



# RATES AND REGULATIONS FOR WATER SERVICE

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# 1 GENERAL

## 1.1. DOCUMENT IDENTIFICATION AND REVISION

This document shall be known as "Rates and Regulations for Water Service" of the Casitas Municipal Water District. Unless otherwise approved by the Board of Directors (the Board) of the Casitas Municipal Water District (Casitas or District), all water service shall be made in accordance with these rates and regulations. These rates and regulations may be amended by resolution or ordinance at any regular or special meeting of the Board of Directors, provided that: (a) written notice of any proposed amendment is submitted to each Director at least 14 days prior to any such meeting; (b) one or more public hearings is held, if required, with at least 14 days' advance public notice and legal notice of any such hearings; and (c) California Environmental Quality Act (CEQA) review and compliance has been completed, if required.

The Rates and Regulations for Water Service shall be relied upon for water service provisions. Henceforth, any other related resolution or ordinance adopted by the Board will be incorporated in the Rates and Regulations for Water Service at the time the resolution is adopted.

## 1.2. COMPLIANCE WITH REGULATIONS REQUIRED

The furnishing of water by the District and the use thereof by a customer shall be subject to: 1) the regulations of the District in effect; 2) the terms, conditions and undertakings in the customer's application for water service; and 3) where applicable, a Water Service Agreement; and the District's contracts with the United States Bureau of Reclamation. By applying for or receiving water service from the District, each customer covenants and agrees to be bound by, and to comply with, all regulations of the District in effect.

## 1.3. AREAS SUBJECT TO REGULATIONS

The Rates and Regulations for Water Service set forth herein pertain to service to land and/or improvements lying within the boundaries of Casitas. They do not generally pertain to direct service by Casitas to lands and/or improvements within boundaries of other water agencies located within Casitas' boundaries. Service to lands outside Casitas shall be only on terms and conditions established by the Board respecting the particular service involved.

## 1.4. PENALTIES FOR VIOLATION

In the event any person is in violation of the Rates and Regulations for Water Service, the District shall have the right to:

- A. Charge such person for the amount of District water consumed based on the highest tier of currently adopted water rates; provided, that if the amount of water consumed cannot be ascertained, the General Manager may make an estimate of the amount of water consumed and apply the rate to that amount of water;
- B. Charge such person for an amount estimated by the General Manager to reimburse the District for its reasonable costs incurred in investigating, terminating, and otherwise processing any such violation, including a reasonable amount to reimburse the District for its staff time and use of vehicles and equipment;
- C. Charge such person for the damages suffered by the District as a result of such violations;
- D. Discontinue, terminate, or refuse to restore any water service connection in the name or under the control of the person committing such violation unless and until satisfactory evidence exists that violations were corrected and compliance with "Rates and Regulations for Water Service" is established;
- E. Impose a penalty as set forth in Appendix B: "Schedule of Other Fees and Charges";
- F. Pursue criminal prosecution.



The General Manager shall determine whether water service to the person(s) in violation shall be continued, discontinued, or terminated. The General Manager's determination shall be based on the amount of damage to Casitas facilities and/or assets and likelihood of the damage being repeated.

The person or persons charged with violations of the Rates and Regulations for Water Service shall be entitled to a hearing to be conducted substantially in accordance with the applicable provisions of the Administrative Procedures Act (Government Code Section 11500, et seq.)

## 2 DEFINITIONS

Whenever the words herein occur in the Rates and Regulations for Water Service adopted by the Casitas Municipal Water District Board of Directors, they shall have the meaning herein defined.

### 2.1. GENERAL DEFINITIONS

- 2.1.1. Acre Foot: 43,560 cubic feet of water or 435.6 Units of water where one Unit is equal to 100 cubic feet.
- 2.1.2. Active Service: Service that is currently taking water and paying for service. All other services are inactive or vacant.
- 2.1.3. Accessory Dwelling Unit (ADU): An attached or detached residential dwelling unit that: a) is ancillary to an existing or proposed primary dwelling unit on the same property, b) meets the definition set forth in Paragraph (1) Subsection (j) of California Government Code Section 65852.2 as same may be hereafter amended, and c) is approved by the applicable local land use agency.
- 2.1.4. Allocation: A volume of water (as defined herein hundred cubic feet or acre feet) that is assigned and may be reassigned by Casitas to a Casitas property or Casitas customer for a defined allocation period. An allocation of water shall not mean an entitlement nor in any way imply a water right.
- 2.1.5. Allocation Period: Allocation periods may be monthly or annually during any one fiscal year.
- 2.1.6. Association: A collection of single owners who agree to burden their property with the responsibility for: a) installing, operating and maintaining its own water distribution and fire protection facilities, b) providing water to its members, c) payment of the cost of the installation of the master metering facilities, and d) payment of the water bill, the service charges and other related fees and deposits required by Casitas. When there are multiple types of water use, the rates paid by an Association shall be the highest rate for the types of service actually provided.
- 2.1.7. Billing Period: The period during which water service is provided and for which the customer is billed. The Billing Period and frequency of bills shall be monthly.
- 2.1.8. Board: The Board of Directors of the Casitas Municipal Water District.
- 2.1.9. Capital Facilities Charge (CFC): A one-time, non-returnable buy-in charge based on allocation or requests for new or enlarged meters. This charge includes, but is not limited to, funds for meeting Casitas' financial reserve needs and requirements for obtaining funds for capital projects necessary to maintain service within Casitas' existing service area.
- 2.1.10. Casitas: Casitas Municipal Water District.
- 2.1.11. Consumption Period: Same as Billing Period.
- 2.1.12. Customer: Any individual, firm, partnership, private or public corporation, government agency, or other entity which has applied for and is currently receiving water service from the District's facilities through an active service connection, with a District account, to serve a property within District boundaries, in compliance with these Rates and Regulations.
- 2.1.13. District: Casitas Municipal Water District.
- 2.1.14. Discontinuance: Water to a service is shut off but the meter is not removed. Standby charges are owed, and the assigned allocation will remain with the property provided the standby charges are paid.
- 2.1.15. Fiscal Year: A 12-month period beginning July 1 and ending June 30.
- 2.1.16. General Manager: The person holding the position or acting in the capacity of General Manager of the Casitas Municipal Water District.
- 2.1.17. Gravity: All Casitas services that receive water from non-pumped zones.
- 2.1.18. HCF: Hundred Cubic Feet, a volume of water equal to 100 cubic feet or 748 gallons. See Unit.

- 2.1.19. Hearing Officer: The person who holds a supervisory or managerial position and is designated by the General Manager to carry out duties of the Hearing Officer.
- 2.1.20. Inactive Service: Accounts that were formerly active but the service was transferred to a new account holder. Inactive service is no longer subject to charges.
- 2.1.21. Legal Water Service: A service with a current application, which complies with all Casitas' Rates and Regulations, in good standing with Casitas.
- 2.1.22. Pumped: All water service that is delivered from Casitas' pumped zones.
- 2.1.23. Residential Dwelling Unit: A building or structure or portion thereof designated by a land use agency as a residential dwelling unit which includes sanitary facilities and one kitchen provided within the unit. For purposes of this definition, an attached or detached residential second unit shall be considered a separate residential dwelling unit. District staff shall make determinations regarding whether a structure or building constitutes a residential dwelling unit upon review of all development proposals, a request for new water service, or periodic review and inspection of existing service connections.
- 2.1.24. Service: The furnishing of water to a customer through approved and appropriate service facilities of the Casitas Municipal Water District.
- 2.1.25. Service Facilities: Those materials and facilities between Casitas' water conveyance line or lateral and the outlet of the service meter, valve, fire hydrant, or riser for fire service. If said meter is not owned by Casitas, "service facilities" shall mean that Casitas-owned facility closest to the customer-owned-and-maintained meter or other facility.
- 2.1.26. Service Size: The rated inside diameter of the water meter at each service connection and the associated flow capacity of that meter.
- 2.1.27. Standby Charges: Service charges and any other fixed charges on the water bill that do not vary with water use and are paid in order to maintain the ability to utilize water through an existing service.
- 2.1.28. Termination: The water meter is removed and the allocation is terminated.
- 2.1.29. Unit: A volume of water equal to 100 cubic feet or 748 gallons. See HCF.
- 2.1.30. Vacant Service: Properties that have an existing meter but do not have any active consumption, are not current on payment of standby charges, and do not have an identified account holder or person responsible who has communicated with the District regarding plans to restore service.
- 2.1.31. Water Agency: Public water supply agencies, public water utilities, and mutual water companies permitted by the State of California to supply water. A water agency has all services metered, bills its water customers for water consumption through the meters, and maintains its own water system in accordance with all applicable standards, regulations and laws.
- 2.1.32. Water Use: The volume of water delivered through a Casitas-metered service facility to the customer during a set period of time.

## 2.2. DEFINITIONS OF CUSTOMER CLASSIFICATION AND WATER USE TYPES

- 2.2.1. Agricultural Domestic: The use of water for a combined Residential and Agricultural Irrigation use (and subject to all requirements for Agricultural Irrigation Service).
- 2.2.2. Agricultural Irrigation Service or Use: The use of water for irrigation purposes on all parcels of non-Class 6 land consisting of not less than 2.0 acres devoted to commercial agricultural production (excluding homes, buildings, roads and other non-agricultural producing areas), in compliance with federal law, having a minimum one-inch meter.
- 2.2.3. Commercial Service: Water service provided to a retail store, restaurant, office building, service outlet, or other commercial enterprise. To qualify for commercial service the customer must provide the District evidence of a commercial business license from the appropriate licensing

agency and the property served must be zoned for commercial use by the appropriate land use agency.

- 2.2.4. Fire Service: A service connection s used solely for standby service for a private fire protection system.
- 2.2.5. Industrial Service: Water service to production and manufacturing-related business, including refineries, with proper zoning and which actually conducts business.
- 2.2.6. Inter-Departmental: Water service to all facilities owned or operated by Casitas.
- 2.2.7. Multi-family Agricultural Domestic: The use of water for a combined Multi-family Residential and Agricultural use (and subject to all requirements for Agricultural Irrigation Service).
- 2.2.8. Multi-family Residential Service: Water service to any property with two or more legal residential dwelling units, including apartment and condominium complexes, mobile home parks, farmworker housing, accessory dwelling units, or other types of community development for domestic purposes.
- 2.2.9. Non-residential service: Water service provided to a customer that is not within the scope of “Residential Service” or “Multi-family Residential Service” defined herein.
- 2.2.10. Other or Institutional Service: Water service at a property owned or operated by a federal, state, county, city, or other public authority; and for public or non-profit services.
- 2.2.11. Resale Service: Water service to another water agency which was legally formed to supply water and which has an active permit to supply water from the California State Water Resources Control Board Division of Drinking Water.
- 2.2.12. Residential Service: Water service to any single-unit dwelling residence for uses such as drinking, food preparation, bathing, washing clothes and dishes, flushing toilets, and watering landscape including personal vegetable or fruit tree gardens. Residential service excepts service to any water agency, any business or industrial facility, any other facility, or agricultural service through which service to a residence or residences may be obtained.
- 2.2.13. Single-Family Residential Service: See Residential Service.
- 2.2.14. Temporary Service: Limited duration water service from a District fire hydrant or other temporary point of access. For this purpose, temporary service shall be determined by the District and is any anticipated or actual use with a duration of a maximum of one year, whether continuous or intermittent.

### 3 ARRANGEMENTS FOR REGULAR WATER SERVICE

#### 3.1. ACCOUNT HOLDERS

Account holders shall be the property owner; or with the property owner's permission, account holders may be the manager, operator, or renter of the property. Permission for the manager, operator or renter to apply for water service must be via execution of the District's "Owner Authorization Agreement for Water Service by Tenant" form.

#### 3.2. APPLICATION FOR EXISTING SERVICE

A new customer requesting service through an existing service connection and meter shall complete an application in writing on a form provided by Casitas. All applications for water service shall be accompanied by an application processing fee as provided in Appendix B: Schedule of Other Fees and Charges and a deposit as provided in Subsection 3.7: Deposit and Establishment of Credit.

In cases of Vacant Service, the applicant will be responsible for retroactive payment of all unpaid Standby Charges or shall be treated as a new service and subject to the Capital Facilities Charge.

If a signed application for water service is not received by the District within 60 days of change of account, the service will be subject to shut off.

Anyone using water without having made application to the District for water service shall be held liable for the service from the date of any previous meter reading that most nearly coincides with the actual date the service was first used, and may be subject to penalties associated with unlawful taking of water (Subsection 14.1: Unlawful Taking of Water).

#### 3.3. APPLICATION FOR NEW OR EXPANDED SERVICE

When no service line and/or meter exists to serve a parcel, or if there is a development project or expanded use through an existing service, the customer must contact the Engineering Manager to discuss provisions for new or expanded service. Meter size and/or capacity of service, allocations, and applications for new service shall be approved by the Engineering Manager, Operations and Maintenance Manager, and General Manager or their designee.

All applications for water service shall be accompanied by an application processing fee as provided in Appendix B: Schedule of Other Fees and Charges and a deposit as provided in Subsection 3.7: Deposit and Establishment of Credit.

New service applicants must comply with provisions of Section 5: Water Service Facilities regarding installation and fees for new water facilities and, if applicable, fees for abandonment of existing service.

New service applicants must pay the Capital Facilities Charge for sufficient water allocation subject to the provisions of the Water Efficiency and Allocation Program. Refer to Section 6: Capital Facilities Charge and Allocations.

For any changes in water allocation, a new Water Service Agreement is required and the applicant must pay a fee as provided in Appendix B: Schedule of Other Fees and Charges. The Water Service Agreement is prepared for the property owner's execution; the Water Service Agreement must be notarized. The owner must provide a legal description and plat map prepared by a surveyor licensed in California of the parcel as an exhibit for the Water Service Agreement. Upon notarized signature by the General Manager, Casitas will send the Water Service Agreement for recordation at the County of Ventura Recorder's office.

### 3.4. PRIOR APPROVAL OF LAND USE AGENCY

There are three land use authorities within Casitas' boundaries. The City of Ojai, the City of San Buenaventura, and the County of Ventura are responsible for the planning and approving of land use projects in their respective jurisdictions. Applicants for new or additional water service related to projects requiring land use approval by the appropriate agency must receive such approval prior to receiving any water service from Casitas.

### 3.5. CLASS 6 LANDS

Class 6 lands were identified by the Bureau of Reclamation as lands not suitable for irrigation, and thus not eligible to receive water being generated from a federal project. The Ventura River Project, including Casitas Dam and associated water delivery systems, is a federal project. The Bureau of Reclamation has identified Class 6 lands on maps available for public viewing at Casitas. Applicants requesting water service to Class 6 lands shall receive no new or additional water supplies or allocation.

### 3.6. TERM OF SERVICE

Water service pursuant to an approved application shall be provided until the service is terminated by the customer or the District pursuant to Section 4: Termination, Discontinuance and Restoration of Water Service. Restoration of a terminated service shall be treated as an application for new water service and charged applicable fees.

