

TRINITY COUNTY WATERWORKS DISTRICT NO.1
P.O. BOX 217 -- HAYFORK, CALIFORNIA 96041

REGULATING ORDINANCES

AN ORDINANCE REVISING ORDINANCE PACKAGE ESTABLISHING RATES, RULES & REGULATIONS FOR WATER SERVICE BY TRINITY COUNTY WATERWORKS DISTRICT NO. 1

THE BOARD OF DIRECTORS OF THE TRINITY COUNTY WATERWORKS DISTRICT NO. 1, COUNTY OF TRINITY, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

ARTICLE 1 - DEFINITIONS

SECTION 1.1 For the purpose of this Ordinance, the terms used herein are defined as follows:

a. APPLICANT is the person making application for a permit for a water installation and shall be the owner of premises to be served by the water facilities for which a permit is requested, or his authorized agent.

b. BOARD is the Board of Directors of said District.

c. BUILDING is any structure used for human habitation or place of business, recreation or other purpose containing water facilities.

d. BUSINESS includes professions, trades and occupations in all and every kind of calling whether or not carried on for profit, and includes agricultural and plant cultivation enterprises.

e. CONNECTION FEE is a one-time charge paid when a connection is made to the District's Water System. The fee is based on the capital cost of capacity and represents a reimbursement to the District's ratepayers for providing available capacity to future users of the water system. By paying this fee new customers have participated equally with existing ratepayers in sharing the capital costs of water system capacity.

f. CONTRACTOR is an individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under the permit and shall be the owner or his agent.

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

h. CROSS-CONNECTION means any existing or potential physical connection between the piping system from the District service and that of any other water supply that is not or cannot be approved as

safe and potable for human consumption, whereby water from the unapproved source may be forced or drawn into the District distribution mains. This section shall agree and conform to Article II, Section 5, cross connections.

i. CUSTOMER means the property owner, or, with the consent of District, his or her tenants, agents, employees, contractors, licensees or permittees.

j. DISTRIBUTION MAINS mean water lines in streets, highways, alleys and easements used for public and private fire protection or for general distribution of water for irrigation, industrial and municipal purposes.

k. DISTRICT means the Trinity County Water Works District No. 1 DISTRICT INSPECTOR is the Inspector acting for the Board and may be a member of the Board, the Manager, the District Engineer or Inspector appointed by the Board.

m. ENGINEER is the Engineer appointed by and acting for the Board, and shall be a Registered Civil Engineer.

n. OWNER means (1) the person owning the fee, or the person in whose name the legal title to the property receiving water service appears, by deed duly recorded in the County Recorder's Office; or (2) the person in possession of the property or buildings receiving water service under claim of, or exercising acts of ownership over same for himself, or as executor, administrator, guardian or trustee of the owner.

o. PERMIT is any written authorization required pursuant to this or any other rule, regulation or ordinance of the District for the installation of any water system facilities or components. W.

p. PERSON is any individual, firm, business, company, partnership, association, and private, public or municipal corporation, and United States of America, the State of California, districts and all political subdivisions and governmental agencies thereof.

q. PREMISES means a lot, parcel or parcels of real property or portions thereof, including any improvements thereon, under one ownership, that is determined by the District to be a single User for purposes of receiving, using or paying for water service. However, any separate structure under one roof shall be deemed separate premises. Apartment houses, motels, office buildings and structures of like nature may be classified as a single premises.

r. PRIVATE FIRE PROTECTION SERVICE means water service and facilities for building sprinkler systems, hydrants, hose reels and

other facilities installed on private property for fire protection and the water available therefore.

s. PUBLIC FIRE PROTECTION SERVICE means the service and facilities of the entire water supply, storage and distribution system of the District, including the fire hydrants affixed thereto, and the water available for fire protection, excepting house service connections and appurtenances thereto.

t. REGULAR WATER SERVICE means water service and facilities rendered for normal domestic, commercial, irrigation and industrial purposes on a permanent basis, and the water available therefore.

u. SERVICE OR SERVICE CONNECTION means the pipe line and appurtenant facilities such as the curb stop, meter and meter box, if any, all used to extend water service from a distribution main to a premises. Where services are divided at the curb or property line to serve several customers, each such branch service shall be deemed a separate service.

v. SERVICE LATERAL is a District owned pipe that connects the water main with the water meter.

w. STREET is any public highway, road, street, alleyway, easement or right of way, providing permanent vehicular access to district personnel.

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

y. WATER DEPARTMENT means the Board of Directors of the District performing functions related to the District water service, together with the General Manager, the Water Superintendent and the Office Manager, and other duly authorized representatives.

z. RIGHT OF WAY means and includes any parcel of land through which a right of way has been granted to the Trinity County Waterworks District No. 1 for any purpose.

aa. SUBDIVIDER shall be any person presenting an authorized and approved parcel map with the intent of dividing a specific parcel into two or more parcels.

bb. SUBDIVISION shall be any parcel map or subdivision map presented to the district for comment proposing to divide a specific parcel into two or more parcels.

cc. TREATMENT FACILITY means the specific encompassed area of the Trinity County Waterworks District No. 1 where actual physical, chemical and bacteriological preparation of the raw water is

accomplished.

dd. WATER SYSTEM SUBDIVISION shall, for this purpose, be any parcel map or subdivision map presented to the district for comment proposing to divide one or more specific parcels into two or more parcels with provisions, providing water mains, fire protection and individual service connections.

ARTICLE 2 - GENERAL PROVISIONS

SECTION 2.1. Rules and Regulations. The following rules and regulations respecting water construction and provision of water and connection to the water supply, storage and distribution facilities of district are hereby adopted, and all work in respect thereto shall be performed as herein required and not otherwise.

SECTION 2.2. Purpose. The Ordinance is intended to provide certain minimum standards, provisions and requirements for design, methods of construction and use of materials in water facilities, and water service connections hereafter installed, altered or repaired. This ordinance shall not apply retroactively and, in the event of an alteration or repair hereafter made, it shall apply only to the new materials and methods used therein.

SECTION 2.3. Short Title. This Ordinance shall be known and may be cited as "TRINITY COUNTY WATERWORKS DISTRICT NO.1 WATER ORDINANCES".

SECTION 2.4. Words and Phrases. For the purpose of this Ordinance, all words used herein in the present tense shall include the future; all words in the plural number shall include the singular number; and all words in singular number shall include the plural number.

