

Article 160 Water Service - Rules and Regulations

Sec. 160.1 Purpose. The purpose of these rules and regulations is to set forth the terms and conditions under which the District will provide water service to customers. These rules and regulations have been designed to regulate the affairs of the District in such a way as to provide water service to the customers at the lowest possible cost and to provide for an equitable distribution of costs from those benefited. The Board shall have the right to interpret these rules and to rule on any point of contention which is not specifically covered herein.

Sec. 160.2 Water Service Applications.

(a) At the time application for water service is submitted to the District, the applicant is required to provide all of the following:

1. Total payment of all costs for and related to meter service connections (Reference Sections 160.4, 160.12 and 160.20).
2. Proof of ownership of the parcel to be served (Grant Deed or Title Policy) when documents to be recorded by the District are required.
3. Proof of easement that may be utilized by the applicant if the applicant's property does not adjoin the District's right-of-way (grant deed, title policy). A notice indicating the meter is off site and may be relocated (per Section 160.8) will be shown on the application.
4. Service application shall be signed by owner/agent acknowledging conditions of service. If the Applicant is not the owner of record, the Applicant shall provide written consent to act on behalf of the property owner of the parcel subject to the requested water service action.

(b) Water Service Applications Will be Subject to the Following:

1. No application may be accepted unless VCMWD facilities are existing or under construction.
2. If water pressure at the meter location is expected to be less than 25 psi, or greater than 200 psi, during normal operation, a notice of such pressure will be shown on the application.
3. If the District owns legal interest in an applicant's property, a notice will be shown on the application. The applicant will be referred to Underground Service Alert for mark out requests and provided with a copy of the District's Encroachment Permit Policy, Article 270.

Per Ordinance No. 2004-07 Adopted 5/17/04 [Sec. 160.2]

Per Ordinance No. 2014-03 Adopted 06/02/14 [Sec. 160.2(a)]

Per Ordinance No. 2005-13 Adopted 12/19/05 [Sec. 160.2(b)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.2 Water Service Applications (Cont'd.)

(b) Water Service Applications Will be Subject to the Following (Cont'd.):

4. No application can be accepted and processed until the aforementioned documents are provided.
5. A meter application shall be considered valid for no longer than six months. Should an application remain on the installation list for six months through no fault of the District, the meter application will be canceled and all monies paid for the meter service will be refunded to the applicant.

(c) Water Service Installation is Subject to the Following:

1. No permanent water meter may be installed prior to acceptance of VCMWD's facilities.
2. Once the application has been approved by the District, the applicant will be provided with a meter stake and instructed to set the stake where the meter will be installed. The District will have final approval of the meter location.
3. Once the service order has been approved, it will be forwarded to the meter department and added to the meter installation schedule. Meters are installed on a first come, first served basis without loss of continuity to working schedules. If the meter stake is not set by the applicant, the meter installation will be rescheduled for a later date.
4. Meters can only be set in a District right-of-way. It is District policy to set meters within 40 feet of a service main as meter connection charges have been priced accordingly. Any additional costs incurred to install a service lateral in excess of 40 feet will be charged to the customer. The District will have final approval of meter location.
5. The installation of a water meter is appurtenant to a specific property. Any relocation of a meter is to be limited to a location to serve the property or any portion of the property the original meter was installed to serve.

Per Ordinance No. 95-4 Adopted 4/17/95 [Sec. 160.2]

Per Ordinance No. 2005-13 Adopted 12/19/05 [Sec. 160.2(b)]

Per Ordinance No. 2005-13 Adopted 12/19/05 [Sec. 160.2(c)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.3 Water Service Charges and Water Rates. The water service charges and rates for filtered and unfiltered water, pumping energy and surcharges and miscellaneous zone charges are as follows and may be changed from time to time as the Board determines.

(a) Monthly Service Charge

1. Standard Meters:

<u>Meter Size</u>	<u>3/4"</u>	<u>1"</u>	<u>1-1/2"</u>	<u>2"</u>	<u>3"</u>
Monthly Service Charge for Water Availability	\$36.30	\$49.59	\$74.39	\$99.18	\$148.77

<u>Meter Size</u>	<u>4"</u>	<u>6"</u>	<u>8"</u>
(Cont'd)	\$198.36	\$297.54	\$396.72

2. Fire Protection Meters:

<u>Meter Size</u>	<u>3/4"</u>	<u>1"</u>	<u>1-1/2"</u>	<u>2"</u>	<u>3"</u>
Monthly Service Charge for Water Availability	\$ 8.75	\$12.25	\$18.25	\$24.25	\$36.50

Meters larger than 3" will be limited to Master Meters serving multiple dwellings such as trailer parks, condominiums and apartments and will require the approval of the District Engineer. The monthly service charge will be based on the following:

- A. The size of the meter times the 1" service charge shown above. Compound and fire flow meters will be treated as separate meters for service charges and water billing purposes.
- B. Water through a fire flow meter will be charged in accordance with Article 160.23(d).

Per Ordinance No. 2003-01 Adopted 1/6/2003 [Sec. 160.3(a)(2)]
Per Ordinance No. 2014-03 Adopted 6/2/14 [Sec. 160.3(a)(2)(B)]
Per Ordinance No. 2015-16 Adopted 11/16/15 [Sec. 160.3(a)(1)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.3 Water Service Charges and Water Rates (Cont'd.)

(b) Water Rates

Water Rates per 100 cubic feet:

Domestic/Commercial	\$4.3967
Certified TSAWR Agricultural	\$3.1757

Certified TSAWR Agricultural/Domestic: First 26 hcf at Domestic/Commercial rate, all over 26 hcf at Certified Agricultural rate.

Construction Water: Potable at Domestic/Commercial rate, Nonpotable-75% of potable rate.

Fire Service: It is the intent of the District to provide water for fire protection at no cost to the customers in the District. However, unauthorized water used through a fire service or fire hydrant will be billed at three (3) times the then domestic/commercial water commodity rate as set forth in this section of the District's Administrative Code. Repeated unauthorized use may result in prosecution by the District under Section 498 of the California Penal Code.

(c) San Diego County Water Authority Monthly Infrastructure Access Charge. In accordance with Section 15.3.5 of the San Diego County Water Authority Act, the Authority will, annually, assess the Valley Center Municipal Water District a fixed charge based on the number and size of the active meters within the District. The charge to the District will be based on the following table and the charge will be passed through and collected from active District customers using Authority water. The charge will be shown separately on the customer's water bill and identified as a pass through from the Authority.

