

**County of Lake
Kelseyville County Waterworks District #3
Rules and Regulations**

DEFINITIONS

USE OF PRONOUN – For the purposes of this document, certain words and phrases are defined. When not inconsistent with the context, words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the masculine pronoun shall include the feminine; and the word “shall” is mandatory and not merely permissive.

“Administrator” – shall mean County of Lake Special Districts Administrator.

“District” – means Kelseyville Waterworks District #3.

“Board” – Kelseyville County Waterworks District #3 Board of Directors.

“Cross-connection” – means any connection, or possible connection, between any part of the District water supply system used or intended to supply water for drinking purposes and any source or system containing water or any substance that is not or cannot be approved as safe, wholesome, and potable for human consumption.

“Customer” – means any person obtaining water service from the water supply system of the District.

“Dwelling unit” – means one or more rooms designed or used by an individual or family for residential purposes, including, without limitation, a house, apartment, condominium unit or duplex unit, having water use facilities equivalent in extent to a normal dwelling.

“Multifamily dwelling” – means a building designed or used to house two or more families living independently of each other.

“Occupancy: - means the purpose for which a building, or part thereof, is used or intended to be used.

“Person” – means any individual, firm, company, association, society, corporation, partnership or group.

“Property Owner” - means owner of record to whose premise water service may be delivered.

“Service Connection” - means the water line and appurtenant facilities used to extend water service from the water main to the meter box.

“Service Extension” - means water line and appurtenant facilities used to extend water service from the meter to the customer’s premises.

“System” – means all water source and supply facilities, transmission pipelines, storage facilities, pumping plants, distribution mains and appurtenances, and other attendant facilities of the District water supply system.

“Water service area” - means that area within the boundaries of the District.

PURPOSE

The purpose of this document is to establish general rules and regulations for service and the extension of service from the District supply system, and to promote the public health, safety and general welfare of the users of the system, in accordance with the standards established by the District, County, State and Federal governments.

1. APPLICABILITY

The provisions of this document shall apply to all water services, provided by the District, and to all work performed on the District water system.

2. ACCESS TO PROPERTY

The District's authorized and identified representatives or employees shall have access to the Customer's premises at all reasonable times for the purpose of reading meters, inspecting, testing, repairing, removing, exchanging, or otherwise given necessary attention to all equipment belonging to the District. In case any authorized representative or employee is refused admittance to any premises, or after being admitted is hindered or prevented from making such examination, the Administrator or his/her designee may cause the utilities to be turned off, to enforce the provisions of these rules and regulations.

3. APPLICATION – GENERALLY

Any person desiring to have water service turned on or premises connected with the water supply system of the District shall make application to the District on printed forms to be provided for that purpose. Every application shall be signed by the owner of the property to be benefited or on which the water is to be used, or by his authorized agent, and the applicant shall agree to comply with all applicable rules and regulations which have been established from time to time, by the District. The applicant shall further agree, as a condition precedent to the furnishing of water, that the District shall have the right, after giving reasonable notice, to shut off the water supply for repairs, extensions, nonpayment of rates or for any other reason, and that the District shall not be responsible for any damage caused by the breaking, bursting, leaking or collapsing of any boilers, pipes, fixtures, water heading appliance, or other thing, or by the stoppage or interruption of the water supply or any damage of any kind resulting directly or indirectly from the shutting off or interruption of water supply and/or service. Every application shall contain a description of the premises where such water supply is desired; fully state the purpose for which the water is to be used, and the size of the service pipe to be connected thereto. At the time of filing such application, the applicant shall pay the District, or the person appointed for the purpose of collecting such charges, the charges for installation of water service provided in the appropriate ordinance establishing rates and charges.

4. NEW APPLICATION REQUIRED FOR NEW USE

Should the applicant or occupant of the premises desire to apply the water for a purpose not stated in the original application, a new application must be made.

5. APPLICATION – FORM

Application for service shall be on the forms as prescribed by the District. The application shall constitute a contract whereby the applicant agrees to conform to the provisions of this document, as now enacted or hereafter amended.

6. RATE SUBJECT TO CHANGE

Except for special contracts, which specify the length of time to which the contract rate shall be extended, all rates, rules and regulations are subject to change or modification by the District in accordance with California law.