SECTION 2.5. Water System. The District will furnish a system, plant, works and undertaking used for and useful in obtaining, conserving and distributing of water for public and private uses, including all parts of said system, all appurtenances to it, and lands, easements, rights of way, water rights, contract rights, franchises, and other water supply, storage and distribution facilities and equipment.

SECTION 2.6. Pressure Conditions. All applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection, and to hold the District harmless for any damages arising out of low pressure or high pressure water service conditions or from any interruptions in service.

SECTION 2.7. Maintenance of Water Pressure and Shutting Down for Emergency Repairs. The Board shall not accept any responsibility for the maintenance of pressure and it reserves the right to discontinue service while making repairs, replacements and connections or

performing other work in the operation of the water system. Consumers dependent upon a continuous supply should provide emergency storage and/or approved antisiphon devices.

SECTION 2.8. Tampering With District Property. No one, except an employee or representative of the Board shall at any time in any manner operate the curb cocks or valves, main cocks, gates or valves of the District's water system, or interfere with meters or their connections, street mains, or other parts of the water system.

SECTION 2.9. Penalty for Violation of Ordinance. Any violation of this Ordinance shall be a misdemeanor and shall be punishable by imprisonment in the County Jail for a period not to exceed 6 months, or by fine, not exceeding \$1000, or by both. Every day a violation of this Ordinance continues shall constitute a separate offense.

The District shall have the right to assess such penalties as may be permitted by law and/or discontinue the water service to the premises, up to and including seizure of the service connection, of any Customer for failure to comply with any provision of this Ordinance or any other rule or regulation of the District, or order fixing rates and charges of this District as provided in Section 11. The water shall not be supplied such customer until he shall have complied with the rule or regulation, rate or charge which he has violated or, in the event that he cannot comply with said rule or regulation, until he shall have satisfied the District that in the future he will comply with all the rules and regulations established by the ordinances of the District and with all rates and charges of the District. In addition thereto, he will be required to pay the District the current renewal service charge.

The Customer will be notified of the District's intention to discontinue service for noncompliance, with an explanation of the violation or infraction committed. There will be a reasonable opportunity given to comply before actions to discontinue water service will be taken by the District. However, no such notice to afford an opportunity to comply need be given to a Customer in those instances in which the noncompliance may cause conditions dangerous or detrimental to public health, safety and welfare, or are in violation of state law. These violations include, but are not limited to, trespass, assault, water theft, cross connection and water system or facility damage.

. 0

SECTION 2.10. Ruling Final. All rulings of the Board shall be final.

SECTION 2.11. Relief on Application. When any person by reason of special circumstances, is of the opinion that any provision of this Ordinance is unjust or inequitable as applied to his premises, he may make written application to the Board, stating the special

circumstances, citing the provision complained of, and requesting suspension or modification of that provisions applied to his premises.

If such application be approved, the Board may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

SECTION 2.12. Relief on Own Motion. The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and ordinance should be suspended or modified as applied to a particular premise and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof.

SECTION 2.13. Separability. If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance, or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this Ordinance or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional.

SECTION

ARTICLE 3 - NOTICES

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

3.1.1 Twenty-four Hour (24 hours) Disconnect Notices.

a. Residential: Prior to disconnection of service for non-payment an effort will be made to send written notice to the Customer that disconnection is eminent. Notice can also be by phone call to the number listed on the application for service or on file with the District, or by hand delivery. Regardless of the success of the attempt, a fee as outlined in the District's current rate schedule will be charged for this notice.

b. Commercial and business accounts will be contacted by written notice; If written notice is unsuccessful, contact will be by phone. If contact is not made, District personnel will attempt physical contact with the owner or manager of the business prior to disconnection. Regardless of the type of contact or the success of

the attempt, a fee as outlined in the District's current rate schedule will be charged for these notices.

SECTION 3.2. Notices from Customers. Notice from the customer to the District may be given by him or his authorized representative in writing, (1) at the District's operating office, (2) to the Water Superintendent of the District, or (3) to an officer or agent duly authorized by the Board to receive notices or complaints.

ARTICLE 4 - STANDARD DISTRICT SPECIFICATIONS

SECTION 4.1. Design and Construction Standards. Minimum standards for the design and construction of water facilities within the District shall be in accordance with the applicable provisions of the ordinances, rules and regulations and as determined by the District. All specifications and standards shall be in accordance with County, State, and Federal Laws.

SECTION 4.2. As Build. Two complete sets of "as build" drawings showing the actual location of all mains, valves, fire hydrants, house services, meters, if any, and appurtenances shall be filed with the District before final acceptance of work.

SECTION 4.3. Tentative Parcel Map shall be in accordance with Trinity County Subdivision Improvement parcel maps.

SECTION 4.4. Final Map shall be in accordance with Trinity County Subdivision Improvement Standards Final Maps.

ARTICLE 5 - APPLICATION FOR REGULAR WATER SERVICE WHERE NO MAIN EXTENSION REQUIRED

A SECTION 5.1. Application for Water Service Applications for regular water service, where no main extension is required, shall be made upon a form provided by the District, such form to be substantially shown in Exhibit "A", attached hereto and by reference incorporated herein. The application form for water service to a residential or commercial customer shall be provided to the customer at the District office. The District may modify forms of application from time to time without revising this Ordinance. An application is also required prior to uncovering, making any connection with, opening into, using, altering, or disturbing the District's public water system, service meter box, or any appurtenances thereto.

SECTION 5.2 Water Used Without Application Being Made. Any person desiring to use water furnished by the District's water system must file an Application with the District as a condition of receiving

water service. In the event any person is determined to be using water from the District's water system without having filed an application with the District, water service to that person's premises will be disconnected pursuant to section 11 hereof. Such person shall be held liable for the cost of water delivered to that person's premises from the date of the last recorded meter reading and for any broken seal or lock penalties.

SECTION 5.2. Undertaking of Applicant. Such application shall signify the customer's willingness and intention to comply with this and all other ordinances or regulations relating to regular water service and to make prompt payment for all administrative costs incurred by District in reviewing the application, all deposits required by this Ordinance, and all water service charges..

SECTION 5.3. Payment for Previous Service. An application shall not be honored unless payment in full has been made for water service previously rendered by the District to the property that is the subject of the application. A

SECTION 5.4. Installation of Services. Regular water services will be installed at the location approved by the District, or the size determined by the district. Service installation will be made only to property abutting public streets or abutting on such distribution mains as may be constructed in alleys or easements, at the convenience of the District. Services installed in new subdivisions prior to the construction of streets or in advance of street improvements must be accepted by the applicant in the installed locations.

