory correction. Failure to take timely corrective action may result in the discontinuance of water service. The District may, in the interest of immediate public health and safety, discontinue service without prior notice. The costs and expenses incurred for discontinuance of service, work and material shall be paid by the Customer.

4.10 GROUND - WIRE ATTACHMENTS:

No one may attach any ground wire or wires to any plumbing that is or may be connected to a service connection or main belonging to the District. The District will hold the Customer liable for any damage of District property or injury to District personnel caused by any ground wire attachment.

4.11 RESALE OF WATER:

Except by special written agreement with the District, a Customer shall not resell any of the water received from the District, nor shall such water be delivered to premises other than those specified in such Customer's application for service.

4.12 CHANGE OF USE:

Customers making any material change in the size, character or extent of the equipment or operations utilizing water service, or who add residential units to an existing service through a building addition and/or the partitioning of an existing structure, or whose change in operations may result in an increase in the use of water, shall apply for a District connection permit. The District will review the Customer's existing permit and inform the Customer in writing of any required permits or fees necessitated by the change of use.

4.13 WATER USE ON PREMISES ONLY:

Except as may be approved in accordance with § 4.11, a service connection shall not be used to supply and/or irrigate any other parcel.

4.14 DISTRICT AUTHORIZATION REQUIRED:

No person, other than authorized District personnel, shall open, close, operate, tamper with, tap or connect into any District valve, meter, main, pipe, District service line, hydrant or other property owned or controlled by the District or used by the District in connection with water works, unless authorized by the District. Unauthorized actions described above will be charged as shown in the Fee Schedule.

4.15 OWNER'S SHUT OFF VALVE REQUIRED FOR NEW CONSTRUCTION AND FOR REMODEL/REPAIR:

An accessible owner's water shut off valve is required for all new construction and for any building undergoing remodeling or repair work requiring a County or District permit.

**ARTICLE V. WATER SYSTEM IMPROVEMENTS**

5.1 **APPLICATION FOR PRIVATE WATER SYSTEM IMPROVEMENTS:**

The following rules shall apply to the construction and/or modification of water system improvements:

A. APPLICATION

Any owner of one or more lots or parcels, or developer of a tract of land, desiring to install and/or modify water system improvements shall make a written application therefore to the District. For the purpose of this Article, water system improvements include all on-site and off-site water system improvements, with the exception of individual residential service connections. Said application shall contain the legal description of the property to be served and street address thereof, and any additional information which may be required by the District, and be accompanied by a map showing the location of the proposed connections. The Applicant shall specify all offers of dedication to the District. The application shall include three (3) sets of improvement plans prepared by a Nevada licensed engineer. The proposed improvements shall be in accordance with the UPC and the District’s standards and specifications. The size, type, and quality of materials and location of the water mains and water system appurtenances may be specified by the District.

B. REVIEW BY THE DISTRICT

The District and/or its engineers shall review the proposed plans and may require changes before a permit is issued. A plan review and other fees may be required for all plans requiring the District’s approval, in accordance with the Fee Schedule. If the District hires outside professionals to review plans, the District shall obtain an estimate of the professionals’ fees, and the Applicant shall deposit that amount along with the plan review fee with the District prior to plan review. The District shall provide Applicant with an itemized invoice for outside professional services and apply the deposit against the actual charges incurred. The District shall refund or invoice Customer any balance due or amount owed.

C. OFFERS OF DEDICATION

KGID may require the Applicant to dedicate some or all the water system improvements to the District. If so, the issue shall be considered and determined by the Board of Trustees after the plans have been reviewed and prior to permit issuance. Acceptance by and connection to the District shall be subject to construction of the water system improvements according to the approved plans and specifications as verified by the District, and the prior provision to the District of reproducible electronic and two prints of accurate record drawings.

5.2 **GENERAL:**

Cost of main extension construction and inspection shall be borne by Applicant. All costs and expenses incident to the installation and connection of any water service or other work for which a permit has been issued shall be borne by the Applicant, and shall be in addition to all fees, service and connection fees provided for in this Ordinance. The owner shall indemnify District for any loss or damage that may directly or indirectly be occasioned by the work. The District shall authorize all work in writing.

All improvements shall be designed and constructed in accordance with the District’s standards and specifications, including, where applicable, the *Standard Specifications for Public Works Construction*, American Water Works Association specifications, Nevada Bureau of Safe



Drinking Water standards, the Nevada Department of Transportation's *Standard Specifications for Road and Bridge Construction* and any other standards deemed applicable by the District. The Applicant is responsible to acquire all approvals and permits from all agencies.

5.3 INSPECTION OF WATER SERVICE LINES AND APPURTENANCES:

All new water service piping, fittings or other appurtenances, including the meter pit, if any, must be inspected by District personnel to ensure proper installation. If the District hires an outside inspector, the District shall obtain an estimate of the inspector's fees. The Applicant shall deposit the estimated cost upon presentation of the estimate. The District shall provide an itemized invoice for outside inspection services and apply amounts received against actual charges incurred, and shall either refund or invoice Customer any balance due or amount owed.