7. WATER CONSUMPTION RESTRICTIONS

No person supplied with water from the District mains shall be permitted to use it for any purpose other than that stated in the application, or to supply it in any way to other persons or premises, except as expressly provided by this document. Water service may be discontinued to any person or premises for violations of this section.

8. CHANGE OF OWNERSHIP OR USAGE

At the time of change in property ownership and/or change in building usage, the District shall review the appropriate account or accounts to determine their conformance with the provisions of this document. If the property does not comply with this document, the District shall inform the property owner in writing, outlining the required alteration(s). The alteration(s) shall be at the property owner's expense. If the alterations involve an additional connection or connections, such hookup(s) shall be subject to another basic connection charge and monthly charge.

When a house or business becomes vacant, the regular minimum rate shall be charged and collected from the owner or renter thereof, whether, water is used or not, unless the District is notified in writing of the fact that the property is unoccupied and requests the water to be shut off. Once the District is authorized to shut off the water, the account will be placed in standby as provided for by ordinance.

9. FUTURE CONNECTIONS

In making all future connections with the District water supply system, each individual building shall be considered an individual consumer and shall be supplied through a separate service connection and meter except as provided for by ordinance. Provided, that the term "future connection" shall include any and all connections hereafter made, and may include, at the discretion of the District, the modification of existing connections.

10. SERVICE CONNECTION – NO WATER MAIN IN STREET

- A. Whenever an applicant requests water service to premises that do not have a standard main adjacent to the premises, a standard main must be installed as a prerequisite to connection to the District water system. The standard main must conform to generally accepted water works engineering practices and the water system of the District. The main must be installed along the complete street frontage of the premises to be served. The property owner shall enter into a mainline extension agreement with the District. The District may contract with the property owner to provide for the reimbursement of such property owner and his assigns for return of construction expense as outlined in a mainline extension agreement.
- B. A standard main may be installed by the following method:
A contractor, under the supervision and approval of the District, may install the main at the property owner's expenses.

11. CONNECTION TO WATER MAIN

- A. Upon the receipt of the connection charges, the District shall cause the premises described in the application to be connected with the District's water main by a service pipe extending from the main to the meter box, which connection shall thereafter be maintained and kept within the exclusive control of the District.
- B. Except as provided in "C" below, each unit in a multi-unit structure or multiple structures shall have its own meter.
- C. A single service line may be allowed to a multi-unit structure or multiple structures, provided that one owner has agreed in writing to assume and be responsible for and pay the total water bill without any deductions for vacancies or other reasons. Base account charges shall be charged for each unit even though separate meters are not required for each unit.

12. ENLARGING OR REMOVING SERVICE CONNECTIONS

When an existing building is altered, or when new buildings are to be erected on the site of existing buildings, and it is desired to increase the size or change the location of the existing service connection, or where a service connection to any premises is abandoned or no longer used, the District may remove such service connection, after which, should a service connection be required to the premises, a new service shall be placed only upon the owner making an application and paying for a new service connection in the regular manner. Such new connection shall be subject to another basic capacity expansion charge, as outlined in the appropriate District ordinance. An additional capacity expansion charge shall also be charged for any connections and/or usage that are greater than the original application. Credit will be given for capacity expansion charges previously paid.

13. UNAUTHORIZED CONNECTIONS

It is unlawful for any plumber or other person to make connection with any District water main, or any conduit or pipe belonging to or under control of the District, without the prior approval of the District, or to make any such connection after service to the premises has been disconnected, or to turn water service on or off to any premises without permission of the District.

14. SPECIAL CONTRACTS

The District reserves the right to make special contracts, the provisions and conditions of which may be different from or have exception to the regular published rates. Such special contracts shall be in writing, approve by the Board, and signed by proper County officials and the customer to be served.

15. UNUSUAL CUSTOMER REQUIREMENTS

When a customer's requirements for water are unusual, or large, or necessitate considerable special or reserve equipment or special consideration, the District may require a contract for an extended period, and may also require the customer to furnish security satisfactory to the District to protect the District against loss and guarantee the performance of the provisions of the contract. The District shall require or cause to be prepared a capacity analysis performed by an engineer licensed by the State of California for requests for water service for new development that would create an undue hardship on the existing system's ability to provide adequate supply. For the size of this water system it is generally four (4) units or greater. The criteria to be used and goals to be achieved through the capacity analysis shall be established and maintained by the District. The cost of the capacity analysis shall be the sole responsibility of the property owner.