### 3.7. DEPOSIT AND ESTABLISHMENT OF CREDIT

All customers are required to furnish a deposit to guarantee payment of the customer's obligations to Casitas until good credit is established to the satisfaction of Casitas. If the customer is a water agency, credit will be deemed established and deposit waived. If a currently active customer is opening an account, the deposit will be waived if the customer has established and maintained good credit to the satisfaction of Casitas. A customer's credit is considered established and maintained to the satisfaction of Casitas if the service has not received a delinquency charge, a shutoff notice, or a shutoff for the most recent two-year period. When a customer has established and maintained credit to the satisfaction of Casitas, the customer's deposit, without interest, will be refunded by crediting the account. If the deposit is applied to a closing bill and the balance is less than \$1.00, a deposit refund will be made by request only. Deposits shall be in accordance with the schedule in Appendix B: Schedule of Other Fees and Charges.

### 3.8. OUTSTANDING OBLIGATIONS

Payment in full of any outstanding obligations owed by a customer in connection with Casitas water service at a previous location shall be prerequisite to initiation of service to a customer at a new location.

### 3.9. RENTERS

All charges for water are the responsibility of the property owner, although accounts may be billed to tenants as a convenience to the owner upon filing necessary forms with the District. If the owner, manager, or operator of a residential property is the customer of record, and the account is delinquent, and the Residential service is subject to shutoff due to nonpayment (refer to Subsection 19.3: Delinquency), the occupant (also referred to as tenant or renter) of the serviced property has the right to appeal and become a customer, to whom the service will then be billed. The occupant will not be charged the delinquent amount provided the occupant verifies the delinquent account customer of record is or was the landlord, manager, or agent of the residential dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the

Civil Code. Any remaining delinquent amount from the previous customer account of record held by the owner, manager, or operator of the residential property is subject to the terms under Subsection 19.5: Remedies for Non-payment.

If the renter closes their account, the account reverts back into the property owner's name and the property owner is responsible for all services and related charges, fees, and penalties that remain uncollected from the tenant, and all services and related charges, fees, and penalties that are incurred after the time from which the renter closed their account. The service will not be discontinued unless the property owner makes a request in accordance with Section 4: Termination, Discontinuance and Restoration of Service.

## 4 TERMINATION, DISCONTINUANCE AND RESTORATION OF SERVICE

### 4.1. CLOSING ACCOUNTS

An account will be closed upon request of the customer, upon change of account, or upon discontinuance of service for nonpayment of a delinquent bill. An account may be closed without shutting off or removing the meter. Conditions for water shutoff and meter removal are described herein.

### 4.2. SHUTOFF FOR TEMPORARY PERIOD OF NON-USE

For the convenience of all residential services 1-inch and smaller, the service may be turned off at the request of the property owner for a temporary period of non-use. Standby charges comprised of all fixed monthly charges on the water bill that do not vary with water use are still owed in order for service to be turned back on. The meter will remain in place and the allocation will remain with the property.

Water service will be turned off and the meter will be locked on the date requested by the property owner, provided 72 hours' advance notice, excluding Saturdays, Sundays and holidays, is furnished to Casitas. The property owner shall be held responsible for all water use at their premises until the date of turnoff, including any charges that are not collected from renters prior to closing their accounts.

### 4.3. VACANT SERVICE

When a Vacant Service has no consumption for at least sixty (60) days, the District shall contact the owner by phone or email on file with the District. If no response is received, the District will contact the owner of record at the address on file with Ventura County tax roll through certified mail with return receipt requested. The District will request information on whether the owner wishes to continue the service by paying the standby charges or if the owner wishes to remove the meter as in Subsection 4.5: Termination of Service and Meter Removal. If the owner does not respond within an additional sixty (60) days, the General Manager reserves the right to discontinue the service, have the meter removed, and terminate the allocation.

### 4.4. STANDBY CHARGES

Standby charges are any fixed charges on the water bill that do not vary with water use and are paid in order to maintain the ability to utilize water through an existing service. Customers and/or property owners with an installed meter service, whether the meter is on or off, are required to pay monthly fixed charges on the water bill that do not vary based on the amount of water used, including but not limited to the monthly service charge (refer to Subsection 17.3: Water Rates). If the monthly fixed charges on the water bill are not paid, the customer will be notified. If the customer address is different than the property owner on record at the Ventura County tax rolls, the District will also contact the property owner address on the Ventura County tax rolls. Failure to pay the fixed monthly charges within 60 days could result in removal of the meter and termination of the allocation. If the meter is removed for non-payment, or at the request of the property owner, payment of a reinstallation fee and Capital Facilities Charge will be required prior to reinstalling the meter.

### 4.5. TERMINATION OF SERVICE AND METER REMOVAL

Water service will be turned off and the meter will be removed on the date requested by the property owner, provided 72 hours' advance notice, excluding Saturdays, Sundays and holidays, is furnished to Casitas in writing. Property owners requesting their meter be removed shall sign a statement indicating they wish to terminate water service and remove the water meter and acknowledging they are giving up their allocation. In the case where a meter is removed due to a lot merger, the allocation may be retained on the meter servicing the merged lot. If a water service agreement with a specified allocation was previously on record with the Ventura County Recorder's Office, the District will provide a new document that must have the property owner's notarized



signature to be recorded with the property stating the water service and allocation has been terminated or included in a lot merger. The property owner shall be held responsible for all service rendered to their premises until the date of meter removal. The property owner shall provide a legal description and plat map of the new lot, prepared by a surveyor licensed in California.

#### 4.6. DEDUCTIONS

If service is discontinued for any reason, deductions may be made from customer's guarantee deposit to cover any unpaid bill due at time service was shut off, in which case service shall not be resumed until the deposit is restored to the original amount.

#### 4.7. FORECLOSURE

In those instances where service is discontinued due to a foreclosure, the allocation shall remain with the property and the meter shall not be removed. The account will be placed in the mortgage holder's name, and the mortgage holder will be responsible for any unpaid balances for all services and related charges, fees, and penalties that were uncollected from the previous accountholder, and all services and related charges, fees, and penalties that are incurred after the time from which the account is placed in the mortgage holder's name. Any unpaid charges may go to collections. The new owner purchasing the property from the mortgage holder is not responsible for previous charges incurred or owed prior to date of purchase of the property.

##### 4.7.1. APPLICATION FOR SERVICE BY A REALTOR OR AGENT

Criteria for transferring water service(s) out of previous owner, on foreclosed (Financial Institution Owned) property ONLY, into Realtor or Agent name:

- A. Written Authorization: Realtor or Agent must provide to Casitas written authorization from Financial Institution owning property (Asset Management Department or Mortgage Holder) naming the Realtor or Agent stating property service address and effective date, assigning them as responsible party.
- B. Application for service must be filled out with responsible party's signature and submitted with all deposits, charges and fees prior to turning service on (see Appendix B: "Schedule of Other Fees and Charges" for Deposit, Disconnection, and Reconnection Fees).

As the customer, the Realtor or Agent is responsible for payment of all water rates and charges billed to the account while the service is in their name, including all charges related to the amount of water delivered through the meter.

#### 4.8. RESTORATION OF SERVICE

##### 4.8.1. EXISTING METER

If the meter has remained in place during period of requested service discontinuance, restoration of a service shall require the payment of a Reconnection Fee (per Appendix B: Schedule of Other Fees and Charges) and the lesser of 1) standby cost of all monthly fixed charges, including service charges and other fees that do not vary with water use, as set forth in Subsection 17.3: Water Rates and Appendix A: Monthly Water Rates and Service Charges, for the period from the date of discontinuance of service to the date of restoration, or 2) costs associated with a new meter.

##### 4.8.2. NEW METER

If the meter was removed and service terminated, restoration of a service shall require the payment of all application fees, Capital Facility Charges, and installation and connection charges as set forth for a new meter installation.

##### 4.8.3. RESTORATION OF SERVICE FOLLOWING SHUTOFF DUE TO DELINQUENCY

Provisions for restoring water service following shutoff due to non-payment and delinquency are provided in Section 19: Billing and Payment.

## 5 WATER SERVICE FACILITIES

Water service facilities include adequately sized lateral pipelines, water service fire protection laterals, meters, and public fire hydrants that are part of Casitas' water distribution system. Water service to each customer is provided from Casitas' water distribution system through a service lateral and meter. The water service facility installation to each customer should consider the customer's water demand maximum flow rates, classification of service, water system pressures and capacities, location of facilities within either a right-of-way or Casitas easement, and protection of Casitas' water quality and supply.

No new service connection shall be made to the District's water distribution system unless there is a District water main in a street or right-of-way satisfactory to the District opposite the proposed location of the applicant's meter, and the main shall have a capacity and pressure adequate to provide safe and reliable water service as solely and conclusively determined by the District. In determining the adequacy of existing facilities, the District may take into consideration any fact or circumstance it considers relevant, including without limitation the water requirements of the land to be served by the new connection, the flows required for fire protection, and whether such use of water will substantially impair service to the District's existing customers. If the District determines its existing facilities are not adequate to serve a new connection, the new service shall not be connected to the system unless and until such extensions of or additions to the District's facilities as the District shall consider necessary are constructed. The location, capacity, and design of such extensions or additions shall be determined solely and conclusively by the District, taking into consideration such factors as anticipated future land uses and water requirements, the desirability of looping water mains to increase reliability of service, flows needed for fire protection, and the District's long-range plans for capital improvements of the system.

### 5.1. METER LOCATIONS

With the exception of water agencies, regular water service to each property ownership shall be through a separate water meter. Provided, that for community developments and at the sole discretion of Casitas, application for service to such properties through a single master meter may be made providing that a formal recordable agreement is developed and executed between Casitas and the applicants for service.

The location of meters shall be governed by the following:

- A. The service line from the meter to the District's water main shall normally be straight and perpendicular to the main.
- B. The meter shall be installed along the principal boundary of the parcel of land to be served that abuts a street or right-of-way satisfactory to the District and shall be near the limit line of the abutting street or right-of-way.
- C. The meter shall be located in the public right-of-way or existing easements at Casitas' sole discretion.
- D. Whenever possible, the meter shall be installed outside of driveways, sidewalks, or areas used by heavy equipment.
- E. Subject to the foregoing, the service property owner may determine the point along the abutting boundary of the property where the meter shall be installed, subject to approval of the District. The District shall take into consideration the physical circumstances and the efficient installation and maintenance of District facilities and customer service lines.

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#### 5.1.1 REMOTE METERS

A District meter will be set near the limit line of a street or right-of-way in which a District main exists, or where a new main will be installed for service to a lot that does not abut the street or right-of-way if all of the following conditions are met:

- A. The customer's service line from the mainline to the meter is entirely within a recorded permanent easement for roadway purposes.
- B. The area including and entirely surrounding the lot and the area susceptible to service by the roadway to the lot cannot be developed with more than two premises with remote meters.
- C. There is no reasonable probability that a public thoroughfare to the lot will be dedicated, improved, and accepted for maintenance by a public agency.

## 5.2. PRESSURE CONDITIONS

Applicants for water service connections are required to accept pressure conditions as provided by the distribution system at the location of the proposed service connection, and to hold the District harmless for any damages arising out of low-pressure or high-pressure conditions or interruptions in service.

If needed due to low operating pressure conditions, the customer shall install a pump and low suction cut off switch on the customer's side of the meter which shall be maintained by the applicant at no cost to the District.

A pressure regulator on the District side of the meter, maintained by the customer, may be a condition of receiving water service from a high-pressure water main. Casitas maintains ownership of the meter; the customer is required to maintain the pressure regulator at the customer's expense. Casitas shall not be liable for any damages to customer plumbing and/or equipment resulting from the failure of customer-installed pressure regulators.

## 5.3. SPECIAL FACILITIES AND EXTENSION OF WATER MAINS

Special facilities may be required at Casitas' sole discretion provided the additional facilities will not impair Casitas' existing system, in Casitas' opinion. Where the conditions of service require special facilities, as determined by Casitas, the customer shall be responsible for the actual cost of furnishing, installing and inspecting such special facilities. Such special facilities may include, but are not limited to, turnouts, heavy duty pipeline, fittings, and regulators required when pipeline pressures exceed 150 pounds per square inch; excess pipeline, trenching, installation of casing, and paving, when required, when the length of service pipeline required is in excess of 60 feet; or the conditions of the service require the crossing of a State highway; or other special equipment including pumps or reservoirs that are not normally required in the installation of individual service connections.

Depending on the scope of the project, Casitas will require the customer to hire a Civil Engineer licensed in California and experienced with such work to prepare plans for the required facilities in accordance with District standards. All plans and specifications must be approved by Casitas prior to installation.

Whenever extension of the water system is required because the lands to be served do not lie along a pipeline of adequate capacity or proper pressure, or special facilities for water service are required, the District will decide if the works will be installed by the District or a District-approved contractor. Encroachment permits for installations by a District-approved contractor are the responsibility of the customer.

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### 5.3.1. BACKFLOW PREVENTION DEVICES

The customer may be required to furnish, install and provide an annual certification for a backflow prevention device at their sole expense in compliance with the requirements as set forth in Section 13: Cross-Connection Control and Backflow Prevention; California Code of Regulations (CCR) Title 17, Section 7604; or the California Plumbing Code.

#### 5.4. RELOCATION OF EXISTING SERVICE FACILITIES

When a change in the location of existing service facilities is deemed necessary by Casitas, such change in location shall be accomplished at Casitas' expense.

When the relocation of existing service facilities is required, as determined by Casitas, as a result of action taken by the customer or when such relocation is requested by a customer for their convenience, and upon approval by the General Manager, such relocation shall be accomplished at the customer's expense following provisions in Subsection 5.5: Connection and Installation Fees.

#### 5.5. CONNECTION AND INSTALLATION FEES

The fees paid by the customer for all new water service installations, including increases or reductions in the size of a meter and service, shall be based on actual costs incurred by Casitas including, but not limited to, engineering, plan check and inspection services; construction contracts; permits; legal services; installation; abandonment of existing services; materials; operation and maintenance shutdown costs; meter costs; overhead costs; and other related work occasioned by such installation. Appendix B: Schedule of Fees and Other Charges shows the fees and deposits required.

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##### 5.5.1. INSTALLATION BY CASITAS:

The facilities may be installed by Casitas with the cost associated with service to the applicant's property paid by the applicant.

Payment of the fees for Casitas' installed services will be based on estimated costs. The fees or estimated fees shall be paid in full at the time application is made for water service. An adjustment of the estimated costs to actual costs shall be made when the service installation is completed and the difference will be owed by or refunded to the applicant after installation is completed.

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##### 5.5.2. INSTALLATION BY CUSTOMER:

Casitas reserves the right to perform water service installations, and all meters will be installed by Casitas. When Casitas approves water service installations by the customer, the customer must hire a Casitas-approved contractor to install the facilities, except for the meter itself. Facilities installed and financed by the customer are subject to the following conditions:

- Facilities are installed in accordance with plans and specifications previously approved by Casitas.
- Prior to proceeding with the work, the customer must enter into a binding Customer Hires Contractor written agreement with Casitas in which the customer takes responsibility for workmanship for a one-year period after installation.
- The contractor performing the work shall be licensed in California, experienced with such work, and be approved by Casitas.
- The installations are subject to inspection and approval by Casitas, and the customer must pay Casitas for inspection fees.
- Work that does not meet Casitas' standards shall not be accepted by Casitas. Service shall be isolated and not permitted until the service complies with Casitas' standards.
- Contractors will provide to Casitas a Certificate of Insurance as defined by Casitas.
- Any repairs by Casitas within one year of acceptance will be paid by the property owner.