5.4 SERVICE LINE AND FACILITIES INSTALLED BY CUSTOMER IN SPECIAL CASES:

Where, in the opinion of the District, extension of District's mains to a point adjacent to Customer's premises is not feasible, Customer may make such installations from its point of use to a point where tap can be made directly to District's then existing main.

If additional facilities, including but not limited to a booster pump, should be required to provide adequate pressure for Customer's service, the Customer shall provide, operate, maintain and replace such facilities, all at Customer's expense.

District shall at no time be required to extend mains to supply water to any Customer.

5.5 REFUND AGREEMENT:

Where an Applicant is required to advance the cost of a main extension, it may request an agreement with the District for reimbursement upon future connection to the extended main by other customers. Any such agreement must be executed prior to or by the time the facility subject to the agreement is dedicated to the District. The agreement shall provide that any property owners who subsequently connect to said main extension shall pay to the District, in addition to normal connection fees, their proper pro-rata share of the original main extension cost, the amount of which shall be determined by the Manager. All amounts paid shall be paid over by the District to the original Applicant unless otherwise directed by the Applicant.

Refund shall not exceed the amount originally paid by the Applicant, and no interest thereon shall be paid. The agreement shall expire ten years after the date of dedication of the main extension to the District. No refunds shall thereafter be made by the District.

PUBLIC COMMUNAL WATER SYSTEM CONSTRUCTION

5.6 PERMIT REQUIRED:

No person shall construct, extend, or connect to the District water system without first obtaining a written permit from District and paying all fees, inspection deposits, and connection fees as required. The provision of this section requiring permits shall not be construed to apply to contractors constructing water systems and appurtenances under contracts awarded and entered into by District.

5.7 PLANS, PROFILES AND SPECIFICATIONS REQUIRED:

The application for a permit for the District water system construction shall be accompanied by complete plans, profiles and specifications, complying with all applicable ordinances, rules and regulations of the District, prepared by a professional engineer registered in the State of Nevada, showing all details of the proposed work based on an accurate survey of the ground. The application,

together with the plans, profiles and specifications, shall be examined by the District which shall approve them as filed or require them to be modified as deemed necessary.

5.8 EASEMENTS OF RIGHTS-OF-WAY:

In the event that an easement is required for the extension of the District water system or the making of connections thereto, the Applicant shall procure and have accepted by the District a proper easement or grant of right-of-way sufficient in law to allow the laying, replacement, repair and maintenance of such extension or facilities. Easements or rights-of-way are reserved for the servicing of utilities, and no structure or building shall be placed within or over easements or rights-of-way, nor shall these areas be occupied or used in any manner as to restrict or deny access for repairs or maintenance, and all costs of removing or replacing land surfaces, landscaping or other occupancies shall be charged to the property owner.

5.9 OFFERS OF DEDICATION:

The District may require dedication by the owner to the District of all improvements. If so, the procedure set forth in § 5.01C shall apply.

5.10 PERSONS AUTHORIZED TO PERFORM WORK:

Only properly licensed contractors may perform the work on the District's water system. The District will not accept dedication of any public water system, or portions thereof, unless the construction has been performed by the holder of a Class A contractor's license issued by the Nevada State Contractor's Board. All terms and conditions of the permit issued by the District to the Applicant shall be binding on and observed by the contractor.

5.11 COMPLIANCE WITH LOCAL REGULATIONS:

Any person constructing or working upon a water system within a street shall comply with all laws, ordinances, rules, and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof, and shall obtain all permits and pay all required fees prior to the issuance of a permit by the District.

5.12 PROTECTION OF EXCAVATION:

The Applicant shall maintain such barriers, lights and signs as are necessary to give warning to the public at all times that utility work is under construction and of each dangerous condition to be encountered as a result thereof. Applicant shall protect the public's use of the sidewalk against any adverse or dangerous conditions in connection with the work. Streets, sidewalks, parkways and other property disturbed in the course of the work shall be reinstalled in manner satisfactory to the District and the County and any other entity having jurisdiction thereover.

5.13 DESIGN AND CONSTRUCTION STANDARD:

Minimum standards for the design, construction and warranty of water systems within the District shall be in accordance with the District's standard specifications as adopted by District from time to time. The District may permit modifications or may require higher standards where unusual conditions are encountered.

Reproducible "Record" drawings, stamped and prepared by a professional engineer registered in the State of Nevada shall be filed with the District before final acceptance of the work. Record drawings shall show the actual locations with coordinates of all easements, mains, connections,

hydrants, valves, and other appurtenances. Record drawings shall be provided in both PDF format and a digital format compatible with the District's current GIS software.

5.14 COMPLETION OF WATER SYSTEM REQUIRED:

Before any acceptance of any water line by the District, the water line shall be tested and shall be complete and in full compliance with all District specifications to the satisfaction of the District.

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**ARTICLE VI. SPECIFICATION FOR WATER CONNECTION  
MATERIALS AND MANNER OF CONSTRUCTION**

6.01 APPLICATION:

All water connection materials and methods of construction shall meet or exceed KGID specifications, which are available at the District office.