16. CONNECTION CHARGE—FEE REQUIRED

The District shall make all water service connections and the cost of each said connection shall be billed to the property owner as set forth in the ordinance. The District shall not make any connection until the property owner has paid charges set forth in the ordinance.

17. CONNECTION CHARGE—FEE

- A. The basic connection charges are established by ordinance. In consideration of the charges, the District shall lay the service pipe from the main to the meter and shall install a meter, meter box and related appurtenances within the utility easement. Responsibility for installation and maintenance of the service piping beyond the meter shall be the sole responsibility of the customer.
- B. Where a contract exists between the District and any person providing for recovery by that person of part or all of the costs of a main or extension of a main paid for and installed by such person (other than the District), in addition to those charges set forth by ordinance, a charge shall be made in such amounts as may be determined by the BOARD as set by ordinance for each service connection to such main or extension of the main.

18. MAINTENANCE OF SERVICE CONNECTIONS AND EXTENSIONS

The District will maintain all existing, and construct all new, service connections, including the meter facilities, subject to the regulations provided in this article. The service extension shall be installed and maintained by the customer at his own expense and in accordance with the standards established by the District.

19. INSTALLATION AND MAINTENANCE RESPONSIBILITIES

- A. The customer shall, at his own risk and expense, furnish, install and maintain in safe condition all equipment that may be required for receiving, controlling, and utilizing water. The District shall not be responsible for any loss or damage caused by the improper installation, maintenance, wrongful acts, or negligence of the customer or any of his tenants, agents, employees, contractor or licensees, in installing, maintaining, using or operating such equipment.
- B. The District shall not be responsible for any damage to property caused by spigots, faucets, valves, and other equipment that may be open when service is turned on at the meter in the original installation, or when restoration of service is made after a temporary shutdown.

20. WATER METERS—OWNERSHIP

All meters installed on water service connections by the District shall be and remains the property of the District and shall be operated or removed only by the District.

21. WATER METERS—PLACEMENT—INSPECTION

- A. The location of the meter or meters used in measuring the customer's use of water must be in a place satisfactory to the District before service will be supplied.

- B. Meters, whether installed on District or private property, shall be the property of the District. The applicant, as a condition of his contract for water service, guarantees access to the meter for purposes of reading and maintenance thereof.
- C. The District will pay no rent or other charges for meter and appurtenant facilities located on customer's premises.

22. DEFECTIVE SERVICE EXTENSION

The District may immediately shut off any service whenever such service extension lines develop leaks, or their condition is such as to constitute a danger to the domestic water supplies of the District. Such service shall remain shut off until such lines are properly repaired and replaced.

23. INSUFFICIENT PRESSURE AND CAPACITY

When the premises for which water is sought does not abut a main with sufficient pressure and capacity to provide the required flow to the property line, the application for service may be rejected.

24. CHANGE IN SIZE OF SERVICE CONNECTION

A request for a change of the size of a service connection shall be treated as a request for a new service installation. An additional basic connection charge, set forth by ordinance, shall be made. An additional capacity expansion charge shall also be charged. Credit will be given for capacity expansion charges previously paid.

25. NONSTANDARD WATER SERVICE

- A. Upon District acceptance of a new permanent main adjacent to the customer's property where the customer is being served by a nonstandard water service, within six months the customer shall discontinue the use of said service and the customer shall relocate the service line from the new permanent main, to the nearest property line, at the customer's expense. The customer shall further be responsible for connecting to the new service line and paying all costs associated with said connection. No connection charges shall be due for the relocation and reconnection from a nonstandard water service to a standard water service.
- B. The customer shall further be responsible for and pay all latecomers charges due for his proportionate share of the cost of extension when a water main is installed adjoining his property prior to the District turning on the water to the premises served.
- C. All work associated with the repair of a nonstandard service in the utility right-of-way shall require a permit and all work shall comply with construction standards.

26. OWNERSHIP, REPAIR AND REPLACEMENT OF FACILITIES

The District shall not be required to renew or replace water mains, which are placed outside the established boundaries of the District and are not owned by the District. The District may maintain water mains outside the District boundary or in existence at the time of annexation until such time as the District shall condemn the same. In the event a main is condemned, service to those customers served will be terminated unless the property owners furnished water through such main replaces the condemned main with a main meeting specification of the District within such time as may be specified in such notice. If the District determines that the property should be served from an alternate District water main, the property owners shall be fully responsible for making that extension according to the District specifications.