<u>Meter Size</u>	<u>Infrastructure Access Monthly Charge</u>
3/4"	\$2.76
1"	4.42
1-1/2"	8.28
2"	14.35
3"	26.50
4"	45.26
6"	82.80
8"	143.52

Per Ordinance No. 2015-16 Adopted 11/16/15 [Sec. 160.3(b)]
Per Ordinance No. 2015-01 Adopted 01/05/15 [Sec. 160.3(c)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.3 Water Service Charges and Water Rates (Cont'd.)

(d) Classification Definitions. For purposes of rate classifications, the following definitions shall apply:

1. Domestic/Commercial. The use of water for all purposes not qualifying under another classification herein. This is also known as Municipal and Industrial.

2. Agricultural - Certified. The use of water for the purpose of the growing or raising, in conformity with recognized practices of husbandry, for the purposes of commerce, trade, or industry, or agricultural, horticultural, or floricultural products, and produced (1) for human consumption or for the market, or (2) for the feeding of fowl or livestock produced for human consumption or for the market, or (3) for the feeding of fowl or livestock for the purpose of obtaining their products for human consumption or for the market, such products to be grown or raised on a parcel of land having an area of not less than one acre utilized exclusively therefore.

Requires certification by owner or agent that water used on property meets definition stated herein.

3. Agricultural/Domestic - Certified. The use of water for the purpose stated in Section 160.3(d)(2) with incidental domestic use. Requires certification as stated in Section 160.3(d)(2).

4. Commercial Agricultural Full Price (CAFP). Commercial agriculture customers that are not participating in the SDCWA Transitional Special Agricultural Water Rate (TSAWR) program and paying full price for water.

Requires certification by owner or agent that water used on property meets definition stated in Section 160.3(d)2.

5. Construction Water. The use of potable water from District appurtenances and the use of nonpotable water from Lake Turner through a temporary meter as provided by Section 160.24 of this Code.

Per Ordinance No. 2015-13 Adopted 07/06/15 [Sec. 160.3(d)(4)]

Per Ordinance No. 2007-02 Adopted 1/29/07 [Sec. 160.3(d)(1)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.3 Water Service Charges and Water Rates (Cont'd.)

- (e) Surcharge on Water Delivered Per Agreement. Those customers receiving water which results in direct additional cost to the District, such as those customers connected to the Yuima line, will be charged a sufficient surcharge on the water consumed to reimburse the District for all additional costs incurred.
- (f) Pump Zone Charges. All customers will be charged a pumping energy surcharge based on water consumed as follows:

<u>Zone Number</u>	<u>Charges Per 100 Cubic Feet</u>
0	\$.00000
1	.07851
2	.15698
3	.17415
4	.26008
5	.38147
6	.42553
7	.45126
8	.51146
9	.52975
10	.70165

The zone is determined by the District's main serving the meter as shown on the map entitled "Pump Zones" available at the District office. This map may be modified as new lines are constructed within the District.

- (g) Pass Through of Wholesale Suppliers' Fees and Charges. All San Diego County Water Authority and Metropolitan Water District of Southern California fees and charges for wholesale water and water related services shall be passed through to Valley Center Municipal Water District customers by action of the Board of Directors.

Per Ordinance No. 215 Adopted 2/19/91 [Sec. 160.3(e)]
Per Ordinance No. 98-03 Adopted 6/1/98 [Sec. 160.3(g)]
Per Ordinance No. 2005-14 Adopted 12/5/05 [Sec. 160.(f)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.4 Connection of Service. The applicant shall be required to pay connection, equipment and capacity fees in full before a service connection will be made. These fees are refundable only if the water service commitment has not been used to obtain a building permit, if no connection to the District system has been made and if the District has not constructed or committed itself to construct facilities because of the application for which the fee was paid.

(a) Connection Charge. The connection charge shall be as follows:

	<u>5/8"</u>	<u>3/4"</u>	<u>1"</u>	<u>1-1/2"</u>	<u>2"</u>	<u>3"</u>
When Service Lateral is Installed by District	---	\$3,870	\$3,944	\$4,797	\$5,449	\$6,364
When Service Lateral is Installed by Others at the District's Discretion	\$472	\$505	\$564	\$1,278	\$1,421	\$1,772

1" Residential Fire Sprinkler Meter Tee - \$100.00. The cost is periodically adjusted for larger meters requiring a larger tee.

1. Service Valve. Upon installation of a water service, a valve will be located on the edge of the customer's property and is there only to assist in making initial connection and emergency shutoffs. The District will use it for turn-offs when necessary. It is required that a valve also be installed in the customer's system for control purposes.
2. Meter Size Limitations. An application for a meter(s), 1-1/2" and larger, will not be approved until after a hydraulic evaluation by the District Engineer demonstrates adequate capacity is available at the proposed point(s) of service.

(b) Equipment Charge. The applicant shall be required to pay for any additional equipment that may be needed for the applicant's water service in accordance with the following sections of this Code:

1. Orifice plates (Sec. 160.11)
2. Backflow Prevention Devices (Sec. 160.12)
3. Cla-Valve (Sec. 160.18)
4. Pressure Reducing Valves (Sec. 160.19)

Per Ordinance No. 99-06 Adopted 10/4/99 [Sec. 160.4(b)]
 Per Ordinance No. 2004-07 Adopted 5/17/04 [Sec. 160.4(a)(2)]
 Per Ordinance No. 2014-03 Adopted 6/2/14 [Sec. 160.4(a)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.4 Connection of Service (Cont'd.)

- (c) Valley Center Municipal Water District (VCMWD) Meter Capacity Charge. In addition to any other charge provided herein, the applicant requesting new service for any parcel shall be required to pay a VCMWD meter capacity charge for capital improvements to the District's water system as follows:

<u>5/8"</u>	<u>3/4"</u>	<u>1"</u>	<u>1-1/2"</u>	<u>2"</u>	<u>3"</u>
\$3,096	\$4,644	\$7,740	\$15,480	\$24,768	\$46,440

The following are exceptions to this Sec. 160.4:

1. VCMWD Meter capacity charges for meters increased or reduced in size shall be in accordance with Section 160.7 hereof.
2. No VCMWD meter capacity charge shall be made for relocating meters of equal size whether or not any VCMWD meter capacity charge was in effect when original meter was obtained.
3. No VCMWD meter capacity charge shall be imposed for a meter obtained for temporary purposes, such as for construction of a home or development. Temporary use is limited to two years.
4. No VCMWD meter capacity charge shall be imposed for a water meter obtained and used solely for fire protection purposes.
5. The imposition of the VCMWD meter capacity charge upon any public school or any state agency (as defined in Government Code Section 54999.1(9)) shall be subject to the provisions of Section 54999.3(b) of the Government Code. Payment by any public school or state agency of the applicable VCMWD meter capacity charge shall be deemed agreement with the District regarding the charge. If any public school or state agency refuses to pay the applicable VCMWD meter capacity charge, the public school or state agency and the District shall enter into negotiations regarding the charge. No VCMWD water meter shall be supplied to the public school or state agency until agreement has been reached regarding the VCMWD meter capacity charge and the agreed upon VCMWD meter capacity charge has been paid.