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**ARTICLE VII. CROSS-CONNECTION CONTROL**

7.1 GENERAL:

The purpose of the following regulations is to protect the District's public potable water supply from the possibility of contamination or pollution by isolating within the Customer's internal distribution system(s) or the Customer's private water system(s) such contaminants or pollutants which could backflow into the public water systems; and,

To promote the elimination or control of existing cross-connections, actual or potential, between the District's and its Customers' systems; and,

To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

7.2 DISTRICT RESPONSIBILITIES:

The District shall have regulatory responsibility for the protection of the public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through service connections.

If, in the judgment of the District an approved backflow prevention assembly is required at the Customer's water service connection for the safety of the water system, the District or its designated agent shall give notice in writing to the Customer to install such an approved backflow prevention assembly at specific locations on the Customer's premises.

The District shall not be responsible for any loss or damage directly or indirectly resulting from or caused by the accidental, proper, improper, or negligent installation, operation, use, repair or maintenance of, or interfering with, any protective device by any Customer or any other person.

7.3 CUSTOMER RESPONSIBILITIES:

It shall be the responsibility of each Customer, at their sole expense, to furnish, install, and keep in good working order and safe condition any and all protective devices.

Once notified of the need to install a backflow prevention assembly, the Customer shall install within a reasonable time such approved assembly at Customer's expense.

Installation of backflow prevention assemblies shall be in accordance with either the National Backflow Prevention Association or the University of Southern California Federation of Cross Connection Control and Hydraulic Research specifications.

Failure, refusal or inability on the part of the Customer to install, have tested and maintain said assembly shall constitute a ground for discontinuing water service to the premises until such requirements have been satisfactorily met.

Once the District has notified the Customer of its specific responsibilities regarding cross-connection control, the District will hold the Customer solely liable for any pollution or contamination of District's water system caused by the Customer's water system.

7.4 REQUIREMENTS - WATER SYSTEM:

The water system shall be considered as made up of two parts; the District system and the Customer system.

The District system shall consist of the source facilities and the distribution system and shall include all those facilities of the water system under the complete control of the District up to the point where the Customer's system begins.

The District's system shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system. The distribution system shall include the network of conduits used for the delivery of water from the source to the Customer's system.

The Customer's system shall include those parts of the facilities beyond the termination of the District's distribution system that are utilized in conveying utility-delivered domestic water to points of use.

7.5 REGULATIONS:

When there is a valid reason to believe a problem exists, the Customer's system shall be open for inspection at all reasonable times to authorized representatives of the District and state or county health departments to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the District may deny or immediately discontinue service to the premises by providing for a physical break in the service line until the Customer has corrected the condition in conformance with all laws, codes and regulations relating to plumbing and water service.

7.5.1 INSTALLATION OF BACKFLOW PREVENTION DEVICES:

An approved backflow prevention assembly shall be installed on each service line to a Customer's water system at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:

In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the District, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line appropriate to the degree of hazard. Nevada law requires the State Health Officer's written approval to interconnect water supplies.

In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, as such hazard may from time to time be determined, the public system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line appropriate to the degree of hazard.

In the case of premises having (1) internal cross-connection that cannot be permanently corrected or controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line as deemed necessary by the District.

When two or more services supply water from different street mains to the same building, structure, or premises, through which an inter-street main flow may occur, there shall be at least a standard check valve on each water service to be located adjacent to and on the property side of the respective meters. Such check valve shall not be considered adequate if backflow protection is deemed necessary to protect the mains from pollution or contamination. In such cases the installation of approved backflow assemblies at such service connections shall be required.

#### 7.5.2 SELECTION OF BACKFLOW PREVENTION DEVICES:

The type of protection that shall be provided to prevent backflow shall be commensurate with the degree of hazard. The type of protective assembly that shall be required (listed in an increasing level of protection) includes: double check valve assembly, reduced pressure principle backflow prevention assembly, and an air-gap separation. The water user may choose a higher level of protection than required by the District. The minimum types of backflow protection are contained in current versions of NAC Chapter 445A. Situations that are not covered by the NAC shall be evaluated on a case-by-case basis; and in all cases the appropriate backflow protection shall be determined by the District.

In general, the type of protective assembly required under this article shall depend upon the degree of hazard that exists as follows:

In the case of any premises where there is an auxiliary water supply as stated in this article and it is not subject to any of the following rules, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly.

In the case of any premises where there is water or substance that would be objectionable but not hazardous to health if introduced into the public water system, the public water system shall be protected by an approved double check valve assembly.

In the case of any premises where there is any material dangerous to health that is handled in such a fashion as to create an actual or potential hazard to the public water system, the system shall be protected by an approved air-gap separation or a reduced pressure principle backflow prevention assembly. Examples of premises where these conditions will exist include sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries and plating plants.

In the case of any premises where there are "uncontrolled" cross-connections, whether actual or potential, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly at the service connection.

In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow from the premises by either an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly on each service to the premises.