## 5.6. OWNERSHIP OF SERVICE FACILITIES

Unless specified otherwise as a condition of special facilities herein or by agreement with Casitas, ownership of service facilities shall be as described in the following subsections.

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### 5.6.1. CASITAS-INSTALLED FACILITIES:

Casitas shall retain ownership of all Casitas-installed meters, appurtenances, and connection piping ahead of the meter. The valve on the outlet side of the meter, all piping (either above or below ground), pressure regulators, backflow prevention devices, and any special facilities beyond the meter are considered to be owned by the customer and their proper operation and maintenance are the responsibility of the customer.

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### 5.6.2. CUSTOMER-INSTALLED FACILITIES:

By special agreement with Casitas, the customer may furnish and install all of the required service facilities between Casitas' pipeline and the outlet side of the meter, except the meter itself, in accordance with Casitas' Standard Specifications and Details at their sole expense. Such customer-installed facilities between Casitas' pipeline and the outlet side of the meter normally shall become the property of Casitas and shall thereafter be maintained by Casitas.

In cases where meters were provided by a water agency customer of Casitas in connection with related features of its water system and it is deemed impracticable for Casitas to maintain the meter, then the customer shall retain ownership of such meter and shall maintain it in proper working condition. Casitas shall have the right to require the customer to test such meters for accuracy at reasonable intervals and shall have access to such meters for inspection, testing and meter reading purposes.

## 6 CAPITAL FACILITIES CHARGE AND ALLOCATIONS

The Capital Facilities Charges (CFC) is provided in Appendix B: Schedule of Other Fees and Charges. Once paid, the CFC is not refundable.

### 6.1. NEW CUSTOMERS SUBJECT TO CFC

New customers are parcels which do not have an existing service or have not received legal water service from an existing meter of Casitas or do not fall into the categories below. New customers are subject to CFC. The new customer shall specify on the application the proposed type and size of service. Upon review, Casitas will make the final determination of the appropriate customer class, required size of service and allocation consistent with other services in the District.

### 6.2. EXISTING CUSTOMERS SUBJECT TO CFC

Existing customers are those parcels which have a legal existing service or have received legal water service from an existing meter. This also includes customers with active accounts within other water systems that are acquired by Casitas (including Golden State Water Company's Ojai system) as of the date of final acquisition by Casitas Municipal Water District.

- 6.2.1. Existing customers who request enlargement of existing meters for a new or existing structure, new or existing agricultural plantings, or expansion of agricultural plantings or who request additional allocation are subject to the CFC. If the service line does not have sufficient capacity for an enlarged meter, an existing customer with existing service must enlarge the meter rather than add a new meter, except in cases where the purpose of an additional new meter is specifically for dedicated fire flow. If the existing service line has inadequate capacity, the customer must also abandon the existing service line and install a larger service line. Only a Casitas-approved contractor may hot-tap the existing water main and install a new service line.
- 6.2.2. Existing customers who have an adequately sized meter, in the opinion of Casitas based upon average usage and size in the Casitas service area, who wish to add allocation for new structure(s), change in business or land use, or new agricultural plantings shall be charged CFC.
- 6.2.3. For new accessory dwelling units added to any land with an existing residential service from Casitas, no Capital Facilities Charge shall be assessed except under the following circumstances:
  - the ADU is to be constructed with a new single-family dwelling;
  - the ADU development requires increased service or meter capacity; or
  - the customer requests an increase in the allocation subject to standard policies for essential and non-essential allocation amounts within the Water Efficiency and Allocation Program.

### 6.3. DIVIDING SERVICE

Dividing services is where the customer divides one parcel into two or more legal parcels anticipated to be under separate ownership, or has several contiguous parcels legally connected to one meter under an existing agreement with Casitas and proposes to place these parcels under different ownership and the parcels do not fall into one of the categories below, unless referred here from that former category. The customer may divide the service in any way the customer wants amongst the divided parcels provided:

- 6.3.1. The customer divides the services and allocation prior to selling the property and prior to the issuance of a will-serve letter for a parcel split.
- 6.3.2. The total allocation does not change. The combined allocation of the divided parcels does not exceed the allocation of the original whole parcel. If the divided parcels require additional water allocation and said allocation is available from Casitas, the fees for the determined allocation shall be based on

the acre-feet of additional allocation required times the rate for the capital facilities charge, as defined in Section 6: Capital Facilities Charge and Allocations.

- 6.3.3. The combined maximum flow rate of the meters to serve the divided parcels does not exceed the maximum flow rate of the single meter that served the original whole parcel. If the original meter was already a small size, and the size of the divided meters cannot be sized smaller to maintain the same or less maximum flow rate, the customer may be subject to the CFC upon Casitas' assessment of proposed water use and flow rates.
- 6.3.4. Each parcel must have an adequately sized meter and allocation to deal with existing houses and agriculture on the resulting parcel as determined by Casitas' assessment.
- 6.3.5. If additional allocation and/or maximum flow rate is required beyond that which exists, the parcel will be treated as an existing customer requiring a new meter or larger meter. The minimum charge for additional meter maximum flow rate shall be the difference between the maximum flow rate of the original single meter and the combined maximum flow rates of the resultant meters, resulting in the change of flow rate on the system, 0.47 times the CFC for each 40 gallons per minute of resultant change in flow rate, or the requested allocation, whichever is larger. The existing meter must be reduced if either water allocation or flow capacity is redistributed to divided parcels. There is no refund to the customer for the sum flow capacity of the divided meters being less than the original meter flow capacity. The following table shall be used for this calculation:

Meter Size (inches)	Maximum Flow Rate (Gallons per Minute)
5/8	20
3/4	30
1	50
1-1/2	120
2	160
3	320
4	1,000
6	2,000
8	3,500

- 6.3.6. DIVIDING SERVICES WITH SIZING BASED UPON FIRE FLOW:  
 Domestic and fire services combined into one service shall be divided as follows:

If a service to be divided was increased in size in the past for inclusion of fire flow, the increased sized meter area for the fire service shall be excluded in the dividing of services. The parcel identified with the fire flow shall be provided with allocation and area of meter based upon full build out of the parcel based upon the average allocation and service size within Casitas. Any remaining allocation and area of meter except that for the fire service shall be divided as described under Subsection 6.3: Dividing Service.

- 6.3.7. DIVIDING SERVICES WITH SIZING BASED UPON LOW PRESSURE:  
 It is the policy of Casitas that low pressure situations will be solved by the customer's booster pumping at the customer's own expense. A service that was previously increased in size for low pressure can be divided subject to paying the CFC for providing an adequate allocation and service size as determined by Casitas' assessment.

**6.4. INCREASING SIZE OF SERVICES FOR FIRE FLOW**

Casitas will allow an increase of a service size for fire flow and the customer will be responsible for the cost of the service facility charge to install a meter/service upgrade and the removal of the undersized meter/service.

No increase in allocation will be provided for fire flows. The customer shall pay the monthly service charge for the increased meter size.

#### 6.5. DECREASING SIZING TO A SMALLER METER

A property owner can downsize the meter size at the cost of installing a smaller meter (refer to Subsection 5.5: Connection and Installation Fees) only if, in the opinion of Casitas, the smaller meter can pass adequate flow without damage to the meter. It is the responsibility of the property owner requesting the size reduction to verify the requested meter size will provide sufficient flow and pressure to comply with California Plumbing Code and National Fire Protection Association requirements and meet the needs of the occupants of the property.

Casitas can install an orifice plate if deemed necessary to protect the meter, and the customer can verify a lower water demand capacity required by the private system. Casitas also reserves the right to change the meter size if it is later determined the meter flow or pressure is operating beyond the originally approved conditions and/or outside the manufacturer's recommended range; the property owner will be responsible for costs described Section 6.6.

The water allocation for the property may be reduced as deemed appropriate by Casitas' assessment and the property owner must sign a statement indicating they acknowledge such relinquishment of allocation. There shall be no refund of larger meter size capacity fees upon reduction in meter size.

An Application for Reduction in Water Meter Size and supporting documentation shall be submitted by the property owner and the Application Processing Fee in Appendix B: Schedule of Fees and Other Charges shall apply. In the event an application review requires significant staff time by Casitas, a Meter Reduction Application Deposit may be required to which staff time will be charged. Unused deposit fees will be refunded and the applicant must pay any overage. The fees will not be refunded in the event the application is denied.

#### 6.6. INCREASING SIZING AFTER OBTAINING A SMALLER METER

If, after previously decreasing sizing to a smaller meter, there is a return to the original size meter or a meter no larger than the original size, the customer shall pay the lesser of the charge based on 0.47 times the CFC for each 40 gallons per minute of resultant change in flow rate or the sum of the original service charges avoided since the reduction in size. Meters that were divided per subsections within Section 6: Capital Facilities Charge and Allocations shall require payment of the full CFC for the additional capacity of the meter added to the system by the meter flow rate increase proposed. The customer shall also follow installation requirements and pay fees necessary to cause the physical increase in the meter and service size (refer to Subsection 5.5: Connection and Installation Fees).

#### 6.7. PERMANENT CONVERSION OF AGRICULTURE TO OTHER USE

A conversion occurs when there is a change from agricultural use to a housing tract (subject to approval from appropriate land use agency) with less than 2.5 acres per parcel and the parcel no longer meets the minimum agricultural acreage replacement. Allocation for agricultural land is allocated to the entire agricultural community. New housing tracts must purchase a housing allocation at the CFCs for each new house.

#### 6.8. TRANSFERS OF ALLOCATIONS

Water allocations are assigned to properties or water purveyors. No transfers are permitted from one property or water purveyor to another. If the property is divided, allocations may be divided proportionately through agreement with Casitas at the time the property is divided. Failure to divide the allocation at the time of dividing the property shall result in all the water being assigned to the property with the meters. Water allocations shall not be sold, bartered, traded, or transported to another property or customer. All private agreements regarding such transfers are void.



## 7 CHARGES FOR INTERACTING WITH THE BUREAU OF RECLAMATION ON REQUESTS FROM OTHERS

Upon request from private parties or agencies other than the Bureau of Reclamation for Casitas to review any action which the Bureau of Reclamation needs to approve, Casitas shall charge the actual cost of that review and any charges that the Bureau of Reclamation shall charge for that review to the private party or agency other than the Bureau of Reclamation. Casitas shall make an estimate of the cost for that review and the private party or other agency shall make payment prior to the review. Any extra costs shall result in Casitas updating the cost and the private party or other agency shall pay the additional estimate prior to Casitas' submittal of the document(s) to Reclamation for approval. The actual cost shall include direct labor and equipment plus a cost for overhead.

## 8 WILL-SERVE LETTERS

For the purpose of this policy, will-serve letters shall be only those letters which are valid promises to provide water without conditions. Without conditions means will-serve letters include all of the following requirements:

- Will-serve letters say “Will Serve” only, and not otherwise be stated as a conditional water availability letter or be responses to information requests, or the like.
- Will-serve letters have no conditions other than following the general rules of the agency and requirements for water conservation devices.
- All fees have been paid.
- All agreements are complete.
- It is a final commitment to serve.
- The will-serve letter has an expiration date of one year from the date issued.

Without the above, they are not will-serve letters.

Upon request by the owner, or designee, of any parcel of land within the boundaries of Casitas and provided the resolution of all water service and fire protection requirements are met in a manner satisfactory to Casitas and in compliance with State and local regulations, standards, and requirements, Casitas may issue letters with or without additional terms, conditions or restrictions. The fee for providing a Will Serve Letter is provided in Appendix B: Schedule of Fees and Other Charges.

### 8.1. PARCEL REQUIREMENTS FOR WATER SERVICE

Letters will not be issued for any parcel which is located within the service area of another water purveyor unless the water purveyor has granted written permission to Casitas to serve the parcel. Casitas may require other governmental agency approvals such as the Local Agency Formation Commission prior to service.

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#### 8.1.1 SINGLE PARCELS

Single parcels are defined as those parcels which are zoned so that further splits cannot be made. Water service will be provided in accordance with one of the following alternates as determined by Casitas:

- 8.1.1.1. INSTALL METERS ONLY: Install a metering facility to serve the single parcel. The metering facility will be installed within the public right-of-way or easement at a location acceptable to Casitas and determined at Casitas’ sole discretion. This alternate assumes the Ventura County Fire Department and/or Casitas are completely satisfied adequate fire protection can be afforded to the single parcel from Casitas' existing distribution facilities.
- 8.1.1.2. INSTALL DISTRIBUTION FACILITIES: Install the distribution facilities necessary to provide adequate fire protection and to serve the single parcel through a metering facility. This alternate assumes the Ventura County Fire Department and/or Casitas require distribution facilities be installed in order to provide domestic and fire protection service to the single parcel in accordance with the Casitas’ Standard Specifications and Details.

Such facilities shall be limited where, in the opinion of the Casitas General Manager, the water quality of the service could affect the health of customers.

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#### 8.1.2 INSTALL MASTER METER FOR ASSOCIATION

A master metering facility may be installed to serve said single parcel for which the owners thereof have joined together and formed an association as described in Subsection 2.1: General Definitions. The association must

enter into a Water Service Agreement with Casitas for the purpose of installing said distribution and fire protection facilities.

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### 8.1.3 FIVE OR FEWER MULTIPLE PARCELS:

Multiple parcels are defined as those parcels which are being subdivided into five (5) or fewer lots from a single parcel. Water service will be provided in accordance with one of the following alternates as determined by Casitas:

- 8.1.3.1 **SEPARATE METER INSTALLATION:** Install a separate metering facility to serve each of the multiple parcels. These metering facilities will be installed within Casitas' right-of-way at a location acceptable to Casitas. This alternate assumes the Ventura County Fire Protection District and/or Casitas are completely satisfied adequate fire protection can be afforded to each of the multiple parcels from Casitas' existing distribution facilities.
- 8.1.3.2 **INSTALL DISTRIBUTION FACILITIES:** Install the distribution facilities necessary to provide adequate fire protection and to install separate metering facilities to serve each of the multiple parcels from the new distribution facilities. This alternate assumes that the Ventura County Fire Protection District and/or Casitas require distribution facilities be installed in order to provide domestic service and fire protection to each of the parcels in accordance with the Ventura County Waterworks standards, as amended from time to time.
- 8.1.3.3 **REIMBURSABLE AGREEMENT:** All of the owners of the multiple parcels are required to enter into an agreement with Casitas for the installation of the distribution facilities described above. Installation procedures and fees shall be in accordance with Subsection 5.5: Connection and Installation Fees.

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### 8.1.4 SUBDIVISION – FIVE OR MORE PARCELS:

A Will Serve Letter may be issued for any parcel which is being subdivided in accordance with the Subdivision Map Act and for which the County of Ventura requires the developer to construct the necessary water distribution and fire protection facilities as a condition for approval of the subdivision. Such letter will request that approval of the subdivision not be granted until after an agreement between the developer and Casitas has been fully executed and notice thereof has been forwarded to the County.