SECTION 5.5. Service Connection. Service connections will be installed in accordance with applicable provisions of Article 9.

SECTION 5.6 Supply to Separate Structures. Each house, structure, building, dwelling unit, or premises receiving water for irrigation purposes shall require a separate application for water service and shall have a separate service connection, including a separate meter. However, upon written request, the General Manager may waive this requirement as it applies to individual dwelling units within a community housing project, or with respect to commercial or industrial service connections if special or unusual circumstances exist which, in the discretion of the General Manager, shall warrant such a waiver.

No user of water supplied by the District shall supply water to adjacent parcels through that user's service connection.

Should the owner of a single property subsequently subdivide such parcel, then the portion of that parcel not directly connected with the District's water system through a separate service connection

must be connected with the District's public water system through a separate service connection, for which additional connection charges are payable. It shall be unlawful and a violation of this ordinance for such owner to continue to use or maintain an existing service connection to the District's public water system for the purpose of providing an indirect connection to provide water to an additional parcel through an existing service connection for which no separate application has been made. Any such indirect connections in existence prior to the adoption of this provision of this Ordinance shall be abandoned by the customer upon issuance of a written order from the District. Any failure by an owner or customer to comply with such order from the District shall be enforceable by discontinuance of service pursuant to the provisions of this Ordinance.

SECTION 5.7 Changes in Customer's Equipment, Operations or Water Demand. Customers making any material changes in the size, character, or extent of the service connection or other equipment or operations upon the property utilizing District water service, or whose changes in operations result in an increase in the use of water, shall notify the District not less than five (5) working days prior to commencement of any such work, or additions or modifications the buildings or premises, or changes in the type of business or occupancy, which would affect the volume of water used on the premises. In such instances the District will require the filing of a new application to enable the District to determine whether a larger service line size or meter required to provide water supply to the Owner pursuant to the provisions of this Ordinance. In the event that the District determines that a larger water service line is required, the owner shall be required to install a larger service connection as

required by the District within the time period specified by the District, and to pay all applicable increases in monthly service charges, additional connection fees for a larger connection, and additional meter installation fees for a larger meter.

SECTION 5.8 Unauthorized Service Connections. Construction or installation of the service connection to the District's water distribution system without making application therefor to the District and payment of all applicable connection charges and other charges in accordance with this ordinance is prohibited and constitutes a violation of this ordinance which will result in discontinuance of water service pursuant to Article 11 of this ordinance and criminal penalties pursuant to section 2.9 of this ordinance.

ARTICLE 6 - APPLICATION FOR REGULAR WATER SERVICE
WHEN MAIN EXTENSION REQUIRED

SECTION 6.0. Application for Water Service. Application for water

service when main extension is required, shall be made upon a form provided by the District, such a form to be substantially as shown in Exhibit "A", attached hereto and by reference incorporated herein.

SECTION 6.1. Water Main Extension. Upon receipt of an application for water service, the District shall determine whether a main line extension is necessary. The Board shall consider prospective development and any other matters or judgments the Board determines necessary in making such determination. The judgment of the Board regarding main line extensions shall be final.

The line shall be installed within the boundaries of a dedicated public right-of-way at a location within such right-of-way suitable to the District. If the line must cross private property and only then if there is no reasonable alternative use of public roads, a permanent easement to be a minimum twenty (20) feet wide or more as required by the District for construction and maintenance suitable for recording shall be furnished to the District. If the line is to be extended to include other landowners, an easement will be given to the District at the time of the application approval. No applicant shall be asked to extend the main line beyond the point that adequately serves his own area. The Board may require dedication of any easements it feels are necessary for present and/or prospective future development.

a. GENERAL PROVISIONS AND DEFINITIONS.

I. Applicability:

A. All extensions of distribution mains, from the district's basic production and transmission system or existing distribution system, to serve new customers, except for those specifically excluded below, shall be made under the provisions of this rule. A main extension contract shall be executed by the district and the applicant or applicants for the main extension before the district commences construction work on said extensions or, if constructed by applicant or applicants, before the facilities comprising the main extension are transferred to the District.

B. Extensions, solely for fire hydrant, private fire protection, resale, temporary, standby, or supplemental service shall not be made under this rule.

C. The district may, but will not be required to, make extensions under this rule in easements or rights of way where final grades have not been established, or where street grades have not been brought to those established by public authority. If extensions are made when grades have not been established and there is a reasonable probability that the existing grade will be changed, the district shall require that the applicant or applicants for the main extension deposit, at the time of execution of the main

extension agreement, the estimated net cost of relocating, raising or lowering facilities upon establishment of final grades. Adjustment of any difference between the amount so deposited and the actual cost of relocating, raising or lowering facilities shall be made within ten days after the district has ascertained such actual cost. The net deposit representing actual cost is not subject to refund. The entire deposit related to the proposed relocation, raising or lowering shall be refunded when such displacements are determined to be not required.

D. This provision shall be in agreement with article 17, section 17.4d, divided property.

II. Definitions:

A. A "bona fide customer", for the purposes of this rule, shall be a customer (excluding any customer formerly served at the same location) who has given satisfactory evidence that service will be reasonably permanent to the property which has been improved with a building of permanent nature, and to which service has commenced. The provision of service to a real estate developer or builder, during the construction or development period, shall not establish him as a bona fide customer.

B. A "real estate developer" or "builder", for the purposes of this rule, shall include any individual, association of individuals, partnership, or corporation that divides a parcel of land into two or more portions.

C. The "adjusted construction cost", for the purposes of this rule, shall be reasonable and shall not exceed the costs recorded in conformity with generally accepted water utility accounting practices. If the district at its option, should install facilities with a larger capacity or resulting in a greater footage of extension than required for the service requested, the "adjusted construction cost", for the purposes of this rule, shall be determined by the application of an adjustment factor to actual construction cost of facilities installed. This factor shall be the ratio of estimated cost of required facilities to estimated cost of actual facilities installed.

III. Ownership, Design and Construction of Facilities.

A. Any facilities installed hereunder shall be the sole property of the District.

B. The size, type, quality of materials, and their location shall be specified by the District; and the actual construction shall be done by the District or by a constructing agency acceptable to it.