## 7.6 APPROVED BACKFLOW PREVENTION DEVICES:

Devices that comply with any of the following criteria are approved:

- (1) An assembly or means to prevent backflow that has been manufactured in conformance with the standards established by the American Water Works Association entitled AWWA M14 and C506-84 Standards for Reduced Pressure and Double Check Valve Backflow Prevention Devices and spill proof vacuum breakers, pressure vacuum breakers and air gaps and have met the laboratory and field performance specifications of the USCFCCC&HR;
- (2) Specifications of Backflow Prevention Assemblies, Section 10 of the most current issue of the Manual of Cross Connection Control.
- (3) Any AWWA and USCFCCC&HR standards and specifications, including existing and future amendments, are hereby adopted by the District and made a part hereof by reference.

### 7.6.1 AIR-GAP:

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 device and the flood level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically, above the overflow rim of the vessel, and in no case less than one inch.

### 7.6.2 REDUCED PRESSURE PRINCIPLE ASSEMBLY:

An assembly of two independently acting approved check valves together with a hydraulically operating, mechanically independent differential pressure relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly. The entire assembly shall meet the design and performance specifications as determined by the USC Foundation for Cross-Connection Control and Hydraulic Research ("USCFCCCHR"). The assembly shall operate to maintain the pressure in the zone between the two check valves at an acceptable level less than the pressure on the public water supply side of the assembly. At cessation of a normal flow, differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved these assemblies must be readily accessible for in-line testing and maintenance and be installed in a location where no part of the assembly will be submerged.

7.6.3 DOUBLE CHECK VALVE ASSEMBLY:

An assembly of two independently operating approved check valves with tightly closing shut-off valves on each end of the check valve, plus properly located test cocks for the testing of each check valve. The entire assembly shall meet the design and performance specifications as determined by a laboratory and field evaluation program resulting in an approval by the USC FCCCHR. To be approved, these assemblies must be readily accessible for in-line testing and maintenance.

7.6.4 PRESSURE VACUUM BREAKER ASSEMBLY:

This assembly shall include an approved internally loaded check valve and a loaded air opening to atmosphere on the discharge side of the check valve between two resilient seated shut-off valves. This assembly may only be used in irrigation systems that do not inject contaminants into the irrigation systems. Use will be limited to irrigation systems only.

7.7 ASSEMBLY REQUIREMENTS:

Any backflow prevention assembly required herein shall be a model and size approved by the District. The term "approved backflow prevention assembly" shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association entitled: AWWA C510-92 Standards for Double Check Valve Backflow Prevention Devices" and "AWWA C511-92 Standards for Reduced Pressure Principle Backflow Prevention Devices"; and have met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California.

The following testing laboratory has been qualified by the District to test and certify backflow preventers: Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, University Park, Los Angeles, California 90089-0231.

7.8 TESTING REQUIREMENTS:

It shall be the duty of the Customer at any premises where backflow prevention assemblies are installed to have certified inspections and operational tests made at its sole expense at least once per year, and more frequently as may be required by the District. In those instances where the District deems the hazard to be great enough, certified inspections may be required at more frequent intervals. These inspections and tests shall be performed by a tester certified by the American Water Works Association, California-Nevada Section, or the American Backflow Prevention Association. It shall be the duty of the Customer to ensure that these tests are made in a timely manner. If required, the Customer shall notify the District in advance when the tests are to be undertaken so that a District representative may witness the tests. These assemblies shall be repaired, overhauled or replaced at the expense of the Customer whenever said assemblies are found to be defective. Records of such tests, repairs and overhaul shall be kept and a copy submitted to the District by the test due date as proof of compliance with the testing requirements. The District may levy the charges as set forth in the Fee Schedule for each such test for good cause witnessed by District personnel or agents and may charge the test administration fees when proof of required testing is not received on time.

7.9 EXISTING ASSEMBLIES:

All presently installed backflow prevention assemblies that do not meet the requirements of this section may, at the discretion of the District, be required to be removed and replaced with an approved device. Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the District finds that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly at Customer's expense.

**ARTICLE VIII. METER REGULATIONS**

8.1 **METER SERVICES:**

A meter with all piping, connectors, meter box and necessary valves and connections shall be required for all Customers. For new connections, the trenching, backfill and resurfacing shall be provided and installed by the Customer in accordance with District standards and specifications, except as provided by § 2.9 of this Ordinance.

8.2 **METER INSTALLATIONS:**

Meters will be installed at the property line and shall be owned by the District and reinstalled and removed at its expense. If the District requires a remote meter read device, it shall be installed at a location approved by the District. No rent or other charge will be paid by the District for a meter or other facilities, including connections. All meters may be sealed by the District at the time of installation, and no seal shall be altered or broken except by one of its authorized employees or agents. The meter shall be of the type and brand approved by the District. If the District finds a positive indication of meter tampering or if the meter seal is broken, there will be a fine as stated in the Fee Schedule, plus a charge for the estimated amount of unmetered water used based on previous meter records.