27. CONFORMING PRIVATE PIPES

- A. Before water will be turned on to any premises connected with the District's mains, the service pipes upon such premises must be made to conform to all applicable laws and regulations, including such specifications as may be promulgated from time to time by the District, or his/her designee, prior to the covering of the trench containing such pipe.
- B. The charge for the above mentioned inspection shall be set by ordinance.

28. SHUT-OFF VALVE REQUIRED

The customer shall install, as close to the meter location as practicable, a suitable shut off valve in the service connection to the meter that will shut off all service to the premises.

29. NEW PIPES

All new service pipes shall be placed not less than twenty-four inches below the surface of the ground.

30. REFUSAL OF SERVICE—UNSAFE OR UNLAWFUL APPARATUS

The District may refuse to furnish water or may discontinue service to any premises where any apparatus, applicant or equipment using water is dangerous, unsafe, or unlawful.

31. REFUSAL OF SERVICE—EXCESSIVE DEMAND BY CUSTOMER

The District may, in the public interest, refuse to furnish water or may discontinue service where excessive demand by one customer may be detrimental to the service, which may be furnished to other customers.

32. ACCESS TO WATER METERS

Any person who covers or in any way obstructs District's access to the water meter will be charged the base rate, any estimated usage as calculated in Section 42, plus \$100 for each billing the obstruction remains over the meter.

33. DISTRICT METER VALVE

All shut-off valves on the District's side of the water meter are installed by the District for use by the District. Such shut-off valves shall not be used or in any way tampered with by the Customer.

34. DISTRICT PROPERTY

All meters and meter boxes furnished by the District shall be, and remain, the property of the District. Customer shall provide a space for, and exercise proper care to protect the property of the District on its premises, and in the event of loss or damage to the District's property arising from neglect of Customer care for same, the cost of necessary repairs or replacement shall be paid for by the Customer.

35. EMERGENCY SERVICE TO OTHER PROPERTY

The furnishing of water by a customer to premises other than that served by the customer's service is prohibited, except as may be approved by the District during emergencies, provided that emergency service shall not continue for more than thirty days, and an application for emergency service shall be made to the District within forty-eight hours of the onset of the emergency.

36. DAMAGE BY HOT WATER

If a meter is damaged by hot water from the customer's line, the customer will be required to pay for the cost of repair and for the loss of revenue occasioned by the damage, and the customer shall immediately make the necessary corrections to his own water line to prevent further damage to the District meter.

37. REMOVAL, REPLACEMENT AND REPAIR

All meters, unless otherwise authorized by the District, shall be and remains the property of the District and will not be removed unless the use of water on the premises is to be entirely stopped or the service connection discontinued or abandoned. In all cases where meters are lost, damaged or broken by carelessness or negligence of owners or occupants of the premises, or their employees, contractors or agents, they shall be replaced or repaired by or under the direction of the District, and the cost charged against the owner and/or occupant, and in the case of nonpayment, the water shall be shut off and will not be turned on until such charges and the charge for turning on the water are paid.

38. EFFECTIVE DATE OF CONTRACT AND RATES

All contracts shall take effect from the day they are signed and rates shall be charged from the day the premises are connected with the District's water supply and the meter is installed. Water rates shall be in effect as long as the water service remains on.

39. TURN-ON-NEW INSTALLATION

When the District installs the new water service connection for any premise, the valve at the meter shall be turned to the "off" position unless the owner has specifically requested the water be turned "on" in the contract.

40. LOCATION CHANGE—COST

Except as otherwise provided in this document, when it is necessary for the convenience of the District or because of the installation of new water mains to change an existing domestic water meter or domestic water service location, such new location shall be made at the cost and expense of the District, except that the property owner shall reinstall his domestic water service pipe to connect with the water meter as relocated at his own expense.

41. RATES FOR METERED SERVICE

Rates for metered service shall be calculated as follows:

The monthly charge for water supplied within the District through metered services for domestic use shall be the rate as set by ordinance, per month as a minimum billing charge for each residential unit and each irrigation meter. An additional amount, as set by ordinance, will be charged for water usage.

Apartment houses and multi-family dwellings will be billed a charge, as set by ordinance, for each residential unit, plus a charge, as set by ordinance, for water usage.