C. When an extension must comply with an ordinance, regulation,

or specification of a public authority, the estimated and adjusted construction costs of said extension shall be based upon the facilities required to comply therewith.

IV. Estimates, Plans and Specifications.

A. Upon request by a potential applicant for a main extension, the District may prepare, without charge, a preliminary sketch and rough estimates of the cost of installation to be advanced by said applicant. District may require applicant to prepare such sketch and estimate of costs.

B. Any applicant for a main extension requesting the District to prepare detailed plans, specifications and cost estimates shall be required to deposit with the District an amount equal to the estimated cost of preparation of such material. The District shall upon request, make available within sixty (60) days or such time as is feasible after receipt of the deposit referred to above, such plans, specifications and cost estimates of the proposed main extension. If the extension is to include oversizing of facilities, appropriate details shall be set forth in the plans, specifications and cost estimates including whatever work to be done at District's expense.

C. In the event a main extension contract with the District is executed within One Hundred Eighty (180) days after the District furnishes the detailed plans and specifications, the deposit shall become a part of the advance, and shall be refunded in accordance with the terms of the main extension contract. If such contract is not so executed, the deposit to cover the cost of preparing plans, specifications and cost estimates shall be forfeited by the applicant for the main extension and the amount of the forfeited deposit shall be credited to the account or accounts to which the expense of preparing said material was charged.

D. When detailed plans, specifications and cost estimates are requested, the applicant for a main extension shall furnish a map to a suitable scale showing the street and lot layouts and, when requested by the District, contours or other indication of the relative elevation of the various parts of the area to be developed. If changes are made subsequent to the presentation of this map by the applicant, and these changes require additional expense in revising plans, specifications and cost estimates, this additional expense shall be borne by applicant, not subject to refund, and the additional expense thus recovered shall be credited to the account or accounts to which the additional expense was charged.

V. Timing and Adjustment of Advances.

A. Unless the applicant for the main extension elects to arrange for the installation of the extension himself or is directed by the

District to do so, as permitted by Section c.l.C., the full amount of the required advance or an acceptable surety bond must be provided to the District at the time of execution of the main extension agreement.

B. If the applicant for a main extension posts a surety bond in lieu of cash, such surety bond must be replaced with cash not less than ten (10) calendar days before construction is to commence; provided however, that if special facilities are required primarily for the service requested, the applicant for the extension may be required to deposit sufficient cash to cover the cost of such special facilities before they are ordered by the District.

C. An applicant for a main extension who advances funds shall be provided with a statement of actual construction cost and adjusted construction cost showing in reasonable detail the costs incurred for material, labor, any other direct and indirect costs, overheads, and total costs; or unit costs; or contract costs, whichever are appropriate.

D. Said statement shall be submitted within sixty (60) days after the actual construction costs of the installation have been ascertained by the District. In the event that the actual construction costs for the entire installation shall not have been determined within one hundred twenty (120) days after completion of construction work, a preliminary determination of actual and adjusted construction costs shall be submitted, based upon the best available information at that time.

E. Any differences between the adjusted construction costs and the amount advanced shall be shown as a revision of the amount of advance and shall be payable within thirty days of date of submission of statement.

VI. Assignment of Main Extension Contracts.

A. Any contract entered into under Section B and C of this rule, or under similar provisions of former rules, may be assigned, after settlement of adjusted construction costs, after written notice to the District by the holder of said contract as shown by the District's records. Such assignment shall apply only to those refunds which become due more than thirty days after the date of receipt by the District of the notice of assignment. The District shall not be required to make any one refund payment under such contract to more than a single assignee.

B. Extensions to Serve Individuals.

1. The applicant or applicants for such service shall be required to advance to the District, before construction is commenced, the reasonable cost of such extension, exclusive of the cost of service

pipes, meter boxes and meters. Such estimated reasonable cost shall be based upon the cost of a main not less than six (6) inches in diameter except where a larger main is required by the special needs of the applicant or applicants. The amount of the advance is subject to adjustment in accordance with the provision of Section a.5.E., of this rule.

C. Extensions to Serve Subdivisions, Tracts, Housing Projects, Industrial Developments or Organized Commercial Districts.

1. Advances.

A. Unless the procedure outlined in Section c.1.C. is followed, an applicant for a main extension to serve a new subdivision, tract, housing project, industrial development or organized commercial district shall be required to advance to the District before construction is commenced, the estimated reasonable cost of the extension to be actually installed, from the nearest district facility at least equal in size or capacity to the main required to serve both the new customers and a reasonable estimate of the potential customers who might be served directly from the main extension without additional extension. The costs of the extension shall include necessary service stubs or service pipes, fittings, gates and housing therefore, and meter boxes, but shall not include meters.

B. If special facilities consisting of items not covered by Section c.1.A. are required for the service requested and, when such facilities to be installed will supply both the main extension and other parts of the District's system, at least fifty percent (50%) of the design capacity (in gallons, gpm, or other appropriate units) is required to supply the main extension, the cost of such special facilities may be included in the advance, subject to refund, as hereinafter provided, along with refunds of the advance of the cost of the extension facilities described in Section c.1.A. above.

C. In lieu of providing the advances in accordance with Sections c.1.A. and c.1.B., the applicant for a main extension shall be permitted, if qualified in the judgment of the District to construct and install the facilities himself, or arrange for their installation pursuant to competitive bidding procedures initiated by him and limited to qualified bidders. The cost, including the cost of inspection and supervision by the District shall be paid directly by applicant. The applicant shall provide the District with a statement of actual construction costs in reasonable detail. The amount to be treated as an advance subject to refund shall be the lesser of (1) the actual cost or (2) the price quoted in the District's detailed cost estimate. The installation shall be in accordance with the plans and specifications submitted by the District pursuant to Section 6.1.

SECTION 6.2. Completion of Water Main Extension. Upon the completion

of the project if the District is satisfied that the completed project complies with the standards set forth, all required easements have been dedicated, the project has been so constructed as to meet the District's specifications and there are no existing liens, water will be delivered. Also, at this time, the completed project, free from all liens and encumbrances, will become the property of the District, provided, however, the District is in possession of materials covered by Sections 4.1, 4.2 and 4.4 of Article 4, where applicant has installed the main extension, applicant shall be responsible for a period of one (1) year for any repairs necessitated by other than acts of God. A bond, cash or time certificate equal to ten percent (10%) of the constructions costs shall be deposited with District and held by District for such one-year period to guarantee such repairs.