Alternate meter locations must be approved by the District. The District is not responsible to maintain any portion of the Customer's service line regardless of the location of the meter.

8.3 **CHANGE IN LOCATION OF METERS:**

Meters moved for the convenience of the Customer will be relocated at the Customer's expense, upon approval of the District. Meters moved for the District's operating convenience will be moved at its expense.

8.4 **GENERAL RULES:**

The District requires a separate metering device for each home, residential unit or building under separate ownership. The District may also require a separate service connection to the main distribution line.

In cases of buildings with multiple units under separate ownership, each individual unit shall install a water meter and shut-off valve, at the District's discretion. In the event that the District determines that the installation of individual meters and/or shut-off valves is not feasible, the property owners shall make arrangements for a master meter installation and the payment of water bills through a property owners' association.

Two or more houses, buildings, or residential units under one ownership and on the same parcel of land may be supplied through the same metering device. The District reserves the right to limit the number of houses, buildings, residential units, or areas of land under one ownership to be supplied by one metering device or service connection. The District reserves the right to require that one or more water meter(s) are installed, at the owner's expense, to meter ancillary and/or common water uses for the parcel.

Except as may be approved in accordance with §4.11, a service connection shall not be used to supply and/or irrigate an adjoining parcel.

When a parcel provided with a service connection is divided, each parcel shall be provided with its own meter, service line and Customer shut off valve at Customer's sole expense.



8.5 METER TESTS - DEPOSITS:

All meters will be tested or certified as to accuracy prior to installation and no meter will be installed registering more than 2% fast or slow. A Customer who believes his or her meter is inaccurate may request that the meter be tested by submitting a written request, together with a deposit equal to the estimated cost of the meter test. During the period the meter is being tested, water use will be estimated from prior years flow records if a temporary meter is not installed. Should the meter register more than 2% high, the District shall refund the deposit and adjust the overage to as long as six months of over registering. If the meter registers more than 2% slow the meter shall be replaced or repaired and the Customer shall pay for the water not recorded on the meter, up to a period of six months.

The Customer shall owe the full meter test cost if the meter records within 2% of the true meter reading, fast or slow.

8.6 NON-REGISTERING METERS:

If a meter is found to be not registering, the charges for service shall be the monthly base rate plus the estimated consumption. Such estimates shall be based upon previous consumption for a comparable period, or by such other method as determined by the District, which decision shall be final.

8.7 DISTRICT ACCESS TO METERS:

Customers must provide District ready access to Customer's meter at all times. If access is blocked by locked doors to which keys are not readily available, or if meter vaults are blocked by vehicles, snow storage or other means, the District may require that the meter be relocated to a more accessible site by the Customer, at Customer's expense. When the District does not have a key to access meters in crawl spaces, District personnel shall cut the lock and replace it with a District lock in order to turn water off for non-payment, water leak or other District reason. District personnel will notify owners and provide lock combination. The inability to access a meter may result in the discontinuance of water service until access is provided as deemed necessary by the District.

8.8 REDEVELOPMENT:

Any property being redeveloped must install a new water main in compliance with AWWA standards and be inspected by the District at the Customer's expense. A Customer that redevelops any existing property will remove existing meters and install, at Customer's expense, new meters meeting District specifications at each service line. A credit for the size of the existing meters will be granted.

Where a master meter serviced the existing property, the master meter will be removed, and new meters meeting District specifications will be installed on each new service connection. A credit for the size of the existing master meter will be granted and used toward the installation of individual service connections. All removed meters and appurtenances must be returned to the District.

8.9 CHANGES IN METER SIZE:

A Customer may request a reduction in meter size. All reductions must be approved by the District and sized in accordance with the UPC. The Customer shall be responsible for the cost and installation of all meters, piping, connectors, water boxes and necessary valves and connections for the meters, as well as trenching, backfill and resurfacing and all other necessary work and materials. Except as provided elsewhere herein, the District shall assume maintenance responsibility of a metering device following proper installation. The expense of relocating services or meters shall be the responsibility of the Customer unless made for the District's operating convenience.

**ARTICLE IX. WATER SERVICE BILLING PROCEDURES**  
**AND SPECIAL CHARGES**

9.1 **METER READING:**

Meters shall be read on the last regular business day of each month or at such later time as deemed necessary by the District. Water consumption shown on the monthly billings shall be shown as either gallons or cubic feet dependent upon whether the meter reads in gallons or cubic feet increments. Cubic feet meter consumption is converted to equivalent gallons for calculation of consumption charges.

9.2 **BILLING TIME:**

Bills for water service are typically prepared and mailed to Customers by the 5th day of each month with the due date specified thereon. Monthly bills are due and payable to the District office by the last day of the same calendar month as the bill was presented.

9.3 **BILLING PERIOD:**

Billing period shall be the period for which a billing is made, not necessarily coincident with the calendar month (i.e., may be billed on a cycle between 28 and 31 days.) Residential accounts will be billed a base rate charge for current month and water usage will be billed for in arrears. Commercial accounts will be billed both base rate and water usage in arrears.