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### 8.1.5 ACCESSORY DWELLING UNITS

District rules and regulations shall comply with California and local requirements regarding Accessory Dwelling Units (ADU). The District will rely on permitting and certificates of occupancy available from local land use agencies to establish qualification for ADU status.

ADUs constructed on single-family residential parcels, either within an existing building envelope or in a new permitted structure, will not be independently metered by the District.

All ADU developments are required to meet District and local agency requirements for hydraulic capacity of service, including service line capacity, water meter capacity and, if applicable, fire sprinkler capacity. In the event that an ADU development requires increased service or meter capacity, costs associated with increased service will be applied.

## 8.2. DESIGN STANDARDS RELATED TO WATER USE EFFICIENCY

The District encourages the installation of water-conserving landscaping as well as water-saving devices in plumbing and water-using appliances. The following minimum requirements may be considered as a condition of approval:

- California Code of Regulations Model Water Efficient Landscape Ordinance
- California Plumbing and Green Building Code Water Efficiency Requirements
- More stringent water use efficiency measures imposed by Casitas

All landscape plans shall be prepared and stamped by a landscape designer or architect licensed in the State of California. The efficient use of water is mandated in the design of any new landscape area.

Additional conditions may apply during water shortage conditions when the District is implementing its Water Efficiency and Allocation Program.

## 9 PUBLIC AND PRIVATE FIRE SERVICE

### 9.1. PUBLIC FIRE SERVICE

The District will provide water service for fire hydrants and other facilities used exclusively for fire protection at pressure and rates of flow as may be available at such time as a result of the operation of the District's storage, transmission, and distribution facilities. All connections are required to meet current District standards. The District does not warrant or guarantee any pressure or range of pressures or rates of flow. The District shall not be liable for any damage in any manner arising out of the non-availability of water or water pressure at any hydrant or facility used for fire protection.

#### 9.1.1. PUBLIC FIRE HYDRANTS

Public fire hydrants will be installed and connected to the District's mains when requested by the public fire protection entity having jurisdiction or when required as a condition of a building permit or subdivision. When a hydrant is installed on an existing main at the request of the public fire protection entity, the work will be performed by a District-approved contractor or the District's forces and the entity will pay all costs associated with either option. When a hydrant is installed as a condition of a building permit or subdivision, the District's cost of design, materials and installation of the connection to the District's main, fire hydrant assembly, and all facilities and appurtenances thereto shall be paid by the holder of the building permit or the developer of the subdivision. Alternatively, with the approval of the District, the developer may use their own design engineer and a Casitas-approved contractor and must place a plan check and construction inspection deposit with the District prior to commencement of the project.

#### 9.1.2. OWNERSHIP AND RELOCATION OF DISTRICT FIRE HYDRANTS

The District owns, repairs, inspects and maintains fire hydrants and bury units.

When a fire hydrant has been installed in the location specified by a proper authority, the District has fulfilled its obligation. If a property owner or other party requests a change in the size, type or location of the hydrant, the requestor shall bear all costs of such changes without refund, and such changes will be subject to current District standards and completed only upon approval by the proper authority and the District.

#### 9.1.3. USE OF FIRE PROTECTION FACILITIES

Water shall not be used from fire protection facilities for other than fire suppression purposes without application for temporary service having been made to Casitas and Casitas having approved such application. Without an approved application for temporary service, any water used for purposes other than fire suppression from fire protection facilities shall be considered unlawful taking of water.

### 9.2. PRIVATE FIRE SERVICE

All private fire service shall be designed based on Casitas' Standard Details and Specifications.

Casitas may grant applications for private fire service for sprinkler service or private fire hydrants for fire protection services on a single parcel. A detector-double-check-type assembly with tattle-tale-type meter is required on all private fire service connections. The customer's installation must be such as to effectively separate the fire system from that of the regular water service system. Customer shall provide separate piping for fire protection from that of other water uses, including, but not limited to, separate metering facility for other water uses, piping and backflow prevention, as required. The customer is required to install, test and maintain the appropriate backflow prevention device in accordance with the provisions set forth in Section 13: Cross-Connection Control and Backflow Prevention, herein. The required meter installation may be installed by the

customer using a District-approved contractor in accordance with plans previously approved by Casitas or may be constructed by Casitas at the customer's expense. Any usage will require an explanation. The District reserves the right to disconnect a privately-owned fire protection system or to require a metered service to be installed in lieu thereof in the event water is taken through the fire service for any use other than fire protection.

Casitas' responsibility stops at the riser of the detector check. The customer is responsible for constructing and maintaining private fire lateral and appurtenances from the meter to said parcel in accordance with current fire protection standards. The customer shall pay for all costs associated with the installation and maintenance of the fire service. The District reserves the right to require more stringent backflow protection if it deems necessary and may require existing private facilities that do not meet current standards to be upgraded at the owner's expense.

The District must approve the placement of private fire hydrants and mains to eliminate parallel private hydrants and mains being placed in close proximity to District mains and fire hydrants. The fire authority responsible for approval of fire protection related requirements shall determine fire protection requirements. The District shall solely and conclusively approve the number, location, and alignment of each fire service and required backflow protection equipment. The location of the assembly shall be determined by the District. If the approved location is on private premises, the property owner shall provide an easement and the District maintains the right of access to inspect the assembly and perform repairs to the District-owned portion of the fire service in accordance with Section 11: Casitas Equipment on Customer Premises.

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#### 9.2.1. SERVICE CHARGE FOR PRIVATE FIRE PROTECTION FACILITIES

Water used for fire suppression from a fire protection facility shall be furnished without charge. The Service Charges for private fire service shall be in accordance with Appendix A: Monthly Water Rates and Service Charges.

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#### 9.2.2. CAPITAL FACILITIES CHARGE EXEMPTION FOR FIRE PROTECTION FACILITIES

New and existing service connections used solely for fire protection purposes shall be exempt from payment of the Capital Facilities Charge. No increase in allocation will be provided for fire flows. Service installed solely for fire protection service may not be modified in the future to provide other water service without payment of the Capital Facilities Charge.

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### 9.3. FIRE FLOW TESTING AND VERIFICATION

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#### 9.3.1. FIRE FLOW TESTING

The Fire Hydrant Flow Test Request Form shall be submitted to the Engineering Manager, along with the fee for a Fire Hydrant Flow Test as shown in Appendix B: Schedule of Fees and Other Charges. The requestor shall coordinate the fire flow test with Casitas including scheduling and observation by a Casitas representative. At no time shall a fire flow test be performed without submission of the Request Form, payment of fees, and observation by Casitas representative. Any person operating Casitas valves or hydrants in violation of these requirements shall be subject to penalties as described in Section 14: Protection of Casitas Facilities and Water Supply and Appendix B: Schedule of Fees and Other Charges.

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#### 9.3.2. FIRE FLOW VERIFICATION

The Ventura County Fire Department (VCFD) may request fire flow verification on a VCFD form for a specific property related to a proposed development within Casitas' service area. The VCFD Fire Flow Verification fee for Casitas to complete VCFD's form is shown in Appendix B: Schedule of Fees and Other Charges. Such forms shall be submitted to the Engineering Manager and payment of fees is required before the form is completed and returned to the applicant.

## 10 TEMPORARY WATER SERVICE

Application for temporary water service shall be made in writing on a form provided by Casitas and submitted by the customer at least three (3) business days in advance of the requested installation date. Temporary service is intended primarily for construction purposes, although it may be approved for other uses such as sanitary sewer flushing purposes or short-term agricultural use. Provision of temporary water service shall not be considered mandatory but shall be made at the sole discretion of Casitas. Temporary service will not be provided in those instances where Casitas determines that a permanent service would be more appropriate. Such determination by Casitas will be based in part upon the ultimate classification of the service to the applicant. Temporary water service may be provided for a maximum period of one year unless otherwise approved by the General Manager. A written request for extending a temporary service in excess of one year is required prior to the expiration of the original twelve months. Casitas may remove such service at any time for any reason. Temporary irrigation service shall comply with all the applicable portions of Appendix B: Schedule of Other Fees and Charges, Section 14: Protection of Casitas Facilities and Water Supply, and Section 15: Water Supply and Interruption of Delivery.

### 10.1. INSTALLATION FEE

A meter installation fee as provided in Appendix B: Schedule of Other Fees and Charges shall be paid by the applicant at the time temporary water service is requested; provided, that where temporary water service is desired from an outlet other than a fire hydrant and/or special piping or other fittings are required for the connection, the installation and relocation fees shall be increased to cover the actual cost of installation. No charge shall be made to the applicant for the cost of the meter.

### 10.2. GUARANTEE DEPOSIT

The applicant shall be required to pay a deposit per the amount in Appendix B: Schedule of Other Fees and Charges as a guarantee of payment of charges for temporary water service. If the customer is a water agency, or if the customer has established good credit to the satisfaction of Casitas as stated in Subsection 3.7: Deposit and Establishment of Credit, the deposit may be waived by Casitas' General Manager or designee.

### 10.3. RELOCATION FEE

If a temporary water service customer requires relocation at multiple points in Casitas' system, a relocation fee per the amount in Appendix B: Schedule of Other Fees and Charges shall be paid by the customer for each such change of location, the cost of which shall be accrued or paid at the time of billing. Requests for relocations must be made at least three (3) business days in advance of the relocation, and all relocations are subject to approval by Casitas.

### 10.4. REIMBURSABLE CASITAS FACILITIES

Temporary water or temporary irrigation service shall not be provided to property that is liable for repayment to Casitas of costs associated with financing and construction of distribution facilities to serve said property.

### 10.5. WATER RATES FOR TEMPORARY SERVICE

Payment for all water use on the temporary meter is the customer's responsibility. The water rates and service charges for temporary service shall be in accordance with Appendix B: Schedule of Other Fees and Charges.

### 10.6. DISREGARD OF "RATES AND REGULATIONS FOR WATER SERVICE"

Willful disregard of these Rates and Regulations for Water Service or special arrangements made for temporary service shall result in immediate discontinuance of such service and forfeiture of the deposit.

## 11 CASITAS EQUIPMENT ON CUSTOMER PREMISES

### 11.1. RIGHT OF ACCESS AND EASEMENTS

Prior to installation of any water service, the applicant shall grant to the District, without cost to the District, any lands, easements, or rights-of-way determined by the District to be reasonably necessary to accomplish the installation, maintenance, repair, and replacement of District facilities.

By applying for or receiving water service from the District, the applicant, on behalf the owners, tenants and occupants of the land where the water is to be used, grants to the District, its employees and representatives, permission to enter said land for the purpose of installing, reading, inspecting, testing, operating, maintaining, repairing or replacing any meter, meter box, pipeline, valve or other District facility on said land that is reasonably necessary to provide water service to said land.

The owners and occupants of the land to which water service is provided shall have the duty to remove or cause to be removed any barriers or obstructions including but not limited to landscaping, structures, vehicles, fences, gates, locks, animals, or anything that obstructs or impairs said access. If after reasonable notice to the owner and/or occupant of the land the obstruction(s) is not removed, the District shall have the right in its discretion to remove it and to charge the costs thereby incurred onto the water bill of the customer or owner of the obstruction. These costs may include, but are not limited to, towing services, employee costs, equipment rental, tree removal, legal services and the like.

Failure to comply with this section shall be grounds for discontinuation of the service. Service may be discontinued until such time as the condition limiting access has been modified or removed and access is deemed safe and acceptable to the District.

The District shall have the right to remove any and all of its facilities installed on the customer's property at the termination of service.

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#### 11.1.1 PROPERTIES WITHOUT WATER SERVICE

In cases where District facilities are located on parcels without water service, an easement agreement shall be executed granting District employees and representatives permission to enter said land for the purpose of installing, inspecting, testing, operating, maintaining, repairing or replacing any District facility on said land. The owners and occupants of the land shall have the duty to remove or cause to be removed any barriers or obstructions that impair said access.

If after reasonable notice to the occupant of the land the obstruction is not removed, the District shall have the right in its discretion to remove it and to charge the costs thereby incurred. These costs may include, but are not limited to, towing services, employee costs, equipment rental, tree removal, legal services and the like. The District shall have the right to remove any and all of its facilities installed on the property.

### 11.2. RESPONSIBILITY OF PROPERTY OWNER

The property owner shall exercise care to prevent damage to or interference with the operation or servicing of Casitas equipment. The property owner shall be liable for any damage to Casitas owned meters, locks, or other equipment which is caused by the customer or their tenants, agents, employees, contractors, licensees, or permittee and must promptly reimburse Casitas on presentation of a bill for any such damage. Additionally, the property owner shall be liable for any interference with the operation or maintenance of Casitas facilities and equipment that is encountered by Casitas or its agents such as parked vehicles, temporary or permanent structures, etc. The bill for such damage or interference will be determined by Casitas based upon the extent of the damage or interference and the applicable charges will be added to the customer's account and the customer will be subject to turn-off procedures if the bill is not paid in a timely manner as described in Section 19.3: Delinquency.



## 12 RESPONSIBILITY FOR WATER RECEIVING EQUIPMENT AND HANDLING

### 12.1. RESPONSIBILITY OF CUSTOMER FOR WATER RECEIVING EQUIPMENT

The customer shall be responsible for connecting their facilities to Casitas' meter. The customer shall furnish and install at their own risk and expense that portion of the water system which begins at the outlet side of the meter. Such water receiving equipment shall remain the property of the customer and they shall be responsible for its maintenance and repair. Where a control valve has been installed on the customer side of the property, the customer shall use this valve only and shall not use the service curb stop to turn water on and off for their convenience. Casitas may, at its sole discretion, require the customer to install protective devices or adjust, replace, or discontinue using any water receiving or regulating equipment when surges or other potentially damaging effects to Casitas' water system are caused by the customer's operations or equipment. Casitas may require the customer to submit plans of this proposed water receiving equipment for approval by Casitas prior to the installation of its service connection facilities. Where reduced or increased pressure is desired by the customer, they shall be responsible for installing and maintaining the necessary pressure regulators, pumps and low suction cut off switch, and relief valves. In such cases, the equipment shall be installed on the customer's side of the meter and at their expense.

### 12.2. CASITAS NOT LIABLE FOR WATER RECEIVING EQUIPMENT

Casitas shall not be responsible for any loss or damage caused by the negligence, want of proper care, or wrongful act of the customer or any of their tenants, agents, employees, contractors, licensees, or permittees in installing, maintaining, using, operating, or interfering with any water receiving equipment. The District shall not be liable for any loss, damage, or inconvenience to any person by reason of any shortage, reduction, interruption, or discontinuance of water service or the increase or decrease of water pressure including transient pressure surges. Furthermore, Casitas shall not be responsible for damage caused by faucets, valves, and other equipment which may be open at any time that water is turned on at the meter.

### 12.3. RESPONSIBILITY FOR HANDLING OF WATER BEYOND THE POINT OF DELIVERY

The District is responsible for the handling and transmission of water up to the designated point of delivery of water to the water user. Each water user shall bear the risk of loss, and shall be responsible for the carriage, control, handling, storage, distribution and use of all water furnished by the District from and beyond the point of delivery. Each applicant for water service, customer of the District, and user of water furnished by the District shall hold the District harmless from any damage suffered by the District and shall indemnify the District from liability or claim of liability for property damage or personal injury, including death, resulting from the carriage, control, handling, storage, distribution or use of water after it passes the point of delivery. The point of delivery of water delivered by the District shall be the discharge side of the District's meter.