Per Ordinance No. 2014-03 Adopted 6/2/14 [Sec. 160.4(c)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.4 Connection of Service (Cont'd.)

(c) Valley Center Municipal Water District (VCMWD) Meter Capacity Charge (Cont'd.)

6. VCMWD meter capacity charges may be waived by the Board of Directors for meters installed in designated developments and subdivisions that pay for comparable offsite improvements of the District.
7. Capacity credits obtained from the downsizing of an existing meter, pursuant to Sec. 160.7 herein, and transferred to the applicant's parcel shall be applied to the purchase of new VCMWD meter capacity. Any capacity credits not used in the purchase of new capacity will be forfeited.
8. For a public agency requesting water meter(s), the VCMWD meter capacity charge can be reduced by the percentage of the VCMWD area that is being served by that public agency, if that public agency does not charge VCMWD fees in its normal course of business. Exemption/reduction would not be applicable to fees associated with special financing districts.

(d) San Diego County Water Authority (SDCWA) Meter Capacity Charge. As required by Section 5.9 of the County Water Authority Act, the District, as a member agency of the San Diego County Water Authority (SDCWA), shall collect and remit to SDCWA the SDCWA meter capacity charge.

The ordinance of the SDCWA in effect at the time that a water meter is purchased from the District shall govern the amount of the SDCWA meter capacity charge to be collected, the persons liable therefore, and the procedures to be followed. The District shall not provide a water meter to a water user until the water user has paid to the District the applicable SDCWA meter capacity charge.

(e) VCMWD Meter Capacity Credits. When an existing meter is downsized in accordance with Section 160.7 hereof, and a credit balance remains, a VCMWD Meter Capacity Credit, in the form of an agreement between the District and property owner, may be issued for the amount of capacity represented by the credit balance as follows:

1. Each parcel, including each subdivided lot thereof, originally served by the downsized meter must have a meter.

Per Ordinance No. 2014-03 Adopted 6/2/14 [Sec. 160.4(c)]
Per Ordinance No. 2014-03 Adopted 6/2/14 [Sec. 160.4(d)]
Per Ordinance No. 99-06 Adopted 10/4/99 [Sec. 160.4(e)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.4 Connection of Service (Cont'd.)

(e) VCMWD Meter Capacity Credits (Cont'd.)

2. The property owner shall designate, as part of the downsizing transaction, the parcel to which the capacity is to be transferred.
3. The capacity credits may not remain on the parcel, or any subdivided lot thereof, originally served by the downsized meter.
4. Capacity credits not transferred as part of the downsizing transaction will be forfeited.
5. The parcel(s) to which the capacity credits are transferred must have identical vesting as the parcel served by the downsized meter, with the following exception:

The applicant shall have and demonstrate ownership interest in the parcels to which the Capacity Credit is to be transferred.

6. The capacity credit shall be calculated as a ratio of the credit balance to the VCMWD meter capacity charge of a 3/4" meter.

Example: Applicant desires to downsize a 2" meter to four 3/4" meters and transfer the remaining capacity to another of his/her parcels. The capacity credit would be calculated as follows:

$$\text{Capacity Credit} = \text{Credit Balance} \div \frac{3}{4}'' \text{ VCMWD Meter Capacity Charge}^{(1)}$$

VCMWD Meter Capacity Charge:	
4-3/4" meters @ \$4,644 ⁽¹⁾	\$18,576
Less 2" VCMWD Meter Capacity Charge	- (24,768)
Credit Balance	(\$6,192)

$$\text{Thus, the Capacity Credit} = 6,192 / 4,644 = 1.3333$$

⁽¹⁾ Use the VCMWD meter capacity charges per Sec. 160.4(c) current at the time the meter is downsized.

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.4 Connection of Service (Cont'd.)

(e) VCMWD Meter Capacity Credits (Cont'd.)

7. The capacity credit may not be sold, or exchanged for cash and may only be used for the purchase of new VCMWD meter capacity by the then current owner of the parcel to which the credit is transferred, in accordance with Sec. 160.4(e)(2).
8. The capacity credit expires ten (10) years from the date of issuance.
9. The capacity credit remains with the parcel to which it is transferred, regardless of subsequent ownership, and may not be re-transferred to another parcel.
10. If the parcel to which the capacity credit is transferred is later subdivided, the owner shall designate the amount of capacity credit allocated to each subdivided lot. If not allocated by the owner, the District shall apply the credit to the first meter(s) purchased to serve any of the subdivided lots.
11. When used to purchase new meter capacity, the amount of the capacity credit would be multiplied by the 3/4" VCMWD meter capacity charge in place at that time. The capacity credit may be applied only to the VCMWD meter capacity charge and to no other charges.

Example: Applicant desires to purchase 1" meter and has a 1.3333 meter capacity credit. Balance due for this transaction would be calculated as follows:

$$\text{Available Credit} = \text{VCMWD Meter Capacity Credit} \\ \times \text{3/4" VCMWD Meter Capacity Charge}^{(2)}$$

$$\text{Available Credit} = 1.3333 \times \$4,644 = \$6,192$$

VCMWD 1" Meter Capacity Charge ⁽²⁾	\$7,740
Less the available credit	<u>(6,192)</u>
Balance due for VCMWD Meter Capacity Charge	\$1,548

⁽²⁾ Use the VCMWD Meter Capacity Charges per Sec. 160.4(c) current at the time the new meter is being purchased.

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.5 Billing, Delinquency, Lock-off and Turn-on.

- (a) Billing and Lock-off for Non-Payment. Bills are issued near the first and the fifteenth to cover the preceding month. Payment is delinquent 20 days after the date of issue. If payment is not received within 45 days after the day of issue, the meter is subject to lock-off for nonpayment. In lieu of turn-on charge required by Section 160.5(e) hereof, a non-payment service charge of \$45.00 plus any bills due must be paid before resumption of service. An after-hour surcharge, as provided by Section 160.5(d), will be added if applicable. A meter is subject to the non-payment service charge if not paid by the advertised lock-off date and time.
- (b) Stuck Meters. When a meter is stuck, the amount to be billed must be estimated. The estimated bill shall be determined in the following manner:
 - (1) The customer's water usage history, including the month immediately preceding the billing cycle in which the meter became stuck, or the same month in the prior year, may be used in calculating the estimated bill or the District's water usage during that same month may be compared to its current month's water usage in order to determine the percentage of water increase or decrease that has occurred during the time the meter has been stuck. The estimated bill shall be a fair representation of the customer's actual consumption.
 - (2) When a meter malfunctions due to natural causes, (clogged, faulty parts, etc.) the meter shall be repaired or replaced at the District's expense. If a meter is abused through excessive flows, (i.e., any flow over meter's designed maximum), the customer shall bear the costs involved to repair or replace the meter. A bill depicting the material and labor involved in the project shall be presented to the customer and shall be paid in full.
- (c) Delinquency Charge. Bills unpaid 20 days after the date of issue are delinquent and shall incur a 10% delinquency penalty charge. Delinquent accounts shall bear interest at a rate of 1-1/2% per month compounded monthly beginning 30 days after delinquency.
- (d) After-Hour Surcharge. A surcharge of \$35.00 will be added to any other applicable turn-on fees for any turn-on requested after 3:30 p.m. daily or on weekends or holidays.