9.4 **PENALTIES:**

All charges shall become delinquent after the due date specified on the bill if payment has not been received by the District. All delinquent charges shall be subject to a basic penalty of ten percent (10%) of charges for the first month delinquent. In addition, a penalty of one and one-half percent (1 ½%) per month for non-payment of the charges and basic penalty shall thereafter be imposed. Customers with a good payment record as defined by the District may have one late penalty waived per twelve (12) months. The District credits all payments against the oldest outstanding balance, to include other charges and penalties, first.

9.5 **BILLING OF SEPARATE METERS COMBINED:**

Separate bills will be rendered for each meter installation except where the District has, for its own convenience, installed two or more meters in place of one meter. Where such installations are made, the meter reading will be combined for billing purposes, however, a separate base rate is charged for each connection.

9.6 **INITIATION OF MONTHLY CHARGES TO NEW SERVICES:**

Monthly charges begin not more than six months after a connection permit is issued, regardless of whether a certificate of occupancy is obtained or construction is completed. Charges continue as long as the Connection Permit remains valid in accordance with Exhibit B.

9.7 **MONTHLY CHARGES IRRESPECTIVE OF USE:**

Monthly charges are due and payable regardless of use. Disconnection of service can only be made in accordance with "Validity of Utility Connection Permits." See Exhibit B. Reconnection of service will be made only upon payment of a new connection fee. Vacant or abandoned properties are subject to, and will be billed for, monthly base rate charges, penalties and any other miscellaneous charges as applicable.

9.8 UNAUTHORIZED USE OF DISTRICT FACILITIES OR WATER:

A person connecting to District's system or taking ownership of existing premises and using water from a service connection without having made application to the District for water service shall be held liable for the water delivered from the date of connection or commencement of ownership. 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, and the District may refer the matter for criminal investigation and prosecution.

9.9 REQUEST TO REACTIVATE SERVICE:

When the District is requested to turn on the service to a property, the Customer or his agent must be present at the time the service is reactivated to check for leaking pipes or open faucets within the premises.

9.10 COMPUTATION OF BILLS:

If the District is unable to read a Customer's meter on a scheduled meter reading date, the District may bill the Customer for the estimated consumption during the billing period, subject to adjustment at the time of the next meter reading.

If a meter fails, the District will estimate use based upon past usage until the meter is repaired or replaced.

**LEAK RECOVERY PROGRAM:** The District has contracted with ServLine, which insures against certain water losses. All accounts are automatically enrolled in the ServLine program, and charged by the District for the cost of coverage. Customers may opt out of the program altogether. Information regarding the program, claim filing and other details is available upon request to District staff or by calling ServLine Customer Service at 775-339-9500. Customers wishing to change coverage or opt out must contact staff to initiate the appropriate process. Coverage and fees will apply until the opt out process is completed.

9.11 RESIDENTIAL LAWN IRRIGATION AND SERVICES TO COMMON AREAS:

Irrigation of lawn or garden areas adjacent to a residential unit and served from the same house service is considered part of the metered rate residential service charge.

Where the area to be irrigated requires a separate service line, or the area to be irrigated is not part of a single family residential lot, or the service is not on the same premises occupied by the single family residence, then the irrigation system shall be serviced by a separate line and meter and the Customer shall pay the base monthly and consumptive rates as set forth in the Fee Schedule.

Water services for irrigation of common areas of condominiums or multiple residential areas shall pay base rates and consumptive rates based on the water meter size in accordance with the Fee Schedule.

9.12 NON-PAYMENT OF BILLS:

A Customer's service may be discontinued for non-payment of a bill for service if payment has not been received by the District by the due date specified thereon and a portion of the bill is at least 30 days delinquent, provided the District has given the Customer at least five (5) days prior written notice of such intention. Service will be restored upon payment of outstanding delinquent fees and charges. Shut-off and restoration of service will be billed as individual service calls.

Generally, the District will record a lien against a property when the account balance

includes delinquencies over 30 days past due. The District shall notify the property owner by providing a copy of the Lien to the property owners last known mailing address at the time of recording. When payments received bring the account into current status with no delinquency and payments are confirmed cleared by the bank, a lien release will be recorded on the property, with a copy mailed to the last known mailing address of the property owner, usually within 14 days. Lien and lien release recording fees shall be charged to the Customer at the time the Lien is filed and are shown in the Fee Schedule. The District may record a lien on a property for amounts owed at any time.

Checks, electronic funds transfers and credit cards presented for payment of bills that are returned by a bank shall be treated as though no payment had been made, and the Insufficient Funds Charge as shown in the Fee Schedule will be levied by the District, plus any additional amounts charged to the District by its bank. The Customer shall pay the District for any returned check/electronic funds transfer or credit card fees charged by a bank to the District. Accounts with returned checks, EFTs or credit card payments may no longer be eligible for that specific payment option and may be required to pay in the form of cash, money order or cashier's check for a period of up to six months. Discontinuance of any payment option shall be at the discretion of the District.