## 13 CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION

The purpose of this section is to prevent water from unapproved sources, or any other substance, from entering the District's treated water distribution system, in accordance with the regulations of the State of California relating to cross-connections (Title 17 California Code of Regulations, [CCR] Section 7583, et seq.). This chapter is intended to supplement, but not supersede, State statutes, codes, ordinances, and regulations relating to water supply and plumbing. Casitas reserves the right to require cross-connection protection in excess of those required in Title 17 CCR.

Where applicable, all cross-connection protection devices shall be designed based on Casitas' Standard Details and Specifications.

### 13.1. RESPONSIBILITY OF PROPERTY OWNER

In making plumbing connections, the property owner must comply with the regulations of the State Water Resources Control Board, as set forth in Title 17 of the California Code of Regulations and the United States Environmental Protection Agency. Such regulations prohibit: (1) unprotected cross-connections between a public water supply and any unapproved source of water and (2) unprotected actual or potential connection between the public water supply water and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome, and potable. By-pass arrangements, jumper connections, removable sections, swivel or changeover devices, or other devices through which backflow could occur, shall be considered to be cross-connections.

If Casitas has any reason to believe a backflow prevention device may be necessary, the property owner may be required to verify the need for such devices with the Ventura County Environmental Resource Agency-Environmental Health Division (Ventura County Environmental Health Division). However, Casitas reserves the right to impose whatever requirement it deems necessary to protect the public water supply.

When requested, the property owner, at their sole expense, shall furnish and install an approved backflow device to the satisfaction of Casitas and/or the Ventura County Environmental Health Division.

If a backflow prevention device is present on the property owner's premises; the property owner shall not remove the device unless: (1) a cross-connection evaluation has been conducted by a certified cross-connection control specialist, (2) all potential cross connections have been removed to the satisfaction of Casitas and the Ventura County Environmental Health Division, and (3) written approval by Casitas to remove the device is given. At a minimum, the evaluation should consider: the existence of cross-connections, the nature of materials handled on the property, the probability of a backflow occurring, the degree of piping system complexity and the potential for piping system modification. The removal of a backflow prevention device without written approval may result in the discontinuation of water service by Casitas.

### 13.2. CASITAS REQUIREMENTS

Casitas, in compliance with Public Health Regulations, requires the installation of approved backflow prevention devices or other protective devices before granting or continuing service under such conditions as set forth herein:

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#### 13.2.1. ALTERNATE SUPPLY

Where another source of water is in use or is available for use unless otherwise granted an exclusion in writing by the Casitas General Manager. This includes a well or other additional source of water, or a connection to or access to an additional source of water, including recycled water. Periodic water quality test results and other

requirements shall be required by the Casitas General Manager of alternate supplies of water which have been granted an exception. When such periodic water quality test results are required by Casitas, they shall be obtained and provided at the sole expense of the property owner.

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#### 13.2.2. CONTAMINATED SUBSTANCES

Where contaminated liquid or soluble substances of any kind are used, produced, or processed.

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#### 13.2.3. FERTILIZERS AND CHEMICALS

When service is made to land or facilities upon which the privately-owned water facilities are used for the application of fertilizers or other chemicals through injection of such substances.

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#### 13.2.4. AGRICULTURAL APPLICATIONS

Where service is made to land or facilities upon which there is potential to utilize the private water system for purposes of irrigating crops, watering of livestock, supply to ponds or lakes, or private water systems which, at the sole discretion of Casitas, may pose a threat to the public water system's water quality.

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#### 13.2.5. SPECIAL CASES

In special cases, at the sole discretion of Casitas, Casitas may require the property owner to eliminate certain plumbing or piping connections as an additional precaution to prevent backflow. This includes such cases as:

- A. Any substance handled under pressure in such fashion as to permit entry into the water system;
- B. A swimming pool supplied by a separate water service or without a satisfactory air gap or anti-siphon device on the inlet line.
- C. Properties with more than one connection to the District's facilities and flow from one service to another can occur.
- D. Any internal pressure boosting system.
- E. An irrigation system supplied by a separate water service, including recycled water, or without a satisfactory anti-siphon device on the inlet line.
- F. Water hauling equipment that fills from hydrants.
- G. Fire protection systems which have an actual or potential contamination hazard to the District's distribution system.
- H. Properties with plumbing located 34 feet in height above the elevation of the water meter.
- I. Properties with a pond, fountain or trough supplied by a separate water service or without a satisfactory air gap or anti-siphon valve on the inlet line.

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### 13.3. PROPERTY OWNER INSPECTION OF PROTECTIVE DEVICES

The regulations of Casitas and the State of California require that the owner of any premises on or for which protective devices are installed for the protection of Casitas facilities shall cause these devices to be inspected and checked for proper operation within five (5) business days after installation, and at least once per year thereafter, or as directed by Casitas or the Ventura County Environmental Health Division, by a **certified backflow prevention device tester** who is certified by the Ventura County Environmental Health Division. All defective or inadequate devices shall be serviced, overhauled, or replaced at the customer's expense. A written report on this annual inspection, including any required corrective action taken, shall be submitted to Ventura County Environmental Health Division by the **certified tester** who made the inspection. **Failure to carry out the annual inspection, and take and document corrective actions as needed or directed by either Casitas or the Ventura County Environmental Health Division, shall result in discontinuance of water service by Casitas.** Casitas shall

make a good faith effort to notify the customer of required actions prior to discontinuation of water service. Service shall not be restored until corrective actions are taken and/or a passing backflow device test has been submitted to Casitas. The property owner is responsible for paying the service standby charges for the entirety of the discontinuation of service or risk forfeiture of the water allocation to that service.

#### 13.4. CASITAS INSPECTION OF PROTECTIVE DEVICES

Casitas reserves the right to inspect and test protective devices for proper operation. Service to any premises may be immediately discontinued if it is found that dangerous unprotected cross-connections exist or if any defect is found in the operation of the protective devices. Service shall not be restored until such defects are corrected by the customer.

#### 13.5. PROTECTION OF CUSTOMER'S PLUMBING SYSTEM

As a protection to the customer's water system, a suitable pressure relief valve must be installed where check valves or other backflow prevention devices are installed. Such installation must conform to the requirements of the plumbing code as adopted by the local jurisdictional agency. Such installation shall be installed and maintained at the customer's sole expense.

#### 13.6. DISCONTINUATION OF PRIVATE FIRE PROTECTION FACILITY

If non-compliance to test or take necessary corrective action results in the discontinuation of a private fire service, it is the responsibility of the customer to notify the fire authority the premises is not protected by a private fire service. Casitas is not liable for any damages or costs incurred as a result of discontinuation of fire protection services.

## 14 PROTECTION OF CASITAS FACILITIES AND WATER SUPPLY

### 14.1. UNLAWFUL TAKING OF WATER

No person shall open any valve or fire hydrant or by other means take or draw any water from any reservoir, pipe, canal, or other facility owned or operated by the District without the prior specific authorization of the District. The District may prosecute violators of Section 498 and 625 of the California Penal Code which make it a misdemeanor to tamper with or bypass meters, to take water without payment, or to take water from or through a connection that has been shut off by the District.

### 14.2. POLLUTION OF WATER SUPPLIES

No person shall place any waste matter, rubbish, or foreign material in any canal, well, reservoir, tank, or conduit operated by the District. The District may prosecute violators of Section 374.7 and 592 of the California Penal Code, which makes it a misdemeanor to pollute public water supplies.

### 14.3. TAMPERING WITH DISTRICT PROPERTY

No one, except an employee or authorized representative of the District, shall at any time or in any manner: 1) operate the any facilities of the District's system; or 2) interfere with meters, service connections, water, water mains, fire hydrants, valves, or any other facility, building, or infrastructure associated with or as part of the water system; 3) encroach on any District property, easement, or right-of-way where water system facilities or infrastructure are located. Any person, in addition to remedies set forth herein, shall be subject to the penalties set forth in Appendix B: Schedule of Other Fees and Charges.

### 14.4. DAMAGE TO FACILITIES

Any damage occurring to facilities owned by the District caused by 1) an action or failure to act by any customer, or any agent, employee, contractor, tenant or guest thereof; or 2) arising or resulting from any activity, device or occurrence on or off the customer's premises; shall be paid for by the customer in accordance with the schedule in Appendix B: Schedule of Other Fees and Charges.

The District may prosecute violators of Section 607 and 624 of the California Penal Code which make it a misdemeanor to damage willfully properties and facilities owned or operated by the District. The District may also bring a civil action for treble damages under Section 1882.2 of the Civil Code.

### 14.5. TRESPASS ON RIGHT-OF-WAY

The District may prosecute violators who trespass on any portion of the right-of-way of the Robles Diversion Facility and Canal, any property owned by the District, any property owned by the United States Bureau of Reclamation within the District's service area, any property on which the District owns an exclusive easement, except such areas designated and opened to public recreational use.

### 14.6. ELECTRICAL GROUNDS PROHIBITED

No electric circuit shall be grounded to any pipe or other facility of the District or to any plumbing or metal in contiguity. Any person who makes, or permits to be made, such a connection will be liable for any damage to the District and for personal injury that results.

#### 14.7. PENALTIES AND ENFORCEMENT ACTIONS

At the District's sole discretion, for any violation of any of part of this section (Section 14: Protection of Casitas Facilities and Water Supply), the District may take the following actions toward the violator as deemed appropriate:

- 14.7.1. Discontinuance or termination of water service
- 14.7.2. Assessment and collection of damages
- 14.7.3. Assessment and collection of fees for unmeasured water consumption
- 14.7.4. Impose a penalty as set forth in Appendix B: "Schedule of Other Fees and Charges"
- 14.7.5. Pursue criminal prosecution.

## 15 WATER SUPPLY AND INTERRUPTION OF DELIVERY

### 15.1. NO LIABILITY DUE TO INTERRUPTION OF DELIVERY

Casitas will attempt to deliver to customers a continuous and sufficient supply of water at the meter. Casitas, however, shall not be liable for interruption of service or shortage or insufficiency of supply or for any loss, damage, or inconvenience to any person by reason of any shortage, reduction, interruption, or discontinuance of water service or the increase or decrease of water pressure, when the same is caused by an act of God, drought, wildfire, an unavoidable accident, a shutdown, a customer's violation of these Rates and Regulations, a disturbance or condition of any kind beyond the reasonable control of the District.

### 15.2. NO LIABILITY DUE TO REPAIRS AND IMPROVEMENTS TO CASITAS MWD'S SYSTEM

For the purpose of making repairs or installing improvements to the system, Casitas shall have the right to temporarily suspend the delivery of water. Casitas will attempt to notify customers in advance of such action, and only if possible in cases of emergency. Repairs or improvements will be performed during regular working hours except in the case of emergencies as defined by Casitas. Casitas shall not be liable for any loss, damage, or inconvenience occasioned by or the result of repairs or improvements made to Casitas' system. The customer's water system is expected to be of sufficiently maintained condition as to be able to handle the effects of work being completed on Casitas' system.

### 15.3. WATER EFFICIENCY AND ALLOCATION PROGRAM FOR EXTENDED DROUGHT PERIOD AND WATER SHORTAGES

The District reserves the right to fix the time and rate of flow of all deliveries of water to each of its customers and, in the event of shortage, to allocate between its customers the water supply available to the District and to establish priorities to the available supply as the District shall consider necessary and in the public interest.

The Water Shortage Contingency Plan and/or Water Efficiency and Allocation Program (WEAP) shall establish, through a staged process, Casitas' customer allocation program in which the objective is to balance supplies and demand through an equitable distribution of existing available supplies during water shortages caused by extended drought periods.

Upon being advised by staff that available water supplies warrant response measures consistent with those associated with the District's WEAP and/or Water Shortage Contingency Plan, a staged water condition shall be declared by resolution of the Board of Directors. The Board resolution may identify and refer to such staged conditions in terms or titles specific to the current water shortage.

Upon adoption by the Board of Directors of a resolution declaring a staged water condition, the Board may adopt a resolution or ordinance containing such rules and regulations as necessary to restrict and regulate use of water from the District's water supply system in order to protect the public health and safety. Any person or entity who fails to comply with such rules and regulations is in violation and subject to the remedies and penalties provided by resolution or ordinance of the Board and as otherwise provided by law.

## 16 WATER USE REGULATIONS

### 16.1. REGULATIONS FOR PROHIBITION OF WATER WASTE

The recipients of water delivered by the District shall put the water only to reasonable and beneficial use and shall take all reasonable action to prevent the waste or unnecessary use of water. The District shall enforce all regulations under the Water Waste Prohibition Ordinance as per the recently adopted version included in Appendix C: Water Waste Prohibition Ordinance.

### 16.2. PLACE OF USE OF WATER

Water Code Section 71611 authorizes Casitas to sell water under its control for use only within the jurisdictional boundaries of the Casitas Municipal Water District. Except in cases of surplus water as determined by the Board and with the prior written consent of the Board on such terms and conditions as the Board shall prescribe, all water furnished by the District shall be limited to beneficial use within the boundaries of the District and on the land described in the application for water service. Service to lands outside Casitas shall be only on terms and conditions established by the Board respecting the particular service involved.

Continuing or reoccurring violations by any Casitas customer to export water outside Casitas boundaries without consent of the Board may result in the restriction or discontinuance of water service to the customer.

### 16.3. RESTRICTIONS ON RESALE OF WATER

No water furnished by the District shall be resold, except:

- A. Water supplied to a public or private water utility for resale and use within the utility's jurisdictional boundaries that are also within the District's boundary; or
- B. Water that has been further processed and packaged by a business or commercial customer in containers of five gallons or less; or
- C. With the prior written authorization of the District only on terms and conditions established by the Board respecting the particular service involved.



## 17 WATER SERVICE CLASSIFICATIONS, RATES, AND CHARGES

In establishing water rates, account shall be taken of class of service, zone of use, and capacity of service.

### 17.1. CLASSES OF SERVICE

Water service shall be classified according with the definitions in Subsection 2.2: Definitions of Customer Classification and Water Use Types. These classes of service are further grouped as follows:

- A. CLASS 1 SERVICE: Class 1 service shall apply to “municipal and industrial” services supplied with water used for residential, commercial, fire, inter-departmental, industrial, resale, temporary, and other purposes.
- B. CLASS 2 SERVICE: Class 2 service is not currently offered but shall apply to services supplied with raw or partially treated water which is used for non-domestic purposes.
- C. CLASS 3 SERVICE: Class 3 service shall apply to all services qualifying as agricultural irrigation services, including Agricultural Irrigation, Agricultural Domestic, and Multi-family Agricultural Domestic.

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#### 17.1.1 MUTUAL WATER COMPANIES

The District may assign water rates to mutual water companies under a special agreement. The Resale rate shall not be combined with any other rate through as single connection. In cases where the water rate is based on the agricultural irrigation water rate (for a single class or combination of classes through a single connection), the mutual water company shall submit annual crop reports and landholding reports for each of its agricultural irrigation customers to Casitas in compliance with Subsection 17.2: Requirements for Agricultural Irrigation Service of these regulations.