42. METER READING AND BILLING

Meters will be read at two-month intervals for the preparation of regular bills and at intermediate dates as required for the preparation of opening, closing or special bills. In the event the meter fails to register or is blocked or inaccessible, the customer shall be charged for such period on an estimate based upon the last three months during which the meter was in good order, or such other information as may be most reliable under the circumstances.

If a meter fails to register during any period or is known to register inaccurately, the customer shall be charged on an average yearly consumption as shown by the meter when in use and registering accurately.

The person ultimately responsible for payment of charges for District service shall be the property owner, verified by the Assessor's office of the County, unless a current Renter's Contract is in place.

43. BILLS—MINIMUM RATE

If the total period of water service is more than one month, billing shall not be less than the two-month minimum rate for metered service, as applicable. If the customer requests that their water is shut off for such reason as an extended absence, base rates as set by ordinance shall be charged during the time of non-service. Any loan repay charge on the account will remain in effect.

44. APPLICATION OF PAYMENT

All payments received by the District shall be applied to payment of the months or month furthest in arrears for the property which the payment is received.

45. MULTIPLE RESIDENTIAL UNITS

Where a separate meter has not been installed to each dwelling unit in a multiple dwelling unit building, the owner of the property upon which the multiple dwelling units is situated shall be responsible for the payment of the water billing. In the case of multiple real property ownership, one person shall be designated in writing by the property owners to receive the billing. Said person may be the dwelling unit owner's association or other managing group. The District may designate one owner to receive and be responsible for the billing if the property owners do not so designate.

46. UNPAID CHARGES—DEEMED LIEN

All charges for connection and service, as provided in this article, or as may be hereafter amended, together with penalties and interest thereon, if any, shall, in addition to being a personal liability of the applicant, be a lien upon the property with which such connection is made. Enforcement of such lien or liens shall be in any manner provided by state law.

47. UNPAID CHARGES—SERVICE TURN-OFF

All bills for utility services are due and payable upon receipt and become delinquent thirty (30) days from the billing date. At the end of grace period of no more than 15 days following the date of first delinquency of any such charges, the District shall turn off the water service, and such service shall not be turned on again until such delinquent charges, together with penalty thereon, if any, and the additional sum set forth by ordinance for turning the water on, shall have been paid, provided, however, that if the water is turned on outside the regular working hours of the District, a charge no less than \$100 and no greater than that equal to 3 hours call out overtime salary shall be due for the expense of turning the water on.

48. CHARGE FOR SHUTTING OFF OR TURNING ON WATER

- A. Shut-off for Noncompliance. Upon failure to comply with the rules and regulations, or to pay water service charges in the time and manner provided in the ordinance, the water shall be shut off until payment is made for the amount due plus a charge set by ordinance. In addition, If the water is turned on outside the regular working hours of the District, a charge no less than \$100 and no greater than that equal to 3 hours call out overtime salary shall be imposed. If the occupant of the premises shall turn on the water after it has been turned off at the meter, it shall be turned off from the premises at the point of connection to the meter and a \$75 charge will be due for cutting the lock and personnel time to shut off the water once again.
- B. Charges for Requested Shut-off. A water user may request that service be shut off temporarily. The charge for turning the water on shall be set by ordinance; provided however, that if the water is turned on outside the regular working hours of the District, an additional charge no less than \$100 and no greater than that equal to 3 hours call out overtime salary shall be made for the expense of turning the water on.
- C. A water service to any premises turned on by an unauthorized person, after said water service has been turned off by the District, may, upon discovery, be disconnected by the District from the water main in the street, and shall not be connected again until all charges due as a result of the disconnecting and reconnecting of such service are paid

49. BILLING DISPUTES—RESPONSIBLE PARTY—REDUCED UTILITY CHARGES IN SPECIAL CASES

Upon application by a water customer, the Administrator or his/her designee is empowered to resolve billing disputes, on a case-by-case basis, in the following circumstances: If a private water line, valve, fixture or other appurtenance is verified to be leaking as a result of accidental damage or natural deterioration of the same, and not as a result of abuse or willful neglect, and provided that the damage is repaired within five days of the discovery of such, the water bill may be reasonably and equitably reduced; provided that a customer shall be required to pay the base rate plus an amount not less than the highest usage of that account in the past year. If the leak is recurring, the bill will be reduced for a single event.