When an account payment has been returned by a bank, the District shall take immediate action to discontinue water service when that payment was made to avoid water service disconnection, The District shall have no obligation to give a Customer additional notice provided that the initial five (5) day written notice was given.

9.13 RESPONSIBILITY FOR PAYMENT OF BILLS:

Failure to receive a bill does not relieve the Customer of liability. Any amount due shall be deemed a debt to the District, and any Customer failing, neglecting or refusing to pay said indebtedness shall be liable for an action in the name of the District in any court of competent jurisdiction for the amount thereof, as well as attorney's fees, court costs and related expenses.

9.14 SERVICE CHARGES:

Except as provided in §4.02, a service call charge in accordance with the Fee Schedule will be made for each response to the property by District personnel. The charge will be made and collected prior to renewing service following discontinuance for violation of these rules or for non-payment of bills. Leak detection and water meter profiling service shall be provided to a Customer once per twelve (12) months, without a service call charge, to assist Customer and promote water conservation,

9.15 ABATEMENT:

During the period of discontinuance of water service, habitation of such premises shall constitute a public nuisance, whereupon the Manager may cause proceedings to be brought for the abatement of the occupancy of said premises. In such event, the Customer shall be liable for a reasonable attorney's fee, together with litigation costs.

9.16 COMBINED BILLINGS BY DISTRICT:

Where the person charged is a user of more than one service billed regularly by the District, the charges may be billed upon the same bill and collected as one item.

9.17 GOVERNMENT CONDEMNED PROPERTY:

Units condemned or posted as uninhabitable by the County or any other government authority may have monthly service charges temporarily waived or reduced in accordance with Exhibit B as it may be changed from time to time, upon owner submittal of evidence certifying same to the District. Should the District believe the property is occupied despite being condemned or

posted as uninhabitable, monthly service charges will continue to accrue. This waiver of fees does not apply to temporarily out-of-service properties for other than government condemnation.

## **ARTICLE X. SERVICE RATE CLASSIFICATIONS**

### 10.1 CLASSIFICATION SCHEDULE:

#### 10.1.1 METERED RESIDENTIAL SERVICE:

Metered Residential Service – Class 1. This service classification shall include single family residences with individual service lines, master-metered residential units in multi-family dwellings, condominiums, townhouses, and multiple residential units with dedicated service lines for each unit. The monthly minimum charge for this service classification shall be per residential unit and shall be based on meter size in accordance with the Fee Schedule. All water usage shall be charged in accordance with the Fee Schedule.

Master Metered Residential Service – Class 2. This service classification shall include mobile home parks and rental apartment residential units not included in Class 1. The monthly minimum charge for this service classification shall be per meter and shall be based on master meter size in accordance with the Fee Schedule. All water usage shall be charged in accordance with the Fee Schedule.

#### 10.1.2 COMMERCIAL SERVICE:

Water service for Commercial and unclassified services shall be based on the metered rate as shown in the Fee Schedule and shall include a monthly minimum charge per meter based on meter size. All water usage shall be charged in accordance with the consumptive rates in accordance with the Fee Schedule.

#### 10.1.3 TEMPORARY (FIRE HYDRANT) SERVICE:

Water for construction or similar purposes may, for good cause, be obtained from fire hydrants by special written approval of the District. Fees will be charged as shown in the Fee Schedule.

A deposit and administrative fee shall be required prior to issuing a permit for temporary fire hydrant water or other temporary water uses. The deposit shall cover costs for damages to the meter or appurtenant water system structures, and the use of water. The administrative fee shall cover the permit cost and meter installation and removal. The deposit, less consumptive charges, shall be refunded upon the expiration or termination of the temporary water service permit.

The Applicant is responsible for protecting the water meter and water system appurtenances and the use of water at all times over the duration of temporary permit. The Applicant will be required to provide an acceptable backflow prevention device, which shall be inspected by District personnel before water use begins. Any costs for repairing or replacing the water meter and/or any appurtenant facilities shall be paid by the Applicant.

The Applicant shall abide by the terms of the temporary water service permit. The Applicant may only obtain water as indicated by the permit or otherwise designated by the District. Any service calls necessitated to enforce conformance with the permit conditions shall be charged to the Applicant. A temporary water service permit may be terminated at any time or the deposit may be increased, if the Applicant does not comply with the terms and conditions of the permit.

Absent special circumstances and prior approval of the District, temporary permits are valid for a maximum of six months from the initial permit date, and temporary meters must be returned by that date.

10.1.4 IRRIGATION WATER:

Water service for irrigation shall be based on the consumptive rates as shown in the Fee Schedule, and shall include a monthly minimum charge per meter based on meter size. All water usage shall be charged in accordance with the Fee Schedule.

10.1.5 FIRE PROTECTION:

This service classification is for both internal and external fire protection. The District may at any time require a meter to be installed on this service line. The monthly minimum charge for this service classification shall be based on meter size in accordance with the Fee Schedule.

10.1.6 INDUSTRIAL:

Water service for industrial uses shall be based on the metered rate as shown in the Fee Schedule, and shall include a monthly minimum charge per meter based on meter size. All water usage shall be charged in accordance with the consumptive charges in accordance with the Fee Schedule.