### 17.2. REQUIREMENTS FOR AGRICULTURAL IRRIGATION SERVICE

Agricultural irrigation service must satisfy the definition provided in Subsection 2.2.2: Agricultural Irrigation Service or Use.

An agricultural irrigation service, which does not utilize water for any residential purpose, shall be classified to the full Agricultural irrigation water rate provided in Appendix A: Monthly Water Rates and Service Charges.

An agricultural irrigation service which also provides water to a residence shall be billed monthly for water usage at the residential rate and at the appropriate agricultural irrigation rate, in accordance with Agricultural Domestic or Multi-family Agricultural Domestic rates provided in Appendix A: Monthly Water Rates and Service Charges.

Agricultural irrigation service classifications shall be considered by Casitas, upon the customer's request. Each agricultural irrigation service shall have an approved reduced pressure backflow prevention device in accordance with these Rates and Regulations Section 13: Cross-Connection Control and Backflow Prevention.

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#### 17.2.1. COMMERCIAL AGRICULTURE

Commercial agricultural production shall mean the growing of crops or the raising of fowl or livestock, in conformity with the recognized practices of husbandry, for human consumption, or for the market. When requested in writing by the General Manager, the applicant for agricultural irrigation service must furnish proof satisfactory to Casitas that the agricultural production is commercial in nature by submitting to the District the Internal Revenue Service Schedule F or Schedule C, or other such document demonstrating income from farm use.

17.2.1.1. CROP REPORT:

Each agricultural irrigation service customer shall be required to file an annual crop report upon written notification by Casitas, on a form provided by Casitas by March 1 of each year. A site assessment by Castias staff may be conducted to verify accuracy of information submitted in a customers crop report. The customer's timely submittal of a completed crop report is a condition for continued agricultural irrigation service. Any agricultural irrigation customer who fails to submit said reports, information and documents required, shall receive 30-day notice of default in writing and thereafter Class 3 agricultural irrigation service will be changed to Class 1 Residential water rates for the duration of the following fiscal year. The meter will be labeled as Agricultural for purposes of tracking the type of water use, although the customer will be billed the same water rates as Residential customers. Failure to submit a crop report will not result in a change of classification for type of water use nor an associated reduction in allocation. Such changes will not occur until a more permanent conversion or development project is approved by the local land use agency or other assessment by Casitas that deems the change appropriate based on existing and planned use. The crop report requires the customer to provide pertinent information regarding the acreage under cultivation, the types of crops grown, the type of irrigation system used, the sources of water, and other related information as requested by Casitas. Such information is required as a part of Casitas' requirement to furnish an annual crop report to the United States Bureau of Reclamation agreed thereto in the repayment contract.

17.2.1.2. COMPLIANCE WITH RECLAMATION ACT OF 1902 AS AMENDED AND THE RECLAMATION REFORM ACT OF 1982:

Each agricultural irrigation service customer shall be required to comply with the provisions of the Reclamation Act of 1902 as amended and the Reclamation Reform Act of 1982. Such provisions include the completion and submittal, by each agricultural irrigation service customer, of land ownership, excess lands, ownership entitlement, crop reports, water conservation or other related reports, certifications and/or documents as requested by Casitas and set forth in the Reclamation Act of 1902 as amended and the Reclamation Reform Act of 1982. Because the Ventura River Project is a project constructed by the U.S. Bureau of Reclamation under the laws of the Reclamation Acts noted above, said requirements are a condition for agricultural irrigation service by Casitas. The agricultural irrigation service customer shall be responsible for the timely maintenance and updating of the information provided to Casitas and remedy invalid information in order to comply with said Acts. The irrigation service customer shall comply with the limits to agricultural irrigation water application as provided by the Acts.

## 17.3. WATER RATES

The water rates schedule shall remain in effect as amended until further revision. The water rates for the respective classifications, zones, and capacities of service are hereby established as shown on Appendix A: Monthly Water Rates and Service Charges.

Standby Charges as referred to in other sections of these Rates and Regulations include the service charge as well as any other fixed charges on the water bill that do not vary with water use (per Subsection 2.1.27).

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### 17.3.1 SERVICE CHARGES

A Service Charge based on the meter size shall be paid by each customer for each billing period during which a service connection exists. Such charge for any billing period in which such a connection has existed for less than the whole of such period shall be prorated. Such charge shall not entitle the customer to any quantity of water.

Service connections exist on the date of approval of the Application for Service. Service Charges are billed from the date that service application is made by the customer. For divided, new, or expanded services, service charges are owed once payment of the Capital Facilities Charge and issuance of an allocation is made, whether or not the meter has been installed.

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### 17.3.2 VOLUMETRIC CHARGES

Customers are responsible for payment of Volumetric Charges based on the amount of water delivered through the meter in units of hundred cubic feet.

It is the intention of Casitas that water rates consider the cost of electrical energy required to raise the water above the level of Lake Casitas. To this end, two rate zones, known as gravity zone and pumped zone, are hereby established for volumetric charges.

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### 17.3.3 OTHER CHARGES ON WATER BILL

In addition to the Service Charge and Volumetric Charge, the Board of Directors may adopt other separate charges appearing on the water bill that are related to the cost of service.

Any penalties assessed by the District shall appear as a separate charge on the water bill.

## 18 METER READINGS AND TESTS

### 18.1. UNIT OF WATER MEASUREMENT

Except as these Rates and Regulations otherwise provide, all water supplied by the District shall be measured by standard water meters, and a hundred cubic feet shall be the standard unit of measurement.

### 18.2. FREQUENCY OF READING

Water meters will normally be read monthly. As it is not always possible to read meters at exact intervals, the period between reading dates may vary. Special readings will be made on commencement and termination of service and as required by special circumstances.

### 18.3. METER TESTS

A customer who believes the District water meter serving the customer's premises is not accurately measuring the water delivered may request a test of the meter. When such a test is requested, the customer is required to pay a meter test fee per the schedule in Appendix B: Schedule of Other Fees and Charges. If a meter is found to be working improperly, it will be repaired or replaced by the District. If it is determined the meter is registering more than 5 percent over the actual quantities passing through it, the cost of said test deposited by the customer shall be refunded.

If Casitas believes a District meter is inaccurately measuring the water delivered to a customer's premises, it may initiate a test of the meter to determine its accuracy. In the case of Casitas-initiated tests, the customer is not charged a fee.

## 19 BILLING AND PAYMENT

### 19.1. FREQUENCY OF BILLING

Bills for water service shall be rendered monthly or as determined by the General Manager.

### 19.2. DATE DUE

Amounts due to Casitas pursuant to bills for water service shall be due and payable upon deposit of said bills in the United States mail addressed to the customer at the mailing address designated by customer on or by electronic bill as elected as a billing preference by the customer. The bill shall provide a billing date representing the day bills are either mailed or electronically delivered to customers.

### 19.3. DELINQUENCY

Bills for water service are due, payable, and become delinquent from the due date. Water service is subject to discontinuation if bills are not paid within sixty (60) days from the date of the bill. Casitas shall make a reasonable, good faith effort to notify the customer by either phone, mail, or email regarding the impending shutoff. The District assumes no responsibility for phone or email contact information that has not been kept up to date by the customer.

PAST DUE NOTICE AND DELINQUENCY CHARGES: If a customer bill remains unpaid by the second to the last business day of the month following the date of the bill, Casitas shall send the customer a past due notice. If the customer's billing address is different than the service address, past due notice shall also be sent to the service address, addressed to "Occupant(s)". A delinquency fee on the past due bill shall be assessed to the customer's account as provided in Appendix B: Schedule of Other Fees and Charges.

PAYMENT PLANS: Casitas shall provide eligible customers with the opportunity to participate in agreed upon payment plans. For each account, only one alternative payment plan will be administered at a time, and customers must honor the agreed upon payment arrangement to maintain eligibility.

DISCONTINUANCE OF SERVICE: A notice of shutoff warning shall be mailed to the customer with delivery no less than ten (10) days prior to discontinuation of service. If the customer's billing address is different than the service address, the notice of shutoff warning shall also be sent to the service address, addressed to "Occupant(s)". The shutoff warning notice shall contain information on how to restore service. Payments must be received no later than 4:30 pm on the date specified on the shutoff warning notice. Postmarks are not acceptable. If the bill remains unpaid, a hang tag will be processed the following day and a charge per Appendix B: Schedule of Other Fees and Charges (Disconnection Fee) shall be assessed and service will be disconnected.

Nothing in this section shall limit the ability of Casitas to discontinue or interrupt water service for reasons other than nonpayment of water bills, and the sending of additional notices not set forth above shall not constitute a waiver of Casitas' right to discontinue service as set forth herein.

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#### 19.3.1 RESIDENTIAL SERVICE

If the property owner is customer of record, the District will make a good faith effort to inform residential occupants by written notice that service will be shut off and the tenant has a right to become a customer in accordance with Section 3.9: Renters.

If a residential customer meets criteria set forth in California Health and Safety Code Section 116910 (a)(1-3), delinquency charges will be waived no more than once every 12 months. After a Residential service customer

enters into an agreed upon payment plan, Casitas may discontinue service if the Residential service customer fails to comply with or pay according to the agreed upon payment for more than sixty (60) days. In such instances, Casitas may discontinue Residential water service no less than five (5) business days after placing a shutoff notice hang tag on the door of the Residential service address. If the bill remains unpaid when the hang tag is processed, a charge per Appendix B: Schedule of Other Fees and Charges (Disconnection Fee) shall be assessed.

Casitas may discontinue Residential service when the account has been delinquent for at least 60 days and after Casitas has complied with all requirements for the discontinuation of Residential water service, as set forth in California Health and Safety Code Sections 116900 et seq., as may be amended.

#### 19.4. RESTORATION OF WATER SERVICE FOLLOWING SHUTOFF DUE TO DELINQUENCY

In order to restore water service following a shutoff for non-payment, the customer is required to pay the Reconnection Fee (per the amount in Appendix B: Schedule of Other Fees and Charges) in addition to delinquent water service charges pursuant to Subsections 19.3: Delinquency and 19.5: Remedies for Non-Payment. If a residential customer demonstrates household income below two hundred (200) percent of the federal poverty line, the total service fees for restoring service shall not exceed the limit set forth in California Health and Safety Code Section 116914(a)(1), as may be amended.

In the event that payment is by check which is subsequently returned by the bank for any reason, a hang tag will be processed, and shutoff scheduled for 5 business days following the hang tag. The aforementioned Reconnection Fee shall again be added to the customer's account in addition to the returned unpaid check charge provided for in Subsection 19.6: Returned Checks.

Regardless of whether restoration of service is requested by a current customer or a new customer, Casitas shall be provided a minimum of 72 hours' notice, excluding Saturdays, Sundays and holidays, in advance of such restoration of service.

#### 19.5. REMEDIES FOR NON-PAYMENT

The General Manager may institute action in any court of competent jurisdiction, cause the delinquent amount to be added to and become a part of the annual tax levied upon the property in accordance with Section 72094, et seq. of the California Water Code, and/or take any other steps to effect collection for services rendered by Casitas, provided such actions are compliant with California Health and Safety Code Sections 116900 et seq. as may be amended.

#### 19.6. RETURNED CHECKS

Should a check be returned by a bank for any reason, the customer shall be charged per the amount in Appendix B: Schedule of Other Fees and Charges (Returned Check Fee) for each such check returned. Additionally, any customer subject to the returned check charge may be placed on a probationary cash or credit card basis for a period of 12 billing cycles or as determined by the General Manager. Checks will not be accepted from customers that have been placed on a probationary cash or credit card basis until after the conclusion of the probationary period.

#### 19.7. DISPUTED BILLS

A customer may request Casitas review a water bill by following the procedures in Subsection 21.5: Disputed Bills.

## 20 BILLING ADJUSTMENTS

### 20.1. NON-REGISTERING METERS

Should any meter in service fail to register during any billing period or a portion thereof, the customer shall be billed for the estimated use of water during such period as determined by Casitas.

If the meter is mis-registering or is non-registering the water usage (in HCF) will be averaged. When usage data is available, the average usage will be calculated based on the previous two billing periods and the same billing period a year ago, for a total of three billing periods to calculate the average. If prior usage data is limited, the District will determine an estimate based on available information.

### 20.2. BILL RELIEF PROGRAM

The purpose of a bill relief program is to relieve eligible customers of extraordinary water charges when the circumstances giving rise to the extraordinary water charges were caused by circumstances beyond the customer's reasonable control.

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#### 20.2.1 ELIGIBILITY FOR BILL RELIEF

A District customer may seek the following forms of bill relief:

- A. A bill adjustment for leak relief relating to volumetric water rates
- B. A bill adjustment relating to a WEAP Conservation Penalty

##### 20.2.1.1. LEAK RELIEF ADJUSTMENT:

A leak relief adjustment is available to a customer who satisfies all the following conditions:

- A. The customer is receiving Residential or Agricultural Domestic water service;
- B. For Agricultural Domestic customers, a maximum of 50 HCF per month is eligible for relief (relating to Tier 1 and 2 water rates intended for domestic use);
- C. The water usage caused by the leak is twice the average of the customer's three (3) year historical usage;
- D. The circumstances giving rise to the customer's request for relief were beyond the customer's reasonable control and not due to a negligent failure to properly maintain and/or replace in a timely manner any leaking water fixtures, water pipes, or other water infrastructure on the customer's property;
- E. The customer has not received another form of bill adjustment for Leak Relief or Conservation Penalty Relief from the District in the past five (5) years;
- F. The request for relief is only for volumetric water rates;
- G. The customer submitted a timely request for relief per Subsection 20.2.2; and
- H. If the leak relief request occurs when mandatory conservation measures are being implemented under the WEAP, the customer must have a reasonable record of staying within their annual allocation prior to the extraordinary use occurring.
- I. The customer provides evidentiary support that the cause of the event giving rise to the extraordinary water charges were caused by circumstances beyond the customer's reasonable control and has been promptly repaired.

#### 20.2.1.2. WEAP CONSERVATION PENALTY RELIEF:

Relief from a WEAP Conservation Penalty is available to a customer who satisfies all the following conditions:

- A. All customer classes are eligible for WEAP Conservation Penalty relief;
- B. The customer has not received another form of bill adjustment for Leak Relief or WEAP Conservation Penalty Relief from the District in the past five (5) years;
- C. The circumstances giving rise to the customer's request for relief were beyond the customer's reasonable control and not due to a negligent failure to properly maintain and/or replace in a timely manner any leaking water fixtures, water pipes, or other water infrastructure on the customer's property;
- D. The customer submitted a timely request for relief with evidentiary documentation per Subsection 20.2.2; and
- E. If the leak relief request occurs when mandatory conservation measures are being implemented under the WEAP, the customer must have a reasonable record of staying within their annual allocation prior to the extraordinary use occurring.