Per Ordinance No. 2000-09 Adopted 6/19/2000 [Sec. 160.5(b)(1)]
Per Ordinance No. 2000-09 Adopted 6/19/2000 [Sec. 160.5(c)]
Per Ordinance No. 2009-10 Adopted 7/20/2009 [Sec. 160.5(a)]
Per Ordinance No. 2009-10 Adopted 7/20/2009 [Sec. 160.5(d)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.5 Billing, Delinquency, Lock-off and Turn-on (Cont'd.)

- (e) Turn-On Charge. A turn-on charge of \$35.00 will be made for turn-ons of meter services previously locked off at the request of a customer. Meters locked off for non-payment are subject to lock-off service charge as provided by Section 160.5(a) hereof. There will be no turn-on charge for a fire service meter turned on at the same time as the primary meter service.

- (f) Damages for Wrongful Act. Any person who commits any of the following acts shall be charged as damages three (3) times the amount of the actual loss, or an estimate thereof, suffered by the District with a minimum of \$100.00. Subject to the right of appeal as provided by Administrative Code Section 160.6, the decision of the District shall be final. Such person may also be prosecuted under Penal Code Section 498.
 - 1. Divert, or cause to be diverted, District water without authorization or consent of the District.
 - 2. Make, or cause to be made, any connection or reconnection with property owned or used by the District to provide water service without authorization or consent of the District.
 - 3. Prevent any water meter from accurately performing its measuring functions by tampering or by any other means.
 - 4. Tamper with any property owned or used by the District to provide water service.
 - 5. Use or receive direct benefit from the District's water system, with knowledge of, or reason to believe that, the diversion, tampering or unauthorized connection existed at the time of the use, or that the use or receipt was without authorization or consent of the District.

There is a presumption that there is a violation of Section 160.5(f) if, on premises controlled by the customer or by the person using or receiving the direct benefit of District service, there is either, or both, of the following:

- 6. Any instrument, apparatus, or device primarily designed to be used to obtain District service without paying the full lawful charge therefor.
- 7. Any meter that has been altered, tampered with, or bypassed so as to cause no measurement or inaccurate measurement of District services received.

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.5 Billing, Delinquency, Lock-off and Turn-on (Cont'd.)

- (g) Protection from Damage. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is part of the water works. The District will collect the cost of damages from the responsible party, including adding the damages to the customer's water bill.

Sec. 160.6 Appeal Procedures for Contesting Water Charges

- (a) Within five (5) days of receipt of a water bill, the customer has the right to initiate a complaint or request an investigation concerning services or charges as shown on the bill.
- (b) Upon receipt of a written request for review, a hearing date shall be set before the District Review Manager. After evaluation of the evidence provided by the customer and the information on file with the District concerning the water charges in question, the Review Manager shall render a decision as to the accuracy of the water charges, and shall render a brief written summary of the decision.
1. If water charges are determined to be incorrect, a corrected invoice will be provided and the revised charges are due within ten (10) days after the date of invoice for revised charges. If payment is not received within the prescribed period of time, water service will be terminated, subject to the right of appeal to the Board of Directors, on the working day following the period allowed for payment. Water service will be restored only after outstanding water charges and any and all applicable re-connection charges and deposits are paid in full.
 2. If the water charges in question are determined to be correct, the water charges are due at the time the decision of the Review Manager is rendered.
 3. If the decision of the Review Manager is not to the satisfaction of the consumer, the customer may, within seven (7) days of the decision, request a hearing before the District Board of Directors at the next regular meeting.

Per Ordinance No. 194 Adopted 12/18/89 [Sec. 160.6]
Per Ordinance No. 2004-12 Adopted 7/6/04 [Sec. 160.5(g)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.6 Appeal Procedures for Contesting Water Charges (Cont'd.)

- (c) When a hearing before the Board of Directors is requested, the customer shall, in writing or by personal appearance, present evidence and reasons as to why the water charges in question are not accurate. The Board shall evaluate evidence presented by the consumer, as well as information on file with the District concerning the water charges in question, and render a decision as to the accuracy of said charges.
1. If the Board finds the water charges in question are incorrect, the customer will be re-invoiced for corrected charges and payment of the revised invoice is due within ten (10) days from the date of said invoice. If the revised charges remain unpaid after the prescribed period of time, water service will be terminated on the working day following the period allowed for payment. Service will be restored only after outstanding water charges and any and all applicable reconnection charges and deposits are paid in full.
 2. If the Board finds that the water charges in question are correct, the customer will then pay the amount owing. If after the decision of the Board the charges remain unpaid, the water service in question will be disconnected on the next working day. Water service will be restored only after outstanding water charges and any and all applicable reconnection charges and deposits are paid in full.
- (d) Recognition of and Allowance for Unusual Circumstances. Situations may occur which are beyond the ability of the customer to control. Because of this, it is necessary for the District to provide for flexibility in the administration of the rules and regulations governing the billing and collection of water consumed by District customers. The General Manager, or his authorized designee, is hereby authorized reasonable latitude in the implementation and administration of Article 160 within the following general guidelines:
1. Delinquent interest may be waived the first time incurred to recognize the customer's lack of knowledge of District policies.
 2. Delinquent interest may be waived up to three months to allow time for a customer to pay a water bill in excess of three times the customer's normal bill.
 3. The District's markup may be waived for a billing that is three times the normal bill and is clearly the result of a leak or a circumstance beyond the customer's control.

Per Ordinance No. 194 Adopted 12/18/89 [Sec. 160.6]

Per Ordinance No. 2000-09 Adopted 6/19/2000 [Sec. 160.6(d)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.6 Appeal Procedures for Contesting Water Charges (Cont'd.)

(d) Recognition of and Allowance for Unusual Circumstances (Cont'd.)

4. Estimated bills for a meter that malfunctions for any reason may be computed in accordance with Article 160.5 (b).
5. Customers experiencing leaks in excess of 10 times normal consumption may have the consumption reduced to a maximum of 10 times normal consumption.