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**ARTICLE XI. CONNECTION CHARGE CLASSIFICATIONS**

11.1 **CONNECTION FEE REQUIRED:**

Persons desiring to connect to the District's water system shall pay to the District a water connection fee at the time of issuance of the connection permit. The water connection fee shall be based on the meter size serving the property, as determined by using UPC for sizing, and calculated in accordance with the Fee Schedule less any size required for fire protection. A separate connection fee shall be paid for each metered service line to the property. A connection permit is required for an increase in service line size, water meter size, or replacement of Customer service line, or for the addition of one or more residential units to an existing service through a building addition and/or the partitioning of an existing structure, whether or not the addition is legally recognized by the County. A connection permit shall also be required, with or without fees, for any changes to a property if a County permit is required, except permits for reroofing or deck installations. The following classifications shall apply:

11.1.1 RESIDENTIAL:

Residential Service - Class 1. This service classification shall include single family residences with individual service lines, master-metered residential units in multi-family dwellings including but not limited to timeshare and vacation club units, condominiums, townhouses, and multiple residential units with dedicated service lines for each unit.

Residential Service - Class 2. This service classification shall include mobile home parks and rental apartment residential units not included in Class 1.

11.1.2 COMMERCIAL:

This classification shall include all commercial properties.

11.1.3 IRRIGATION:

This classification shall include accounts requiring a separate service connection solely for the use of irrigation.

11.1.4 FIRE PROTECTION:

A minimum connection fee per fire hydrant, standpipe or sprinkler system, or other fire service unit as shown in the Fee Schedule apply.

The connection fee for fire protection shall be computed independently and in addition to the connection fee for residential, commercial or industrial water service for the proposed unit(s), unless a connection fee is paid for a single line serving both domestic and fire protection.

11.1.5 INDUSTRIAL:

This classification shall include all industrial properties.

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**ARTICLE XII. PUBLIC FIRE PROTECTION**

12.1 USE OF FIRE HYDRANTS:

Fire hydrants are for use by the District or by organized fire protection agencies. 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 hydrant in accordance with instructions issued by the District. Unauthorized use of hydrants will be prosecuted according to law.

12.2 MOVING OF FIRE HYDRANTS:

When a fire hydrant has been installed in the location specified by the proper authority, the District has fulfilled its obligation. If a property owner or other party desires a change in the size, type or location of the hydrant, Customer shall bear all costs and obtain all permits and/or approvals from governing agencies of such changes. Any change in the location of a fire hydrant must be approved in writing by the District.



**ARTICLE XIII. 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 premises to meet the requirements of the District. The cost of extending lines for fire hydrants or other service shall be entirely at Applicant's expense. Requirements of the District include, but are not limited to, valve, valve box, backflow prevention device, and construction materials acceptable to the District.

13.2 **NO CONNECTION TO OTHER SYSTEM:**

There shall be no unprotected cross-connection between the fire protection system and any other water distribution system on the premises. The District may require that a private fire protection system is supplied by a separate service connection to prevent cross-connections to the potable water system.

13.3 **USE:**

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

13.4 **WATER USED FOR FIRE FIGHTING NOT TO BE CHARGED:**

In those instances, wherein, private fire protection is provided from a metered domestic water service line, the volume of water used for fire protection (firefighting) will be estimated and that estimated volume shall be deducted from the monthly domestic service meter reading - during which the fire protection use was incurred.

Estimation will be based on the averaging of the domestic water consumption as determined by the District prior to the fire. This average shall be the basis for determining the volume of firefighting water consumed for which there will be no charge.

13.5 **WATER FOR FIRE STORAGE TANKS:**

A Customer may obtain water from a private fire service line for filling a potable service tank connected to the fire system, but only if written permission is secured from the District and an approved means of measurement and backflow protection are installed. The regular water rates will be applied.

13.6 **VIOLATION OF AGREEMENT:**

If water is used from a private fire service in violation of the agreement or of these regulations, the District may, at its option, discontinue and remove the service or require a meter to be installed at Owner's expense, for which monthly service and usage fees will be charged.

\_\_\_\_\_  
Natalie Yanish, Chairperson

ATTEST:

\_\_\_\_\_  
Dr. Dan Norman, Secretary

**CERTIFICATION**

**ORDINANCE NO. 1  
AN ORDINANCE ESTABLISHING RATES, RULES AND  
REGULATIONS FOR WATER SERVICE  
BY THE  
KINGSBURY GENERAL IMPROVEMENT DISTRICT**

I hereby certify that the attached is a full, true, and correct copy of an Ordinance passed and adopted at a regular meeting of the Board of Trustees of the KINGSBURY GENERAL IMPROVEMENT DISTRICT duly held on September 19, 2017 by the following vote:

AYES: 4  
NOES: 1  
ABSTAINED: None  
ABSENT: None

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Natalie Yanish, Chairperson

ATTEST:

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Dr. Dan Norman, Secretary