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#### 20.2.2 PROCESS TO APPLY FOR BILL RELIEF

To apply for bill relief, the applicant shall:

- A. Submit a request for relief, in writing on a form provided by the District, to the District's Bill Hearing Officer within 45 days of the billing date for which the customer seeks relief. Failure to submit a request within 45 days renders a request untimely and the customer shall be ineligible for relief.
- B. The written request for relief shall be accompanied with and supported by substantial and adequate written and photographic documentation that provides evidentiary support that the cause of the event giving rise to extraordinary water charges were caused by circumstances beyond the customer's reasonable control and have been promptly repaired. Failure to include any evidentiary support with a written request for relief will result in denial of the request.

Examples of adequate supporting evidence include, but are not limited to:

- 1. Evidence that a leak was discovered.
  - 2. Evidence of a naturally occurring phenomenon such as an earthquake, wildfire, landslide, or vegetative growth which was likely to have caused the leak.
  - 3. Evidence that the leak was timely repaired.
  - 4. Photographs of the leak and of the repair.
  - 5. Repair receipts from a plumber.
  - 6. Receipts for materials used in the repair.
  - 7. Any other evidence the leak has been repaired.
- C. The customer shall remain current on payment of water bills. All fixed and volumetric charges shall be paid to avoid late fees. Upon District approval of a Leak Relief Adjustment, eligible volumetric charges will be provided as a credit back to the customer. Only the WEAP Conservation Penalties may be put into abeyance until a final determination is made.

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#### 20.2.3 DISTRICT REVIEW

The Bill Hearing Officer will review the request and the documentation or evidence provided by the customer supporting the appeal. The Bill Hearing Officer may request additional information from the customer. Following



a review of the request, the Bill Hearing Officer shall make a recommendation and provide to it the General Manager.

#### 20.2.3.1. RELIEF UNDER A CERTAIN AMOUNT

Requests for bill relief for a total amount less than or equal to \$1,500.00 (combined total relief relating to Leak Relief Adjustments and WEAP Conservation Penalties) shall be granted if the General Manager finds all of the following:

- A. The customer is eligible for the type of relief requested;
- B. The customer's claim for relief is due to circumstances beyond the customer's reasonable control;
- C. The customer's claim for relief is supported with substantial and adequate evidence; and
- D. The District has verified that a repair has been made and water use has returned to normal.

If a request for bill relief for an amount equal or less than \$1,500.00 is denied by the General Manager, the customer may request an appeal of the decision with the Casitas Board of Directors' Appeals Panel per the process described in Subsection 20.2.3.2.

#### 20.2.3.2. RELIEF OVER A CERTAIN AMOUNT

If a request for bill relief is more than \$1,500.00, the following process shall apply:

- A. The General Manager shall schedule an evidentiary appeal hearing before the Board of Directors' Appeals Panel<sup>1</sup>.
- B. The General Manager shall make a recommendation to the Appeals Panel. A copy of the General Manager's recommendation will be provided to the customer/appellant.
- C. The customer /appellant shall have an opportunity to state their case and present evidence supporting their appeal.
- D. Following the customer's presentation of the grounds for appeal, the Appeals Panel shall review the General Manager's recommendation and determine whether to grant the appeal in full, apportion the penalty or deny the appeal.

This process will remain in effect until water conditions improve and Conservation Penalties are no longer being assessed by the District. At such time, the Board of Directors will assume the duties of the Appeals Panel related to the Leak Relief Adjustment Program.

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#### 20.2.4 BILL RELIEF

If Bill Relief is granted, the following calculations will be used for bill adjustment:

##### 20.2.4.1. LEAK RELIEF ADJUSTMENT

For a Leak Relief Adjustment relating to volumetric water rates, the adjustment will be calculated as follows:

The cost of the leak shall be divided by two, equally splitting the District's calculation of the water cost that is eligible for leak adjustment between the customer and the District. The cost of the leak shall be determined based on either:

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<sup>1</sup> The Appeals Panel is a Board-appointed committee composed of three (3) Board members who are authorized to conduct evidentiary hearings, make findings and render decisions in accordance with California Water Code Sections 71300, 71301 and 71305.

- A. The difference in the bill based on the quantity of water used over the leak period (maximum of 2 months) less the bill based on average water use over the same period in 3 prior years (provided there is prior water use history available for the customer seeking bill relief), or
- B. The difference in the bill based on the total amount of water used at a cost per HCF of the lowest unit rate for residential customers.

#### 20.2.4.2. WEAP CONSERVATION PENALTIES

For WEAP Conservation Penalties, the District may provide full or partial relief of penalties based on review of the claim.

### 20.3. OTHER ADJUSTMENTS

Should other adjustments become necessary because of actions by the District, the General Manager or designee can adjust those issues with a credit or charge on the customer's future bills(s), unless other arrangements are requested by the customer and approved by the General Manager or designee. The maximum period for retroactive adjustments is twelve (12) months prior to the date that the District is first notified of the error.

## 21 APPEALS PROCESS

Notwithstanding anything else in the Casitas Rates and Regulations to the contrary, if an adult at a residence submits an appeal regarding a bill for Residential water service to Casitas or any other administrative or legal body to which such an appeal may be lawfully taken, Casitas shall not discontinue residential service while the appeal is still pending.

### 21.1. RESIDENTIAL SERVICE SHUTOFF APPEALS

Customers receiving Residential service who wish to appeal charges or shutoff pursuant to California Health and Safety Code Sections 116900 et seq. as may be amended, may complete a written appeal form within 45 days of the billing date. The Bill Hearing Officer will review the nature of the appeal and submit their recommendation to the General Manager, or designee, for a final decision that shall be reported to the customer in writing.

### 21.2. CLASSIFICATION APPEALS

Customers denied a request for a Type of Service change may request a review of the request by submitting a written appeal to the designated Water Conservation Manager stating the nature of the appeal. The appeal shall be reviewed by the Water Conservation Manager and the Engineering Manager and a final recommendation reported to the General Manager. Decision of the General Manager shall be reported to the customer in writing.

### 21.3. ALLOCATION APPEALS

Customers who wish to appeal their assigned allocation may do so according to the appeal process described in the latest adopted version of the Water Efficiency and Allocation Program.

### 21.4. APPEAL OF EXTRAORDINARY WATER USE CHARGES

Customers who wish to appeal extraordinary volumetric charges or a WEAP Conservation Penalty due to circumstances beyond the customer's reasonable control may do so in accordance with the Bill Relief Program provided in Subsection 20.2: Bill Relief Program.

### 21.5. DISPUTED BILLS

In the event a customer disputes or denies the correctness of any bill presented to the customer, the following procedures shall be followed:

Within 45 days from the billing date, the customer shall provide a statement of reasons for believing the bill to be in error. The customer shall pay, at a minimum, the service charges and any other charges that are not dependent on water usage, that are owed on the disputed bill. Any new charges incurred during subsequent billing periods shall be paid by the customer.

Appeals resulting from billing errors or meter malfunction may be submitted to the Bill Hearing Officer and resolved upon verification of the error.

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#### 21.5.1. BILL ADJUSTMENT BY BILL HEARING OFFICER

The Bill Hearing Officer has the authority to make such adjustment in the disputed bill as they feel is appropriate in the circumstances up to \$500.00. Amounts over \$500.00 require the approval of the General Manager. Should the customer and the Bill Hearing Officer or the General Manager fail to agree on the amount to be paid to Casitas on account of the disputed bill, the customer has the right to appeal the matter to the Board for a final determination per Subsection 21.6: Appeals to Board of Directors.

## 21.6. APPEALS TO BOARD OF DIRECTORS

Nothing in this ordinance shall restrict or prevent an aggrieved party from appealing a determination of the General Manager to the Casitas Board of Directors. For the purposes of this subsection, an aggrieved party shall be any customer or applicant with an issue relating to a rule, violation, penalty, or other relief that specifically affects the interest of the particular aggrieved party and shall not apply to determinations of the General Manager that are of general concern to the district. A party who is not a customer shall be an aggrieved party if the relief sought by the party, if granted, would result in the party becoming a customer.

An appeal of a final determination of the General Manager shall be filed with the District's Clerk to the Board within thirty (30) days following the date of such determination. The appeal shall specify in writing the grounds upon which it is taken, the date of the determination, and the relief requested.

Within thirty (30) days of receipt of such appeal, the General Manager shall set a hearing on the appeal before the Board of Directors and notify the aggrieved party in writing of the time and place of the hearing at least ten (10) days prior to the hearing.

At the hearing, the aggrieved party may present evidence concerning the appeal. Evidence shall include such relevant documents and information that is sufficient to permit the full determination of the appeal. In the event the aggrieved party fails to submit relevant documents and information as required by this subsection, the determination shall be made on the information available, but the Board shall have no obligation to seek out the information upon which the aggrieved party relies. Any materials submitted to the Board by the General Manager shall be made available to the aggrieved party a reasonable time before the hearing. Continuances of the hearing of the appeal shall be made at the discretion of the Board.

The Board may deny, approve, conditionally approve, or continue any appeal. The General Manager shall notify the aggrieved party within ten (10) days in writing of the Board action taken. Notice of the action taken shall be deemed to have been given when the written notification has been emailed or deposited in the mail, postpaid, addressed to the address shown on the appeal.

The provisions of this chapter are intended to be an alternative form of review. Nothing contained in this chapter shall alter, modify or supersede the provisions of any law or regulation of the State of California to the contrary with respect to review of a determination in court.

## APPENDIX A: MONTHLY WATER RATES AND SERVICE CHARGES

**TABLE 1. RESIDENTIAL AND AG DOMESTIC TIER THRESHHOLDS**

Tier	Monthly Water Use Threshold
Tier 1	10 HCF
Tier 2	50 HCF
Tier 3	>50 HCF

HCF = hundred cubic feet

**TABLE 2. VOLUMETRIC RATES (\$/HCF) - PUMPED**

Customer Class	Tiers	Effective January 1, 2024	Effective January 1, 2025	Effective January 1, 2026
Residential <sup>1</sup>	Tier 1	\$1.90	\$2.10	\$2.31
	Tier 2	\$2.71	\$2.91	\$3.10
	Tier 3	\$4.06	\$4.20	\$4.32
Agricultural Domestic <sup>1</sup>	Tier 1	\$1.90	\$2.10	\$2.31
	Tier 2	\$2.71	\$2.91	\$3.10
	Tier 3	\$2.05	\$2.23	\$2.40
Agricultural	All HCF	\$2.05	\$2.23	\$2.40
Commercial	All HCF	\$2.75	\$2.98	\$3.20
Industrial	All HCF	\$2.75	\$2.98	\$3.20
Inter-Departmental	All HCF	\$2.75	\$2.98	\$3.20
Institutional and Other	All HCF	\$2.75	\$2.98	\$3.20
Resale	All HCF	\$2.75	\$2.98	\$3.20

**TABLE 3. VOLUMETRIC RATES (\$/HCF) - GRAVITY**

Customer Class	Tiers	Effective January 1, 2024	Effective January 1, 2025	Effective January 1, 2026
Residential <sup>1</sup>	Tier 1	\$1.07	\$1.25	\$1.46
	Tier 2	\$1.91	\$2.09	\$2.28
	Tier 3	\$3.27	\$3.39	\$3.51
Agricultural Domestic <sup>1</sup>	Tier 1	\$1.07	\$1.25	\$1.46
	Tier 2	\$1.91	\$2.09	\$2.28
	Tier 3	\$1.24	\$1.40	\$1.57
Agricultural	All HCF	\$1.24	\$1.40	\$1.57
Commercial	All HCF	\$1.95	\$2.16	\$2.37
Industrial	All HCF	\$1.95	\$2.16	\$2.37
Inter-Departmental	All HCF	\$1.95	\$2.16	\$2.37
Institutional and Other	All HCF	\$1.95	\$2.16	\$2.37
Resale	All HCF	\$1.95	\$2.16	\$2.37

**TABLE 4. MONTHLY SERVICE CHARGE**

Customer Class	Meter Size	Effective January 1, 2024	Effective January 1, 2025	Effective January 1, 2026
Residential <sup>1</sup>	5/8" - 3/4"	\$40.77	\$38.38	\$35.91
	1"	\$70.40	\$67.44	\$64.24
	1-1/2"	\$129.27	\$118.67	\$108.31
	2"	\$284.47	\$306.27	\$327.80
	3"	\$729.51	\$850.40	\$985.54
	4"	\$1,511.14	\$1,889.69	\$2,349.29
Commercial and Industrial	5/8" - 3/4"	\$35.11	\$34.31	\$33.33
	1"	\$60.60	\$60.28	\$59.60
	1-1/2"	\$111.31	\$106.08	\$100.50
	2"	\$244.94	\$273.75	\$304.17
	3"	\$628.17	\$760.16	\$914.52
	4"	\$1,301.18	\$1,689.14	\$2,179.99
Institutional, Inter-Departmental, and Other	5/8" - 3/4"	\$32.58	\$32.43	\$32.10
	1"	\$56.26	\$57.01	\$57.43
	1-1/2"	\$103.32	\$100.32	\$96.83
	2"	\$227.36	\$258.89	\$293.06
	3"	\$583.09	\$718.87	\$881.10
	4"	\$1,207.80	\$1,597.38	\$2,100.31
Agricultural Domestic <sup>1</sup>	1"	\$56.85	\$57.45	\$57.72
	1-1/2"	\$104.43	\$101.12	\$97.35
	2"	\$229.78	\$260.94	\$294.61
	3"	\$589.29	\$724.60	\$885.77
	4"	\$1,220.66	\$1,610.12	\$2,111.46
	6"	\$2,213.53	\$2,737.13	\$3,364.85
Agricultural	1"	\$65.78	\$64.10	\$62.09
	1-1/2"	\$120.80	\$112.79	\$104.70
	2"	\$265.83	\$291.09	\$316.88
	3"	\$681.75	\$808.29	\$952.73
	4"	\$1,412.17	\$1,796.09	\$2,271.06
	6"	\$2,560.84	\$3,053.29	\$3,619.21
Resale	5/8" - 3/4"	\$37.41	\$35.98	\$34.40
	1"	\$64.60	\$63.23	\$61.53
	1-1/2"	\$118.63	\$111.27	\$103.76
	2"	\$261.05	\$287.15	\$314.02
	3"	\$669.49	\$797.36	\$944.12
	4"	\$1,386.78	\$1,771.81	\$2,250.55
	6"	\$2,514.76	\$3,011.99	\$3,586.50
	12"	\$18,778.34	\$25,286.23	\$33,850.93
	18"	\$28,390.15	\$34,476.00	\$41,622.28

**TABLE 5. MONTHLY ADJUDICATION IMPACT CHARGE**

Meter Size	Residential	Commercial	Agriculture	Ag Domestic	Inter-Departmental	Industrial	Other	Resale
5/8"	\$1.51	\$3.81			\$2.92	\$0.77	\$2.89	\$9.44
3/4"	\$1.51	\$3.81	\$15.10	\$9.48	\$2.92	\$0.77	\$2.89	\$9.44
1"	\$2.52	\$6.36	\$25.17	\$15.79	\$4.87	\$1.29	\$4.81	\$15.73
1-1/2"	\$5.04	\$12.71	\$50.35	\$31.59	\$9.75	\$2.58	\$9.62	\$31.47
2"	\$8.07	\$20.34	\$80.55	\$50.54	\$15.60	\$4.13	\$15.39	\$50.35
3"	\$17.65	\$44.49	\$176.21	\$110.55	\$34.12	\$9.04	\$33.66	\$110.13
4"	\$31.77	\$80.09	\$317.17	\$199.00	\$61.41	\$16.27	\$60.59	\$198.24
6"		\$165.25	\$654.49	\$410.63	\$126.72	\$33.58	\$125.03	\$409.07
12"								\$2,416.65
18"								\$4,492.52

**TABLE 6. MONTHLY FIRE SERVICE CHARGE**

Meter Size	Effective January 1, 2024	Effective January 1, 2025	Effective January 1, 2026
2"	\$5.09	\$5.30	\$5.52
3"	\$11.13	\$11.59	\$12.07
4"	\$20.03	\$20.86	\$21.73
6"	\$41.34	\$43.05	\$44.84
8"	\$50.88	\$52.99	\$55.19
10"	\$73.13	\$76.17	\$79.33

<sup>1</sup> Includes Single Family and Multi-Family Uses. Multi-family Residential Tier 1 rate is 10 HCF per dwelling unit.