SECTION 6.3. Reimbursements. Where the cost of the extension has been deposited by or paid for by the property owner as herein before set forth, the District shall thereafter, but for not longer than ten (10) years after the date said extension is originally connected to the District's water system, collect from any water user connecting to such extension that fraction of the cost of such extension, as approved by the District, as the number of front feet or acreage, or combination of the two, held by potential water users along such extension as determined by the District as of the time such extension is connected to the District's water system. Such sums as are thus actually received by the District shall be paid by the District only to the property owner originally installing such extension, but the District shall in no way be obligated to assure that the property owner making such extension is paid the total cost thereof not to initiate any action or incur any expense to collect any sum to be paid to property owner; nor shall such refund be from any revenues derived from the sale of water. Where different property owners contribute to the making of the extension, such sums shall be refunded to such property owners pro rata according to the amounts which they severally contributed towards the extension and pursuant to the preceding plan.

SECTION 6.4. Service Connections. Service connections will be installed in accordance with applicable provisions of Article 9.

ARTICLE 7 - SUBDIVISIONS

SECTION 7.1. Application. A person desiring to provide a water system within a tract of land to be subdivided shall make written application thereof. Application for regular water service, water system subdivisions, shall be made upon a form provided by the District, such a form shall substantially comply with that known as exhibit "A" attached hereto and by reference incorporated herein.

SECTION 7.2. Contents. The application shall state the number of the

tract, the name of the subdivision and its location. It shall be accompanied by a copy of the tentative map and of the plans, profiles and specifications for the street work, water facilities, sanitary and storm sewer work, and fire protection coverage therein.

SECTION 7.3. Investigation. Upon receiving the application, the Water Superintendent shall make an investigation and survey of the proposed subdivision and shall report his findings to the Board, including a recommendation as to the facilities required and the estimated cost of the proposed water system therefor. To assist the Water Superintendent in making said investigation and report, the Board may engage the services of a consulting engineer. The size, type and quality of materials shall be in accordance with the District's Water Distribution System and Hayfork Fire Protection District Standards and Specifications in effect at the time of application.

SECTION 7.4. Specifications and Construction. A person desiring to provide a water system within a tract of land which he proposes to subdivide shall provide plans and specifications therefor which shall be approved by the Water and Fire Districts.

A. Adjustments of any substantial differences between the estimated and actual cost of the preparation of plans and specifications shall be made at or before the final preparation of plans and specifications, and any excess shall be refunded to the subdivider and any shortage will be paid by him to the District.

B. The size, type and quality of materials and location of the lines shall be specified by the District and the actual construction will be done by the District or by a contractor acceptable to it, supervised and inspected by the District Inspector.

SECTION 7.5. Subdivisions, Tracts or Housing Projects - Deposit. Subdividers will be required to advance to the District one hundred twelve percent (112%) of the estimated cost of the labor and material necessary to install the main lines, valves, service connections within the subdivision. Fire Hydrants shall be so located to meet the specifications and requirements of the Hayfork Fire Protection District.

SECTION 7.6. Adjustment. Adjustments of any substantial difference between the estimated and actual number of feet of line installed shall be made at or before the completion of the installation, and any excess shall be refunded to the subdivider and any shortage will be paid by him to the District.

SECTION 7.7. Property of District. All facilities shall be the property of the District and shall be conveyed to the District by a proper instrument in writing at or before the time the facilities are completed and before they are accepted by the District.

SECTION 7.8. Service Connection. The subdivider shall, at his cost, provide and install the necessary service connections to each house or proposed house in the tract, including the pipe line, curb stop, meter box, meter and premises shut-off.

SECTION 7.9. Meters. The applicant shall at the time of application for water service pay the District current connection fees.

SECTION 7.10. Costs and Expenses. All costs and expenses incurred by the District under this Article, including the cost of investigation, inspection, legal and consulting engineer's services, shall be paid to the District by the subdivider prior to approval of the application.

SECTION 7.11. Further Requirements. In granting an application, the Board may make whatever further requirements or establish such conditions as may appear to it to be necessary or desirable.

ARTICLE 8 - GENERAL USE REGULATIONS

SECTION 8.1. Number of Service Per Premises. The applicant may apply for as many services as may be reasonably required for his premises provided that the pipe line system from each service be independent of the others and that they not be interconnected. The cost of all services shall be borne by the applicant. The exception will be an installation for bona fide trailer parks as approved by the Board.

SECTION 8.2. Supply to Separate Structures. Each house or structure for which the application for water service is hereafter made which fronts on a public street or private road shall have a separate service connection, including a separate meter.

SECTION 8.3. Efficient Water Use Water Waste. All customers shall endeavor to use water efficiently and shall not knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises, which, in the opinion of the District, seriously affects the general water service, the District has the authority to discontinue water service after giving notice to the Customer and to levy such penalties as may be permitted by this Ordinance and the District's rules and regulations.

SECTION 8.4. Responsibility for Equipment on Customer Premises. All Facilities installed by the District on private property for the purpose of rendering water service shall remain the property of the District and may be maintained, repaired or replaced by the District without consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in the protection of the facilities. Any person who alters or damages such facilities, and any property owner who knowingly or negligently permits such damages or alterations to occur will be liable to the District for the cost to repair such damage or alterations and, if

not promptly paid, will be subject to discontinuance of water service. No payment shall be made by District for placing or maintaining said facilities on private property. No persons shall place or permit the placement of any object in any manner which will interfere with the District's free access to a meter box or interfere with the reading of a meter. The property owner at his own expense shall install and be responsible for a back siphonage device for premises protection. In no way shall the District be responsible for any damage or imposition caused any premises by back siphonage conditions.

SECTION 8.5. Changes in Customer's Equipment. Customers making any material changes in the size, character or extent of the equipment or operations utilizing water service, or whose change in operations results in a large increase in the use of water, shall immediately give the District written notice of the nature of the change and, if necessary, amend their application to provide for installation of a larger meter.

SECTION 8.6. Damage to Water System Facilities. The customer shall be liable for any damage to the District-owned customer water service facilities when such damage is from causes originating on the premises by an act of the customer or his tenants, agents, employees, contractors, licensees or permittees, including the breaking or destruction of locks by the customer or others on or near a meter, the alteration of any service connection facilities for the purpose of providing water to additional premises not listed on a Customer's application, and any damage to a meter that may result from hot water or steam from a boiler or heater on the customer's premises. The district shall be reimbursed by the customer for any such damage promptly on presentation of a bill. Failure by a Customer to promptly reimburse the District for the costs of such damage will result in discontinuance of water service to that Customer as provided in Section 11.