50. METER TESTING—ADJUSTMENT OF BILL

- A. Upon request from a customer, based upon a complaint that the water bill for any period has been excessive, the District shall have the meter reread.
- B. Should the customer then request that the meter is tested for accuracy, he shall have the privilege of being present when such test is made. In case the test discloses an error of more than three percent in favor of the District, a correct registering meter shall be installed, and the customer's account shall be credited with the excess consumption over the three previous readings. When the test discloses no such error, the customer agrees to pay \$40 to cover a part of the cost of such test. No meter shall

be removed or in any way disturbed, nor the seal broken, except in the presence of the Administrator or his/her designee or his authorized representative.

51. DELINQUENT PAYMENTS

- A. The District shall have the right to assess further penalties and terminate service upon written notice to the premises. In accordance with the applicable ordinance and Government Code 60373, the following procedure will be followed for all delinquent payments:
1. All accounts are delinquent thirty days after mailing.
 2. In the event charges become delinquent a late payment charge will be added, as set by ordinance.
 3. Upon request, customers who have never been charged a late charge are afforded a one-time courtesy waiver of the late charge.
 4. No earlier than 19 days from the date of mailing the bill for services the District shall mail a late notice to the customer.
 5. At least 48 hours prior to any termination of service, the District will make a good faith effort to contact an adult person residing at the premises of the customer by telephone or in person, except that whenever telephone or personal contact cannot be accomplished, the District shall mail or post in a conspicuous location at the premises, a notice of termination of service.
 6. The customer may be permitted to make alternate payment arrangements prior to the date of shut off.
 7. Customers who have made alternate payment arrangements and who fail to comply with said arrangements will have the water shut off in accordance with Item 5 above, until all charges and charges are paid. In addition, the District will no longer offer alternate payment arrangements for that customer.
 8. The District shall discontinue service to the premises for nonpayment.
 9. Upon discontinuation of service for nonpayment, services will not be restored to the premises until payment is made as follows:
 - a. All delinquent amounts.
 - b. Shut off/reconnection charges as set by ordinance.
- B. Failure to receive mail will not be recognized as a valid excuse for failure to pay rates when due. Change in ownership of property and change in mailing address must be filed in writing by the property owner or his agent at the office of the District on a form provided for that purpose.
- C. All delinquent charges will be collected as the law allows.

52. DISTRICT LIABILITY - SHUT-OFF FOR REPAIR OR NONPAYMENT

The District may at any time shut off water to any premises connected with the District mains for repairs, extensions, failure to pay charges and charges as provided by this article, or other necessary purposes. The District shall not be liable for any damage which may occur as a result of water being shut off to any premises, including, without limitation, the bursting of boilers supplied by direct pressure, the breaking of any pipes or fixtures, stoppage or interruption of water supply, or any other damage resulting from the shutting off of water. Water customers who have any machinery, material, process or plant which requires a constant supply of water shall install upon their premises such water storage facilities as will prevent any damage in case the District water supply may for any reason be interrupted or discontinued, and such person shall also provide backflow devices to protect against loss from the interruption or discontinuance of water service.

53. DISHONORED PAYMENT – SERVICE TURN OFF

In the event the check given by the customer is not honored by the financial institution appearing on the check, the District will shut off water service the District shall notify an adult residing at the residential premises of the customer that service will be terminated in 48 hours. Service shall not be turned on again until such delinquent charges, a \$10 return check charge, together with penalty thereon, if any, and the additional sum set forth by ordinance for turning the water on, shall have been paid. If the water is turned on outside the regular working hours of the District, a charge no less than \$100 and no greater than that equal to 3 hours call out overtime salary shall be due for the expense of turning the water on.

Future payments from customers who have given the district a dishonored check must be paid with cash, money order or certified check.

54. FIRE HYDRANTS

It is unlawful for any person to open, operate, close, turn on, turn off, interfere with, attach a pipe or hose to, or connect anything with, any fire hydrant, stop valve or stopcock belonging to the District, except when duly authorized by the District, or unless such person is acting in an official capacity as a member of a fire district.

55. LIABILITY FOR DAMAGE TO EQUIPMENT AND PROPERTY

The customer shall be liable for any damage to the meter or other equipment or property owned by the District, which results from any intentional or negligent act by the customer, his tenants, agents, employees, contractors or licensees. The District shall be reimbursed by the customer for any such damage promptly on presentation of a bill therefor.