Sec. 160.7 Meter Service Exchange

(a) Increasing Meter Size. Customers desiring to increase the size of his/her existing meter to a larger meter size shall comply with the following:

1. All meters increased in size must conform to current District policies; i.e., backflow, additional costs, etc.
2. The larger size meter shall be in accordance with Sec. 160.4(a)(2), Meter Size Limitations.
3. The charges for the new meter shall be adjusted as follows:
 - A. The applicant shall pay a connection charge, in accordance with Sec. 160.4(a) hereof, for the larger meter.
 - B. The applicant shall pay equipment charges, in accordance with Sec. 160.4(b) hereof, for the larger meter. The equipment being replaced may include the meter, double check valve, reduced pressure backflow device and a pressure reducing valve.
 - C. The applicant shall pay meter capacity charges for the larger meter. The meter capacity charges for the larger meter shall be the difference between the capacity charge determined pursuant to Sec. 160.4(c)&(d) hereof for the new meter and the capacity charge determined pursuant to Sec. 160.4(c)&(d) for the existing meter, whether or not any capacity charges were paid when the existing meter was originally obtained.
4. If the new larger meter is not being installed in the same location as the old meter, the old meter may be left in temporary service until the new meter is installed, connected and activated. Temporary service shall not exceed two (2) years.

Per Ordinance No. 99-06 Adopted 10/4/99 [Sec. 160.7(a)]

Per Ordinance No. 2005-13 Adopted 12/19/05 [Sec. 160.7(a)(1)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.7 Meter Service Exchange

- (b) Reducing Meter Size. Customers desiring to replace an existing meter with one or more meters of a smaller size shall comply with the following:
1. All meters reduced in size must conform to current District policies; i.e., backflow, additional costs, etc.
 2. The smaller meter(s) must serve the property or any portion of the property the original meter was installed to serve.
 3. The purchase of the smaller meter(s) must be conducted as part of a single transaction at the time the larger meter is downsized.
 4. The charges for the new meter shall be adjusted as follows:
 - A. The applicant shall pay a connection charge in accordance with Sec. 160.4(a) hereof for each of the smaller meters.
 - B. The applicant shall pay equipment charges in accordance with Sec. 160.4(b) hereof for each of the smaller meters. The equipment charges for one meter shall be reduced by the core value of the equipment being replaced. The equipment being replaced may include the meter, double check valve, reduced pressure backflow device, and a pressure reducing valve. The core value shall be as periodically determined by the General Manager.
 - C. The applicant shall pay a VCMWD meter capacity charge pursuant to Sec. 160.4(c) hereof for each of the smaller meters less the capacity charge determined, pursuant to Sec. 160.4(c) hereof, for the existing meter, whether or not any capacity charges were paid when the existing meter was originally obtained. If a credit balance is remaining, a capacity credit may be issued pursuant to Sec. 160.4(e).
 - D. The applicant shall pay a SDCWA capacity charge pursuant to Sec. 160.4(d) hereof for each of the smaller meters less the capacity charge determined, pursuant to Sec. 160.4(d) hereof, for the existing meter, whether or not any capacity charges were paid when the existing meter was originally obtained. No credit or refund shall be made for any unused credit balance.
 5. If a new smaller meter is not being installed in the same location as the downsized meter, the old meter may be left in temporary service for a period not to exceed two years.

Per Ordinance No. 99-06 Adopted 10/4/99 [Sec. 160.7(a)(b)]

Per Ordinance No. 2005-13 Adopted 12/19/05 [Sec. 160.7(b)(1)]

Per Ordinance No. 2007-10 Adopted 7/16/2007 [Sec. 160.7(a)(3)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.8 Meter Relocation. The installation of a water meter is appurtenant to a specific property. Any relocation of an existing meter is limited to a location to serve the property or any portion of the property the original meter was installed to serve.

- (a) Customer Request. If the same size meter is only to be relocated, and if a service lateral is available for that parcel, the cost is \$50. If a service lateral is to be installed by the District, the cost is the same as the current connection charge. (Refer to Administrative Code Section 160.4(a)).

Note: The relocated meter must conform to current District policies; i.e., backflow, additional costs, etc.

The District shall remove the existing meter when the new meter is installed. If requested by the applicant, the old meter may be left in temporary service until the new meter is installed, connected and activated. Temporary service shall not exceed two (2) years.

- (b) VCMWD or Developer Requirement. In an attempt to eliminate parallel private water lines where new facilities are installed or provide for a more convenient or safer meter location, relocation of meters may be required.

If the meter must be relocated because of a VCMWD initiated and funded project, VCMWD will bear the cost of relocating the meter and backflow/reduced pressure device. Reconnection of private water lines to a relocated meter is the customer's responsibility. VCMWD will reimburse customer incurred out-of-pocket expenses up to \$500 with proper verification. VCMWD will coordinate the property owner's connection to the new meter location.

If a property owner's meter must be relocated as a requirement of offsite development, VCMWD will require the proponent of the development activity to be responsible for the required relocation of the meter and backflow/reduced pressure device at no cost to the property owner. VCMWD will require the project's proponent to coordinate with the property owner prior to the initiation of work to relocate the meter and reconnect the customer's private water line.

- (c) Change in Meter Size. If the property owner requests a change in meter size concurrently with the change in location, a downsize will be accomplished at no cost to the property owner. An increase in the meter size will require payment of additional capacity and installation costs by the property owner, as required by applicable sections of the Administrative Code.

Per Ordinance No. 2004-12 Adopted 7/6/04 [Sec. 160.8]

Per Ordinance No. 2005-12 Adopted 11/7/05 [Sec. 160.8(b)]

Per Ordinance No. 2005-12 Adopted 11/7/05 [Sec. 160.8(c)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.9 One Ownership Per Meter Service. As recommended by the California Department of Public Health, only one ownership can be served per meter service, with the exception of condominium or townhouse developments where the homeowners' association is empowered to contract for utilities. Any violation of this section will be allowed 15 days to correct the violation before service is stopped.

Sec. 160.10 Water Serviceability Charge to Mobile Home Parks, Apartments and Other Multiple Units. A water serviceability charge in the amount of \$1.00 per unit per month will be charged for all mobile home parks, motels, apartments and other residences classified as additional living units. This unit charge will not be applicable until six months after the opening of the units or when 50 percent occupancy is reached, whichever comes first.

Transient recreational vehicles parked within campgrounds will not be assessed a water serviceability charge. However, any mobile vehicle that maintains a temporary or permanent residency within a campground will be charged the serviceability charge.

Sec. 160.11 Excessive Flow Through Meter Services. When flows exceed the manufacturer's suggested maximums through customer's meters, inaccurate readings and meter breakage may occur. To reduce this flow, orifice plates may be inserted when and where needed.