SECTION 8.7. Ground Wire Attachment. All persons are forbidden to attach any ground wire or wires to any plumbing which is or may be connected to a service connection or main belonging to the District unless such plumbing is adequately connected to an effective driven ground installation on the premises. The District will hold the customer liable for any damage to its property occasioned by such ground wire attachments.

SECTION 8.8 Cross Connections. The customer must comply with the State and Federal Laws governing the separation of dual water systems or installations of backflow protective devices to protect the public water supply from the danger of cross connections. Backflow protective devices must be of the type and design specified and approved by the State Department of Health Services, installed as near the service as possible and shall be open to test and inspection by the District. Plans for installation of backflow protective

devices must be approved by the District prior to installation.

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

B. As a protection to the customer's plumbing system, a suitable pressure relief valve must be installed and maintained by him, at his expense, when check valves or other protective devices are used. The relief valve shall be installed between the check valves and the water heater.

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

D. The double check valve or other approved backflow protection devices may be inspected and tested periodically for water tightness by the District. The devices shall be serviced, overhauled or replaced whenever they are found defective and all costs of repair and maintenance shall be borne by the customer.

E. The service of water to any premises may be immediately discontinued by the District. The devices shall be serviced, overhauled or replaced whenever they are found defective and all costs of repair and maintenance shall be borne by the customer.

SECTION 8.9 Interruptions in Service. The District shall not be liable for damage which may result from an interruption in service from a cause beyond the control of the District. Temporary shutdown may be made by the District to make improvements and repairs. Whenever possible and as time permits, all customers affected will be notified prior to making such shutdowns. The District will not be liable for interruption, shortage or insufficiency of supply, or for any loss or damage occasioned thereby, if caused by accident, act of God, fire, strike, riots, war or any other cause not within its control.

SECTION 8.10. Ingress and Egress. Representatives from the District shall have the right of ingress and egress to the customer's premises at reasonable hours for any purpose reasonably connected with the furnishing of water service.

ARTICLE 9 - METERS AND METERED SERVICE CONNECTIONS

SECTION 9.1. Installation. All services shall be metered. A sum of money, as set forth in the rate schedule, shall be deposited with the

District prior to installation of the facilities to pay all or a portion of the cost of said installation. The service connection, whether located on public or private property, is the property of the District, and the District reserves the right to repair, replace and maintain it, as well as to remove it upon discontinuance of service.

SECTION 9.2. Service Connections. The District will furnish and install a service of such size and at such location as the applicant requests, provided such requests are reasonable. The service will be installed from its water distribution main to the curb line or property line of the premises which may abut on the street, on other thoroughfares, or on the District right-of-way or easement. Charges for new services are payable in advance and shall include charges for the service box, meter, meter installation, and connection charge. as follows:

SIZE OF SERVICE	CHARGE
5/8 X 3/4 inch	Current Connection Fee.

For larger services, the applicant will be billed in an amount to be determined by the District.

SECTION 9.3. Meter Installations. Only employees or authorized agents of the District will be permitted to install a service connection from the District's main to a Customer's premises. Meters will be installed at the curb or within the District easement, and shall be owned by the District and installed and removed at its expense after payment of charges established therefor. No rent or other charge will be paid by the District for a meter or other facilities, including housing and connections, located on a customer's premises. All meters will be sealed by the District at the time of installation, and no seal shall be altered or broken except by one of its authorized employees.

SECTION 9.4. Change in Location of Meters. Meters moved for the convenience of the customer will be relocated by the District at the customer's expense. In no event may a Customer move the location of a meter without prior written authorization from the District. Failure to comply with this requirement will result in discontinuance of water service pursuant to Section 11. Meters moved to protect the District's property will be moved at its expense. If the lateral distance which the customer desires to have the meter moved exceeds eight (8) feet, the Customer will be required to pay for and install a new service at the desired location.

SECTION 9.5. Size and Location. The District reserves the right to determine the size of service connections and their location with respect to the boundaries of the premises to be served. The laying of a Customer's pipe line to the curb should not be done until the location of the service connection has been approved by the District Superintendent. The installation, including the meter, shall be the

exclusive property of the District. The service between the meter and the premises served by the installation shall be the private property of the Customer and shall be maintained by the Customer at his or her sole expense.

SECTION 9.6. Curb Cock. Every service connection installed by the District shall be equipped with a curb cock or wheel valve. On metered services, the valve is to be on the District's side of the service installation as close as is practicable to the meter location. Such valve or curb cock is intended for the exclusive use of the District in controlling the water supply through the service connection pipe. If the curb cock or wheel valve is damaged by the consumer's use to an extent requiring replacement, such replacement shall be at the customer's expense. Failure by a Customer to pay such expense to the District upon demand will result in discontinuance of service pursuant to Section 11. There shall be a shut-off valve installed on the customer's side of the meter between the house and the meter for the customer's use at the customer's expense.

SECTION 9.7. Meter Tests - Deposit. All meters will be tested prior to installation and no meter will be installed which registers more than two percent (2%) fast. If a customer desires to have the meter serving his premises tested, he shall first deposit ten dollars (\$10). Should the meter register more than two percent (2%) fast, the deposit will be refunded, but should the meter register less than two percent (2%) fast, the deposit will be retained by the District.

SECTION 9.8. Adjustment for Meter Errors - Fast Meters. If a meter, tested at the request of a customer pursuant to Section 9.7, is found to be more than two percent (2%) fast, the excess charges for the time service was rendered the customer requesting the test, or for the period of six (6) months, whichever shall be the lesser, shall be refunded to the customer.

SECTION 9.9. Adjustment for Meter Errors - Slow Meters. If a meter, tested at the request of a customer pursuant to Section 9.7, is found to be more than twenty-five percent (25%) slow, in the case of domestic service, or more than five percent (5%) slow, for other than domestic services, the District may bill the customer for the amount of undercharge based upon corrected meter readings for the period, not exceeding six (6) months, that the meter was in use.

SECTION 9.10. Non-Registering Meters. If a meter is found to be not registering, the charges for service shall be at the minimum monthly rate or based on the estimated consumption, whichever is greater. Such estimates shall be made from previous consumption for a comparable period or by such other method as is determined by the District and its decision shall be final.