See Subsection 2.2 of the Casitas Municipal Water District Rates and Regulations for Water Service for definitions of the customer classifications used in the above tables.

Note that certain customers have a special rate based on agreements with the District.

## APPENDIX B: SCHEDULE OF OTHER FEES AND CHARGES

All fees, once paid, are non-refundable (except for deposits that are deemed eligible for return).

Type of Fee	Total Charge
Application Processing Fee	\$30.00
Capital Facilities Charge	\$18,644.00 per acre foot
Damage to District Facilities	Labor and Materials
<b>Deposits</b>	
Up to 1" Meters:	\$120.00
1.5" to 2" Meters: All Except Agricultural	\$300.00
1.5" to 2" Meters: Agricultural	\$300.00
3" and Larger Meters	\$500.00
Delinquency Fee	10% of past due bill amount
Disconnection Fee <sup>1</sup>	\$30.00 / \$90.00 (after hours)
Reconnection Fee <sup>2</sup>	\$30.00 / \$90.00 (after hours)
Returned Check Fee	Actual bank processing fee
<b>Meter Test Fee</b>	
Up to 1" Meters:	\$100.00
1" to 2" Meters	\$150.00
3" and Larger Meters	\$225.00
Temporary Meter Deposit	\$500.00
Temporary Meter Installation Fee	\$100.00
Temporary Meter Relocation Fee	\$100.00
Temporary Meter Monthly Charges	\$150.00 fixed plus \$4.00/HCF volumetric
Penalty for Tampering with District Equipment	\$2,500 fine for first violation and \$10,000 fine per violation for subsequent violations
Penalty for Violation of Rates and Regulations (other than Tampering with District Equipment)	A fine not to exceed \$1,000 shall be imposed.
Installation or Abandonment of Water Service	\$1,500 Deposit, Labor and Materials
Plan Check Fees	\$1,500 Deposit, Labor and Materials
Inspection Fees	\$500 Deposit, Labor and Materials
Will Serve Letter	\$185
Fire Hydrant Flow Test	\$250
VCFD Fire Flow Verification	\$185
Meter Reduction Application Deposit	\$650
Water Service Agreements	\$250

<sup>1</sup> Also referred to as the Water Meter Turn Off Fee.

<sup>2</sup> Also referred to as the Water Meter Turn On Fee.

\* Each fee or charge stated above for which a labor component exists shall include direct and indirect costs such as wages, benefits, and payroll taxes to reflect the total cost of labor with overhead expenses. Labor expenses shall account for all time spent including, but not limited to, engineering, operations, administrative, management, and legal staff time.



## APPENDIX C: WATER WASTE PROHIBITION ORDINANCE

**CASITAS MUNICIPAL WATER DISTRICT**

**ORDINANCE NO. 2022-01**

**AN ORDINANCE OF THE CASITAS MUNICIPAL WATER DISTRICT  
ESTABLISHING WATER WASTE PROHIBITIONS**

THIS ORDINANCE is adopted in light of the following facts and circumstances, which are hereby found and declared by the Casitas Municipal Water District (Casitas) Board of Directors:

WHEREAS, Article X, Section 2 of the California Constitution and Section 100 of the California Water Code declare that the general welfare requires water resources be put to beneficial use, therefore, waste or unreasonable use or unreasonable method of use of water be prevented, and conservation of water be fully exercised with a view to the reasonable and beneficial use thereof.

WHEREAS, the adoption and enforcement of this Ordinance is necessary to help manage Casitas' potable water supply and to avoid or minimize the effects of drought within the Casitas service area.

WHEREAS, Casitas has the power to perform all acts necessary to fully carry out the provisions of this Ordinance consistent with Section 71640 and Sections 10608 through 10656 of the California Water Code.

WHEREAS, this Ordinance rescinds and replaces Casitas Municipal Water District Ordinance No. 15-02, Ordinance Establishing Water Waste Prohibitions.

BE IT ORDAINED by the Board of Directors of the Casitas Municipal Water District as follows:

**1. TITLE.**

This Ordinance shall be known as the Casitas MWD Water Waste Prohibition Ordinance.

**2. APPLICABILITY.**

The provisions of this Ordinance shall apply to all persons, corporations, public or private entities, governmental agencies or institutions, or any other direct water customers of the Casitas Municipal Water District. The water customers of other water purveyors shall be governed by the prohibitions that are adopted by the other water purveyors.

**3. PROHIBITED USES.**

A. The following uses of water are permanently prohibited and are in effect year round:

- a. **General Waste:** Indiscriminate running of water or washing with water which is wasteful and without reason or purpose.
- b. **Washing of Exterior Surfaces:** The washing of hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, except when necessary to alleviate safety or sanitary hazards or when broom or other waterless device will not suffice. If necessary, washing may only be done with a bucket or similar container, a hose equipped with a positive shut-off

- nozzle, a pressure washer, a low-volume high pressure water efficient water broom, or a cleaning machine equipped to recycle the water used.
- c. **Cleaning of Structures and Vehicles:** The washing of building exteriors, mobile homes, cars, boats or recreational vehicles without the use of a positive shut-off nozzle on either the hose or pressure washer.
  - d. **Watering/Irrigation Runoff Control:** The watering of grass, lawn, groundcover, shrubbery, open ground, crops and trees, including agricultural irrigation, in a manner or to an extent which allows water to run off the area being watered. Every water user is deemed to have under their control, at all times, their water distribution lines and facilities, and to know the manner and extent of their water use and run off.
  - e. **Limits on Watering Hours:** The watering or irrigating of outdoor ornamental landscapes and turf areas between the hours of 10:00 a.m. and 6:00 p.m. Pacific Standard Time on any day. (Does not apply to irrigation systems that use drip-irrigation and weather-based controllers or stream rotor sprinklers that meet a 70% efficiency standard. Exceptions may be authorized by the General Manager where there is no ability to not water between 10:00 a.m. to 6:00 p.m.).
  - f. **Watering During and within 48 hours after Measureable Rainfall:** The watering of grass, lawn, groundcover, shrubbery, open ground, crops and trees, including agricultural irrigation, at any time during and within 48 hours after measureable rainfall of at least one fourth of one inch of rain. In determining whether measureable rainfall of at least one fourth of an inch of rain occurred in a given area, enforcement may be based on records of the National Weather Service, the closest CIMIS station to the parcel, or any other reliable source of rainfall data available to CMWD.
  - g. **Drought Restrictions:** Watering/irrigating during publicly declared curtailment period in a manner that is not compliant with drought restrictions.
  - h. **Plumbing Leaks:** The escape of water through leaks, breaks, or malfunctions within the water user's plumbing or distribution system, for a substantial period of time within which such break or leak should reasonably have been discovered and corrected.
  - i. **Fountains and Decorative Water Features:** The operation of any ornamental fountain using water from the District's domestic water system unless water for such use is re-circulated.
  - j. **Cooling:** The use of water in mechanical equipment purchased and installed after the adoption of this Ordinance that utilizes a single pass cooling system. Water used for all cooling purposes shall be re-circulated.
  - k. **Drinking Water Served Upon Request Only:** Eating and drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, clubs or other public places where food or drinks are sold or served, are prohibited from providing drinking water to customers unless expressly requested. Affected establishments must prominently display notice informing their customers of this requirement using clear and easily understood language.
  - l. **Restaurant Non-water Conserving Dish Wash Spray Valves:** Food preparation establishments, such as restaurants or cafes, are prohibited from using non-water conserving dish wash spray valves.
  - m. **Providing Option to Not Launder Linen and Towels Daily:** Hotels, motels, vacation rentals and other commercial lodging establishments must provide customers the option of not having towels and linen laundered daily. Commercial

lodging establishments must prominently display notice of this option in each bathroom using clear and easily understood language.

- n. **Commercial Car Wash Systems:** Installation of non-recirculating water systems is prohibited in new or renovations of commercial conveyor car washes systems.
- o. **Turf Irrigation Restrictions:** Irrigating turf or ornamental landscapes during and within 48 hours following measurable precipitation of at least one fourth of one inch of rain.
- p. **Public Street Medians:** The use of potable water for irrigation of ornamental turf on public street medians.
- q. **Street Cleaning & Construction Sites:** The use of potable water for street cleaning or construction site preparation purposes, unless no other method can be used or as needed to protect the health and safety of the public.
- r. **Homeowners Association or Community Service Organization:** To prevent the unreasonable use of water and to promote water conservation, any homeowners' association or community service organization or similar entity is prohibited from:
  - i. Taking or threatening to take any action to enforce any provision of the governing documents or architectural or landscaping guidelines or policies of a common interest development where that provision is void or unenforceable under section 4735, subdivisions (a) and (b) of the Civil Code;
  - ii. Imposing or threatening to impose a fine, assessment, or other monetary penalty against any owner of a separate interest for reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in section 4735, subdivision (c) of the Civil Code; or
  - iii. Requiring an owner of a separate interest upon which water-efficient landscaping measures have been installed in response to a declared drought emergency, as described in section 4735, subdivisions (c) and (d) of the Civil Code, to reverse or remove the water-efficient landscaping measures upon the conclusion of the state of emergency.

#### 4. EXEMPTED WATER USES.

- A. All water use associated with the operation and maintenance of fire suppression equipment or employed by the District for water quality flushing and sanitation purposes shall be exempt from the provisions of this Ordinance.
- B. Use of water supplied by gray water or rainwater collection system is also exempt; however, use of water from these systems is not exempt from the applicable regulations of the State and local jurisdictions governing the use of such water.
- C. Supervised testing, adjusting, or repairing of irrigation systems is allowed any time for no more than five (5) minutes per station.

#### 5. VIOLATIONS AND PENALTIES.

- A. Any person, who uses, causes to be used, or permits the use of water in violation of this Ordinance is guilty of an offense punishable as provided herein.
- B. **Enforcement of Violation.** Complaints of water waste will be investigated and enforced by the District in the form of a notice of violation. The following officers and employees of the Casitas Municipal Water district are hereby designated and authorized to issue citations for enforcement of this Ordinance:

Operations and Maintenance Manager

Public Affairs/Resource Manager  
Water Conservation Coordinator  
Utility Workers  
Water employees designated by the General Manager

C. **Notice of Violation.** The notice to the District water customer of a violation of this Ordinance will be issued by either a telephone call, mail, hand-delivery, or posting at the entrance of the violator's premises. The District will issue a written notice that state the time, place, and general description of the violation or repeat of violation, as well as a time frame in which the violation must be corrected. District staff may use discretion when determining the correction time.

D. **Consequence of Violation.** Administrative fines and water service actions may be levied and applied for each violation of a provision of this Ordinance as follows:

1. **Penalties:** Penalties for failure to comply with any provision of the ordinance are as follows:

- a. **First Violation:** The District will issue a written notice to the water customer and attach a copy of this Ordinance.
- b. **Second Violation:** If the first violation is not corrected within the time frame specified by the District, or if a second violation occurs within the following twelve (12) months after the first violation notice, a second notice of violation will be issued and an administrative fine of one hundred dollars (\$100.00) shall be levied for the second violation of this Ordinance.
- c. **Third Violation:** A third violation within the following twelve (12) months after the date of issuance of the second notice of violation is punishable by an administrative fine of two hundred fifty dollars (\$250.00).
- d. **Fourth and Subsequent Violations:** Each day that a violation of this Ordinance occurs beyond the remedy allowance provided in the third notice of violation is a separate offense, subject to any or all of the following penalties:
  1. Water service may be turned off or flow may be restricted. Where water service is turned off or flow restricted, it shall be turned on or unrestricted upon correction of the violation and the payment of the reestablishment charges, staff time, and District material purchases per the District's Rates and Regulations for Water Service in effect at the time.
  2. A fine of not more than \$600 or imprisonment in the county jail for not more than 30 days, or both the fine and imprisonment, may be imposed upon conviction under Section 71644 of the California Water Code, or fines/ penalties as defined and allowable under Section 53069.4 of the Government Code may be imposed.
- e. **Payment of Administrative Fines:** The water customer is responsible for the full payment of administrative fines. Each administrative fine shall be applied in the customer's regular water billing. Payment of the administrative fine will be the final responsibility of the individual named on the water account. Non-payment of fines will

be subject to the same remedies as non-payment of basic water rates, in accordance with the Casitas Rates and Regulations for Water Service.

- 3. **Appeal:** Any customer against whom a penalty is levied pursuant to this Ordinance shall have the right to appeal as follows:
  - a. The customer request for an appeal consideration must be in writing, legible, and received by the General Manager within ten (10) calendar days of the issuance of the notice of violation to the customer. Any determination not timely appealed shall be deemed final. The written request for appeal consideration shall include:
    - i. A description of the issue,
    - ii. Evidence supporting the appeal, and
    - iii. A request for resolution of the dispute.
  - b. The General Manager will review the material submitted and make an independent determination of the issue, which shall be mailed to the customer within fifteen (15) calendar days of receipt of the request for appeal.
  - c. The General Manager’s determination may be appealed in writing within ten (10) calendar days of the mailing of the notice of determination. The appeal of the General Manager’s determination shall be heard and considered by the Board of Directors at an upcoming regular meeting of the Board. Notice of the hearing shall be mailed to the customer at least ten (10) calendar days prior to the date of the appeal hearing. The Board may, in its discretion affirm, reverse, or modify the determination. The Board’s determination is final.

6. **SEVERABILITY.** If any competent court shall find any portion of this Ordinance unconstitutional, such decision shall not affect the validity of any other portion thereof.

7. **EFFECTIVE DATE.** This Ordinance becomes effective this 26<sup>th</sup> day of January, 2022.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Casitas Municipal Water District held on January 26, 2022 by the following vote:

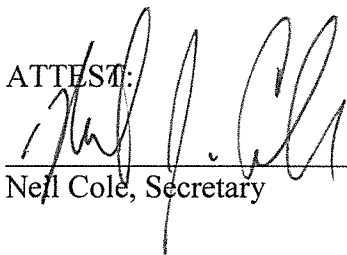
AYES: Bergen, Kaiser, Cole, Hajas, Brennan  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

APPROVED:



\_\_\_\_\_  
Brian Brennan, President

ATTEST:



\_\_\_\_\_  
Neil Cole, Secretary