Sec. 160.12 Backflow Prevention Devices. The State Health Department requires the District to comply with Title 17 of the California Administrative Code to have a Backflow Prevention Program. The District, since 1978, has had an active on-going cross connection control program through field inspections, file audits and a questionnaire filled out when service is initiated or transferred. Approved backflow devices will be installed adjacent to all new meter services by the District. Existing services that do not have the approved backflow device will receive notification from the District requiring them to purchase and install the proper device. The backflow device will be available for purchase at the District office, but it will be the responsibility of the property owner to install the device.

Per Ordinance No.2004-12 Adopted 7/6/04 [Sec. 160.12]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.12 Backflow Prevention Devices (Cont'd.)

Should an existing customer's use of the meter service connection be changed in such a way as to require installation of a Reduced Pressure Device or an Approved Double Check Device in order to meet the requirements of this section, it is the customer's responsibility to notify the District immediately. Purchase of the required device or parts can be made through the District, but the responsibility of installation is that of the customer. If the changes are not made within 30 days after proper notification, service may be interrupted.

The following approved backflow devices are required under the following conditions:

- (a) Approved Double Check Valves. (The District's recognized approved list of devices is available at the District's office.)
 - 1. On all services not requiring an approved Reduced Pressure Device.
 - 2. On all service having an auxiliary water system, a private well or fire protection system. The Double Check Valves required in this section must be installed above ground with the same clearance required for the installation of the Approved Reduced Pressure Backflow Device. These devices shall be tested on an annual basis at the owner's expense.

- (b) Approved Reduced Pressure Backflow Device. (The District's recognized approved list of devices is available at the District's office.)
 - 1. Anywhere that fertilizer, livestock, medication or a vaccine, etc. is or may be introduced into the water system.
 - 2. Anywhere a mortuary or commercial laundry facility is operated.
 - 3. Any chemical processing plants, dairies, dental office, medical office, hospital/medical clinic, parks or campgrounds with dumps for recreational vehicles, nurseries, flower growers, green belt irrigation area, home health care, assisted living facility, strip mall, commercial/industrial building and veterinarian offices.
 - 4. Anywhere that toxic concentrations of dangerous materials, insecticides, weed killing, etc. are being introduced into the system.
 - 5. Anywhere reclaimed water is used.

Per Ordinance No. 255 Adopted 6/21/93 [Sec. 160.12]
Per Ordinance No. 255 Adopted 6/21/93 [Sec. 160.12(a)(2)]
Per Ordinance No. 255 Adopted 6/21/93 [Sec. 160.12(b)(1)]
Per Ordinance No. 98-01 Adopted 2/2/98 [Sec. 160.12(b)(5)]
Per Ordinance No. 2004-12 Adopted 7/6/04 [Sec. 160.12(b)(2&3)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.12 Backflow Prevention Devices (Cont'd.)

(c) Approved Air-Gap Separation. (This device is not obtainable at the District's office.)

1. Anywhere a sewage treatment plant is operated unless a reduced pressure backflow device is approved by the District.

(d) Fee Schedule. At the time of installation, inspection and testing by District personnel will be required. All devices will be inspected annually and repaired as necessary by the District and charged to the customer accordingly. The charges for installation, annual inspection and repairs are as follows:

FEE SCHEDULE

Meter Size	Approved Double Check Valve Section 160.12(A)	Approved Double Check Valve Section 160.12(A)(2)	Approved Reduced Pressure Backflow Preventer Section 160.12(B)	Approved RP With Domestic Service Tee Section 160.12(B)	Annual Inspection Charge – Backflow For Water Meter	Annual Inspection Charge – Backflow For Fire Meter	Repair Fees
¾”	\$145	\$240	\$320	\$425	\$45	\$30	Actual Labor & Materials
1”	\$170	\$295	\$370	\$480	\$45	\$30	“
1.5”	\$270	\$450	\$510	\$650	\$45	\$30	“
2”	\$300	\$700	\$780	\$920	\$45	\$30	“
3”	\$1,150	\$1,750	\$1,720	\$1,950	\$45	\$30	“

Per Ordinance No. 98-01 Adopted 2/2/98 [Sec. 160.12(c)(1)

Per Ordinance No. 2011-08 Adopted 8/15/11 [Sec. 160.12(d)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.13 Detector Check Valve Assembly. Detector check valve assemblies shall be installed by the applicant, at the applicant's sole expense, in accordance with Article 180, Special Project Requirements, and the following:

- (a) Application. Each applicant for a detector check valve assembly shall sign an application showing the location of the assemblies and the property for which it is to serve. The applicant will also submit a set of plans showing a proposed location of the assembly, the valving and the required fittings and vaults. The plans shall be approved by the District before ordering of material or installation of the facility.
- (b) Installation. Installation of the assembly shall be by and at the expense of the property owner. Installation of the facility to the detector check meter shall be inspected by the District, and the District shall be notified as outlined in other areas under inspection.
- (c) Charges. It is the intent of the District to provide water for fire protection at no cost to the customers in the District. However, a detector check meter shall be installed for the purpose of detecting any usage of water other than for fire protection. For the installation of the detector check meter, the applicant shall pay a fee the same as that for the installation of a standard ¾" meter.

Sec. 160.14 Meters Placed on Leased Land. When meters are placed on leased land, the purchaser of the meter service must either agree to leave the meter with the property when the lease expires or must post a reasonable bond as determined by the General Manager to assure payment of the water used. The owner of the property must give written approval of either method, and the District or the General Manager is not liable if the bond posted is not sufficient to cover the actual bills. If the meter purchaser posts a bond and then requests the meter service to be moved at any later date, he must pay the full relocation cost as shown in Section 160.8.

Sec. 160.15 Responsibility for Unpaid Bill. An unpaid bill is the responsibility of the person in whose name the meter service is held. In the event the service is in the name of a renter or lessee, the ultimate responsibility for the bill is the legal owner of the property as shown on the County Assessor's tax rolls. Change of ownerships is covered under Article 160.17 of this Code.

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.16 Collection of Delinquent Accounts.

- (a) If a bill remains unpaid, the District will attempt to collect the amount due from the person or persons responsible as shown in the District's records. If the bill remains delinquent for a period of over three (3) months from billing date it will be written off as a bad debt allowance and appropriate measures to make collection will be made. Measures may include placing a lien on the property or adding the delinquent amount to the property tax rolls in accordance with California Water Code Sections 72100 and 72102.
- (b) When a customer has more than one meter service, any outstanding amounts owing against any one of the customer's existing accounts will be automatically applied to the remaining account(s). In doing so, all meter services will be considered delinquent and shall be shut off until such time as the entire outstanding amount is paid.

Sec. 160.17 Posting of Security Deposit.