SECTION 9.11. Service Use of Meters. This section shall agree and

comply with Article 17, Section 17.4C and 17.4D.

ARTICLE 10 - BILLING

SECTION 10.1 Billing Period. The regular billing period will be monthly or bi-monthly at the option of the District. The District may bill such charges with other charges for services rendered by the District.

SECTION 10.2. Meter Reading. Meters will be read, as nearly as possible on the same day of each month. Billing periods containing less than twenty-seven (27) days or more than thirty-three (33) days, for bills rendered monthly, or less than fifty-four (54) days and more than sixty-six (66) days, for bills rendered by-monthly, will be prorated.

SECTION 10.3. Opening and Closing Bills. Opening and closing bills for less than the normal billing period shall be prorated both as to minimum charges and quantity blocks. If the total period for which service is rendered is less than a month, the bill shall not be less than the monthly minimum charge applicable. Closing bills may be estimated by the District for the final period as an expediency to permit the customer to pay the closing bill at the time of service is discontinued.

SECTION 10.4. Water Charges. Water charges are due and payable at the office of the District on the date of mailing the bill to the property owner or his agent as designated in the application, and are delinquent ten (10) days after the Post Office cancellation date of the second bill. At that time, service may be discontinued as outlined in Section 11 of these ordinances.

SECTION 10.5. Payment of Bills. Bills for metered water service shall be rendered at the end of each billing period. Flat rate service shall be billed in advance. Bills shall be payable on presentation. On each delinquent bill for water service rendered by the District shall be printed substantially the following: "If this bill is not paid within ten (10) days after the Post Office cancellation date of this card, service may be discontinued. A reconnection charge and penalties will be made and collected prior to renewing service following a discontinuance.

SECTION 10.6. Billing of Separate Meters Not Combined. Separate bills will be rendered for each meter installation except where the District has, for its own convenience, installed two or more meters in place of one meter. Where such installations are made, the meter

readings will be combined for billing purposes.

SECTION 10.7. Customer's Guarantee. The water charge begins when a service connection is installed and the meter is set, unless the water is ordered to be left shut off when the service connection is ordered to be installed. The customer will deposit a fee of three (3) months minimum. The person signing the guarantee form or meter set form will be held liable for water used until the Board is notified in writing to discontinue service or to transfer the account to another property owner.

SECTION 10.8. Water Used Without Regular Application Being Made. A person taking possession of premises and using water from an active service connection, without having made application to the District for water service, shall be held liable for the water delivered from the date of the last recorded meter reading, and if the meter is found inoperative, the quantity consumed will be estimated. If proper application for water service is not made upon notifications to do so by the District, and if accumulated bills for service are not paid immediately, the service may be discontinued by the District without further notice.

SECTION 10.9. Damages Through Leaking Pipes and Fixtures. The Board's jurisdiction and responsibility ends at the meter and the Board will in no case be liable for damages occasioned by water running from open or faulty fixtures, or from broken or damaged pipes beyond the meter. Only duly authorized employees or agents of the District will be permitted to install a service connection from the District's main to the customer's premises.

SECTION 10.10. Damage to Meters. The Board reserves the right to set and maintain a meter on any service connection. The water consumer shall be held liable, however, for any damage to the meter due to his negligence or carelessness and, in particular, for damage caused by hot water or steam from the premises.

SECTION 10.11 Enforcement of Payment. Upon failure of any person billed or the owner of any property to pay any water service charge prior to delinquency, or if the owner or occupant of any premises shall violate any of the provisions hereof, any one or more of the following actions authorized by this section may be taken by District to enforce such payment.

- A. Penalties For Delinquent Payment. In each case in which all or any part of the bill remains unpaid on the delinquent date thereof, a basic penalty of 10% of the delinquent amount shall be added to such bill for the first month after delinquency, plus an additional penalty of 2% of the delinquent amount plus

basic penalty for each additional month until all delinquent charges and penalties have been paid by the property owner. In addition, interest shall accrue on all delinquent balances, including delinquent penalties, at the rate of 1% per month.

- B. Discontinuance of Service for Delinquent Bills. Service may be discontinued for nonpayment of bills as specified in section 11. At least 5 days prior to discontinuance of such service the customer or property owner will be sent a Final Notice advising that the discontinuance of service will be enforced if payment is not made within the time specified in said notice. The failure of the District to send, or any person to receive such notice shall not affect the District's power to discontinue services pursuant to this ordinance. Reconnection will be made by District only upon complete payment of all delinquent service charges and penalties, interest, reimbursement to District of its actual costs of disconnecting and reconnecting District's water system to the premises, payment of all applicable disconnection and reconnection fees specified in this Ordinance, and payment of a security deposit in an amount equal to the water service charges averaged over the preceding 6 months times the number of months the water has been shut off.
- C. Recordation of Liens Against Property. Delinquent water charges shall constitute a lien against the lot or parcel of land against which the charges been imposed if said charge remains delinquent for a period of 30 days. The District may record a Notice of Lien on any such parcel with the County Recorder of Trinity County. The district will record a Notice of Release or Discharge of Lien upon payment by the property owner of all delinquent service charges, penalties and interest. After the rate recordation of any such Notice of Lien, such lien and the amount of the delinquent charges, penalties and interest shall attach to all property owned by such property owner located within Trinity County.
- D. Collection of Delinquent Charges on Tax Roll. For any water charges which have been delinquent for 60 days, the District shall, on or about June 1 of each year, cause a written report to be prepared and filed with the Board and cause notice to be given and published of a public hearing before the Board on the issue of placement of such delinquent charges, penalties and interest upon the County Property Tax Roll for collection. Upon conclusion of the hearing, the Board of Directors may determine to collect such delinquent charges and penalties upon the County Property Tax Roll for the affected parcel of property. Upon such determination by the Board of Directors by resolution, the District Secretary shall thereafter file with the County Auditor the report adopted by the Board at such public hearing and request that the delinquent charges and

penalties be added to and collected with property taxes on said property at the same time and in the same manner as property taxes are collected by the County Auditor.

- E. Collection by Legal Action. The Board is further authorized to institute and prosecute in the name of the District appropriate legal action for the collection of delinquent water charges and penalties. By its application for and receipt of water services, property owners/customers agreed to be responsible for reimbursement to the District of all attorneys' fees and other legal costs incurred by District in collecting any delinquent charges and penalties from the property owner/customer through such legal action.