56. TERMINATION OF SERVICE

- A. Should any customer desire to terminate water service, he shall be provided a closing bill stating the date of such termination and pay all unpaid charges at the office of the District within sixty (60) days. The customer shall be responsible for all charges accruing prior to such date, or in the case of failure to give notice, until the date of actual disconnection by the District.
- B. Upon proper application, the payment of all unpaid water charges, and the additional payment of a turn on charge set by ordinance, the District will turn on water service again. No change of ownership or occupation shall affect the application of this section.

57. EMERGENCY TURN-ON and TURN-OFF FEES

Whenever a request is made of the District for an emergency “turn-off” or “turn-on”, or temporary discontinuance of water service to any premises, which necessitate immediate action, charges shall be made as set by ordinance.

58. ORDERS FOR TURNING WATER ON AND OFF

All orders for turning water on or off must be made in writing to the District and must be signed by the owner of the property from which the water is ordered shut off or turned on, or his duly authorized agent.

59. NO REMISSION OF RATES

When water has been shut off for any cause, and is turned on again, or allowed or caused to be turned on, by the owner, no remission of rates will be made on account of its having been shut off.

60. SHORTAGE OF WATER

The District reserves the right in case of a shortage of water from any cause, for the Board to adopt an ordinance forbidding or suspending the use of water for sprinkling or irrigation, or to change the hours during which the same may be done, by giving notice through newspaper and mailing notices to each customer. Any person violating such order shall be subject to a penalty in an amount set by Board, and the water service of such violator shall be shut off and not turned on again until such penalty has been paid.

61. LIABILITY DISCLAIMER

The District shall not be liable for any damage to persons or property resulting from a turn-off or turn-on of the water service, including, but not limited to, situations where water service is left on between a change of customers occupying the premises, at the request of one of the customers, or the service is disconnected for nonpayment for failure to have a current water service application.

62. TEMPORARY MAINS

No temporary mains shall be permitted to be installed as part of the District's water system.

63. TAMPERING OR DESTRUCTION OF EQUIPMENT PROHIBITED

No unauthorized person shall maliciously, willfully or negligently break damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the District domestic water system. Each violation thereof shall be charged a minimum of \$100, plus the cost for time and materials for repair of the damage to the water system.

64. VIOLATION-CORRECTION OF CONDITIONS

Any person who shall violate any of the provisions of these rules and regulations shall become liable to the District for any expense, loss or damage occasioned by reason of such violation.

65. DISTRICT NOT LIABLE FOR DAMAGES

The District shall not be liable for damages, nor will allowances be made for loss of production, sales or service, in case of water pressure variation, or in case the operation of the District's source of water supply or means of distribution fails, or is curtailed, suspended, diminished or interrupted for any cause. Such pressure variations, failure, curtailment, diminishment, suspension, interruption or interference shall not be held to constitute a breach of contract on the part of the District, or in any way affect any liability for payment for water made available or for money due on or before the date of such occurrence.

66. LOSS OR DAMAGE IN LINE

The District shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer's line, plumbing or equipment, and the District may, without notice, discontinue service to any customer when a defective condition of plumbing or equipment upon the premises of the customer results, or is likely to result, in interference with proper service or is likely to cause contamination of the water. The District does not assume the duty of inspecting the customer's line, plumbing or equipment, and shall not be responsible therefore, and will not be liable for failure of the customer to receive service on account of defective plumbing and apparatus on the customer's premises, or for excessive consumption.

67. FIRE PROTECTION—NONLIABILITY OF DISTRICT

The District shall not be liable or responsible for any losses by fire by reason of any lack of supply of water or water pressure at the time of fire alarms or at any other time. Water is supplied for domestic purposes, not for fire protection to any consumer, and all contracts for water are made subject to this rule.

68. CROSS-CONNECTION – BACKFLOW PREVENTION

The installation or maintenance of a cross-connection, not in compliance with Ordinance 1465, is prohibited. Any such cross-connection is declared a nuisance and shall be abated. The District will enforce the provisions set forth in Ordinance 1465.

69. VIOLATION

Any violation of a regulation or ordinance of a district is a misdemeanor punishable by fine not to exceed one thousand dollars (\$1,000) or imprisonment not to exceed six months, or both.