- (a) Fixing Amount of Deposit. To insure reasonable collections, any customer desiring service from the District, who has had a service discontinued for nonpayment of a bill, or other justifiable cause, may be required to post a security deposit equal to the highest two (2) months bills during the last twelve (12) months with a minimum of \$100.00 before service is restored. The deposit is in addition to the payment of all charges due and any applicable turn-on charges.
- (b) Refund. The security deposit will be returned to the depositor two (2) years after the last lock off for nonpayment or when the account is paid in full at termination of service whichever occurs first.
- (c) Form of Deposit. The deposit can be by cash, certificate of deposit, letter of credit or bond or any other comparable guarantee subject to the approval of the District's Finance Director.

Per Ordinance No. 2000-09 Adopted 6/19/2000 [Sec. 160.17(a)]

Per Ordinance No. 2012-04 Adopted 5/21/12 [Sec. 160.16(a)]

Per Ordinance No. 2012-04 Adopted 5/21/12 [Sec. 160.16(c) removed]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.18 Transfer of Meter Service and New Ownerships. A water meter as provided by the District is a service and the actual ownership of the meter remains with the District. Transfer of service to a new tenant or owner shall be in accordance with the following:

- (a) When a new owner acquires property upon which a meter is already existing, service from said meter will be provided after transfer of the account has been completed.

If an application for service is not signed by the applicant and received by the District within 30 days of the request for transfer, service may be terminated until the signed application is received and the meter service turn-on charge provided in Section 160.5(e) will apply.

When a renter or lessee requests service, the District will require a signed authorization from the owner of the subject property. In addition, the owner will receive a memo bill monthly. If this authorization is not received within 60 days of the request, the account may be flagged that no future renters will be allowed to establish service on that property and future service will be in the name of the property owner only.

- (b) If an account has a credit balance in excess of \$10.00 at the time a new owner assumes an existing account, the credit will automatically be forwarded to the person closing the account.

If the credit is less than \$10.00, a disbursement will not be forwarded unless requested by the customer.

- (c) In addition to any other applicable charges, the charge for transfer of service from one customer to a succeeding customer shall be \$10.00 per meter transferred. The charge will not apply to a fire service meter transferred at the same time as the primary meter service.

Sec. 160.19 Cla-Valves. Upon request by water users of the Valley Center Municipal Water District, an adequate Cla-Valve, or approved equal, may be installed in front of the meter as long as the water user pays all expenses including the installation. The District will install the valve and will maintain it as part of the system.

Per Ordinance No. 2012-04 Adopted 5/21/12 [Sec. 160.18(a)(b)]
Per Ordinance No. 2004-18 Adopted 12/6/04 [Sec. 160.18(c)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.20 Pressure Reducing Valves.

- (a) Customer Responsibility. The District shall assume no responsibility for water pressure regulation within a customer's service area. The customer shall be responsible for providing adequate safeguard measures for the customer's water system wherever pressure regulation is necessary.
- (b) Requirement for Installation in New Construction. Customers making application for water service for new construction for residential, commercial or industrial use shall be required to install an appropriate pressure regulation device for such service in accordance with the California Plumbing Code.
- (c) High System Pressure. If water pressure at the meter location is over 200 PSI, a Pressure Reducing Valve (PRV) must be installed on the District's side of the meter at the customer's expense.

The District shall install the required Pressure Reducing Valve (PRV) for the following cost to the customer:

<u>Meter Size</u>	<u>3/4"</u>	<u>1"</u>	<u>1-1/2"</u>	<u>2"</u>	<u>3"</u>
Cost for PRV	\$65	\$90	\$190	\$250	\$1,200

Sec. 160.21 Meter Testing. When a customer advises the District that he feels his meter is registering inaccurately and District personnel have checked the complaint and feel the meter is working properly, the customer may, by making a \$55.00 deposit with the District, have his meter tested on the District's calibrated test bench. If the meter is found to be registering at a rate between 100.5% and 103%, the deposit will be returned to the customer and the water bill being disputed shall be adjusted to reflect the percentage over 100%. If the meter is found to be registering accurately (or low), the deposit will be retained by the District to help offset the labor cost of pulling and testing the meter. The deposit noted above may be waived by the District one time per owner at the discretion of the District.

If the meter is registering higher than 103%, an estimated bill shall be determined in the following manner (same as a Stuck Meter - Section 160.5-b).

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.21 Meter Testing (Cont'd).

The customer's water usage during the month immediately preceding the billing cycle in which the meter registered incorrectly shall be used in calculating the estimated bill. The District's water usage during that same month shall be compared to its current month's water usage in order to determine the percentage of water increase or decrease that has occurred during the time the meter registered incorrectly. Once the increase or decrease has been established, that percentage shall be added to, or subtracted from the customer's water usage for the previous month, thereby constituting an estimated usage for the current month.

NOTE: If the Meter Services Supervisor should find that a meter is registering correctly, but unequivocally determines the water consumption could not have occurred, a recommendation may be submitted to the General Manager requesting an estimated bill be computed.

Sec. 160.22 San Diego County's Project Facility Letters. Upon receipt of Project Facility Availability (PFA) or Project Facility Commitment (PFC) form and payment of \$50.00, the District will complete the appropriate information as required for the project.

Sec. 160.23 Residential Fire Service. When requested by applicant, a water service connection for a residential fire sprinkler system may be provided in accordance with the following rules and regulations:

- (a) Application – Water Meter For Residential Fire Sprinkler System. Each applicant for a meter for residential fire sprinkler system shall make application in accordance with Article 160, Water Service – Rules and Regulations. It is the District's requirement for a separate dedicated water meter for residential fire sprinkler systems to reduce the risk of service interruption in the event of nonpayment for domestic water. District staff will provide the applicant or his representative estimated pressure and flow data about the water distribution system at the point of service, and information about a typical water meter installation. It shall be the responsibility of the applicant and/or representative to determine the size of the meter and service lateral that is required for this service.
- (b) Installation – Water Meter For Residential Fire Sprinkler System. A meter for a residential fire sprinkler system shall be installed, together with the adequate backflow device, for the purpose of detecting any usage of water other than for fire protection. Installation of the meter and backflow shall be made by the District with the backflow inspected annually by the District.

Per Ordinance No. 2006-06 Adopted 5/1/06 [Sec. 160.22]

Per Ordinance No. 2007-07 Adopted 5/21/2007 [Sec. 160.23]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.23 Residential Fire Service (Cont'd.)

- (c) Charges – Water Meter For Residential Fire Sprinkler System. Installation of the meter and backflow shall be at the expense of the property owner. For the Installation of these facilities, the applicant shall pay fees equal to those charged for the same size meter and backflow assembly as described in Section 160.4 and 160.12. The District's and the San Diego County Water Authority's (SDCWA) Meter Capacity charges are waived for residential fire sprinkler meters.

The monthly service fee for the residential fire sprinkler meter shall be established as described in Section 160.3. Residential fire sprinkler systems shall be subject to charges for annual testing, necessary repairs and replacement of required backflow prevention devices.

- (d) Unauthorized Use of Residential Fire Sprinkler System. It is the intention of the District to provide water for fire protection at no cost to the customers of the District. Unauthorized water used through this meter will be billed to this customer at three (3) times the then domestic/commercial water commodity rate as set forth in Sec. 160.3 of the District's Administrative Code. Repeated unauthorized use may result in prosecution by the District under section 498 of the California Penal Code.

Authorized use of the residential fire sprinkler system shall include water for fire suppression and up to two hundred-cubic foot units annually (1,495 gallons) for system testing and maintenance.

Sec. 160.24 Temporary Water Service. Temporary water service may be provided by this section. Temporary water service is subject to reduction or complete interruption in delivery based upon water supply conditions as determined by the VCMWD, Metropolitan Water District and/or the San Diego County Water Authority.

- (a) Construction Meter Service. A "construction meter" shall be a 2-inch or larger meter connection to a blow-off or fire hydrant.
 - 1. A contractor/applicant requesting a construction meter service installation shall be required to give a 24 hour notice and pay a minimum \$1,200.00 deposit prior to connection, which will be used to defray the following:

Per Ordinance No. 2007-10 Adopted 7/16/2007 [Sec. 160.23(c)]
Per Ordinance No. 2007-10 Adopted 7/16/2007 [Sec. 160.23(d)]
Per Ordinance No. 2007-10 Adopted 7/16/2007 [Sec. 160.24(a)]
Per Ordinance No. 2009-10 Adopted 7/20/09 [Sec. 160.24(a)]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.24 Temporary Water Service (Cont'd.)

(a) Construction Meter Service (Cont'd.)

- A. \$90.00 installation, removal and processing charge (\$50.00 for nonpotable Lake Turner meter).
 - B. Cost of non-reusable materials.
 - C. \$45.00 relocation charge each time meter location is changed.
 - D. The contractor/applicant shall be responsible for any damage to the construction meter while on his/her job site.
 - E. The contractor/applicant shall be responsible for theft of the construction meter while on his/her job site.
2. In the event costs, including the cost to repair or replace due to damage or theft, exceed the deposit, the balance will be paid by the applicant upon request.
3. The following charges will be monthly:
- A. Monthly service and rental charge of \$148.77 for potable construction service and \$89.26 for nonpotable service (prorated as appropriate).
 - B. Purchase of water as provided by Section 160.3, including applicable pump zone charges.

The construction meter may not be used as an interim household meter while waiting installation of a domestic service. All construction meters shall be limited to a 60 day rental period per construction project. Requirements beyond this period require advance approval of the District. The District may designate the blow off, hydrant or other source of water that is to be used for construction water.

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.24 Temporary Water Service (Cont'd.)

(b) Service Jumper. A “Service Jumper” shall be a temporary connection to the District’s domestic water service lateral for the purpose of providing water during the construction of structures in a development prior to the completion of the surface improvements such as final grading and landscaping. The Jumper is a ¾” metered connection that has basic backflow protection. In order for a jumper connection to be approved, the water facilities must be completed and accepted into service by the District and an application for water service completed and accepted by the District. A contractor requesting Service Jumpers must provide five (5) working days’ notice to the District and pay the following;

1. \$145 for materials, assembly and installation by VCMWD forces, plus a one month advance payment of the service charge.
2. \$45 per month service charge, or fraction thereof, for water to pressurize the private system and incidental uses during construction.
3. Purchase of water as provided by Section 160.3, including applicable pump zone charges.

A “Service Jumper” is limited to use during home construction and must be removed prior to occupancy.

Sec. 160.25 Construction Water Permit. Single day use permits will be issued authorizing the drawing of construction water from a fire hydrant or blow off to a water truck within the District in accordance with the following fee schedule per a 24 hour period.

<u>Used Via a Water Truck With a Capacity of:</u>	<u>Potable</u>	<u>Nonpotable</u>
2,500 gal. or less	\$260.00	\$170.00
3,000 gallons	310.00	200.00
3,500 gallons	360.00	235.00
4,000 gallons	410.00	265.00
5,000 gal. or more	515.00	335.00

The permit must be kept at the job site and available for verification at all times when drawing water, and is valid only on the date(s) listed. The District may require the use of a construction meter.

Per Ordinance No. 2011-11 Adopted 11/21/11 [Sec. 160.24(b)]

Per Ordinance No. 2015-17 Adopted 11/16/15 [Sec. 160.25]

Article 160 Water Service - Rules and Regulations (Cont'd.)

Sec. 160.26 Bankruptcy of Customer. Pursuant to the Bankruptcy Act (P.L. 95-589, 11 U.S.C., Section 366), the District shall not alter, refuse or discontinue service to, or discriminate against, a customer, or a trustee of a customer, solely on the basis that a debt owed by the customer to the District for service rendered before the order for relief was not paid when due.

It shall be the responsibility of the customer to supply the District with a copy of any applicable order for relief. The District shall discontinue service if neither the customer, nor the trustee, within 20 days after the date of the order for relief, furnishes adequate assurance of payment in the form of a deposit for service after such date. As used herein, "adequate assurance of payment" shall mean a cash deposit in an amount equal to two times the highest of the last twelve billings rendered to the customer, or for the customer's property if customer has not occupied the property for that period of time prior to the order for relief. As used herein, "order for relief" shall have the same meaning as given to it in the Bankruptcy Act. The commencement of a voluntary case under the Bankruptcy Act shall constitute an order for relief. Such deposit shall be refunded seven years after completion of all bankruptcy proceedings or at termination of service provided all amounts due District for service provided after order of relief have been paid. Deposit shall also be refunded if customer voluntarily pays District the debt originally discharged in bankruptcy. Service may be discontinued in accordance with the rules of the District upon nonpayment for service rendered after the order of relief.

Sec. 160.27 Conditions of Service. Notwithstanding any provision to the contrary, the Valley Center Municipal Water District does not guarantee or ensure any particular condition of flow or pressure in its system, and the District shall not be liable to any customer for any damage to the customer's property for fluctuations in the pressure at which water is delivered or for unavailability of water. Further, nothing in these Rules and Regulations obligates the District to correct low pressure conditions, to increase pressure, to correct high pressure conditions, to decrease pressure or to compensate the customer in any manner for the customer's cost to increase or decrease pressure. District staff provides data and information about the District's system and how it normally operates to its customers so they can use that information in making plans. When significant changes to the normal conditions are anticipated, the District will endeavor to notify the affected customers. The District reserves the right to make changes and allow changes to occur at any time, without notice.