ARTICLE 11 - DISCONTINUANCE OF SERVICE

SECTION 11.1. Disconnection for Non-Payment. Service may be discontinued for non-payment of bills. At least 5 days prior to such discontinuance the customer will be sent a final notice informing him that discontinuance will be enforced if full payment is not received by the District within the time period specified in the notice. The failure of the District to send such notice or any such person to receive a notice shall not affect the District's right to disconnect service. In addition, a customer's water service may be discontinued if water service provided at a previous location is not paid for within the time for payment of bills provided herein. If the customer receives water service at more than one location, and the bill for service at any one location within the time provided for payment, water service at all locations may be turned off.

SECTION 11.2 Charges a Debt. Failure to receive a bill does not relieve consumer of liability. Any amount due shall be deemed a debt to the District, and any person, firm or corporation failing, neglecting or refusing to pay said indebtedness shall be liable to an action in the name of the District in any court of competent jurisdiction for the amount thereof.

SECTION 11.3. Reconnection Charge. A current reconnection charge plus penalties will be made and collected prior to renewing service following a discontinuance.

SECTION 11.4. Unsafe Apparatus. Water Service may be refused or discontinued on any premises where apparatus or appliances are in use which might endanger or disturb the service to other customers.

SECTION 11.5. Cross-Connection. Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of state or federal laws or this ordinance. This section shall agree and conform to Article 1, Section 1.F cross-connection.

SECTION 11.6. Fraud or Abuse. Service may be discontinued or removed, including the removal of unapproved connections or unauthorized facilities, and penalties imposed, if necessary, to protect the District against fraud or abuse.

- A. Fraud or abuse is the act of any person to commit, authorize, solicit, aid, abet or attempt any of the following acts:
1. Divert or cause to be diverted water service by any means.
 2. Make or cause to be made any connection or reconnection to the District's water system without the authorization or consent of the District. As used in this section "water system" means all property owned by the District for the transmission, collection, storage or treatment of water.
 3. Tampering with or otherwise interfere with any water meter or other water flow measurement device so as to prevent the accurate measurement of water use.
 4. Use or receive the benefit of water from the District with knowledge or reason to believe that the use or receipt of such water is unauthorized by the District.
 5. Tampering with any property owned or used by the District to provide water service.
 6. Providing water through a service connection to another premises or parcel of property that does not have its own service connection, or for which an application for service connection has not been filed with the District.
- B. A violation exists if, on premises owned or controlled by the Customer or any person using or receiving the direct benefit of the water service, there is either of the following:
1. Any instrument, apparatus or device designed to be used to obtain service without paying the full lawful charge therefor.
 2. Any meter that is altered, tampered with or bypassed so as to cause no measurement or inaccurate measurement of water service.
 3. Any person who is determined by District staff to have committed fraud or abuse as defined herein shall be billed by the District for the damage to the property owned or used by the District to provide service, the actual cost to remove and reinstall District facilities, for loss of water, plus a penalty of \$300 per infraction. A separate infraction will be found for each day such fraud or abuse is determined by District to have continued.
- C. Upon approval by the Board of Directors, the District may bring a civil action pursuant to Section 1882.1 of the California Civil Code to recover up to three times the actual damages suffered by the District, plus its costs of suit and

reasonable attorneys' fees, for each violation of the provisions of this section.

- D. The remedies set forth in this section shall be in addition to all other remedies, civil and criminal, available to the District for violation of the provisions of this section or for any ordinance, resolution, rule or regulation of the District, or any provision of Federal, State or local law.

SECTION 11.7. Non-Compliance With Regulations. Service may be discontinued for non-compliance with this or any other ordinance or regulation relating to the water service. The Customer will be notified of the District's intention to discontinue service for noncompliance, with an explanation of the violation or infraction committed. There will be a reasonable opportunity given to comply before actions to discontinue water service will be taken by the District. However, no such notice to afford an opportunity to comply need be given to a Customer in those instances in which the noncompliance may cause conditions dangerous or detrimental to public health, safety and welfare, or are in violation of state law. These violations include, but are not limited to, trespass, assault, water theft, cross connection deficiencies, and water system or facility damage.

SECTION 11.8 Use of Water Without Application. Service may be discontinued in all cases in which a person is determined by District to have used water from the District's water system without having made Application to the District therefore, or without having a separate service connection installed by District to provide water to that person's premises, or without having paid all applicable connection charges and service and meter installation charges.

SECTION 11.9. Upon Vacating Premises. Customers desiring to discontinue service should so notify the district two (2) days prior to vacating the premises. Unless discontinuance of service is ordered, the customer shall be liable for charges whether or not any water is used.

ARTICLE 12 - PUBLIC FIRE PROTECTION

SECTION 12.1. Requirements. Requirements shall be in agreement with any and all ordinances of the Hayfork Fire Protection District and State Fire Code provisions pertaining to fire protection.

SECTION 12.2. Use of Fire Hydrants. Fire hydrants are for use by Trinity Co. Waterworks District or by the Hayfork Fire Protection District. Other parties desiring to use fire hydrants for ANY purpose must first obtain written permission from the Water District and the Hayfork Fire Protection District-Prior to use and shall operate the hydrant in accordance with instructions issued by the Water District.

Any use of water that is not authorized will be prosecuted as a theft of public property. All use of water must be documented on forms supplied by the Water district. All water must be paid for PRIOR to the collection from the hydrants. The fees will be set by appropriate policy at a regular meeting of the board of directors. Unauthorized use of hydrants will be prosecuted according to law. All water sold will be for non-potable use.

SECTION 12.3. Moving of Fire Hydrants. When a fire hydrant has been installed in the location specified by the proper authority, the District has fulfilled its obligation. If a property owner or other party desires to change the size, type or location of the hydrant, he shall bear all costs of such changes, without refund. Any change in the location of a fire hydrant must be approved by the proper authority.

ARTICLE 13 - PRIVATE FIRE PROTECTION SERVICE

SECTION 13.1. Application. Application for private fire protection shall be made through the Hayfork Fire Protection District.

SECTION 13.2. Water Pressure and Supply. The District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and merely agrees to furnish such quantities and pressures as are available in its general distribution system. The service is subject to shutdowns and variations required by the operation of the system.

SECTION 13.3. Cost of Installation. All appurtenant facilities and fixtures pertaining to private fire protection shall be the sole financial responsibility of the applicant.

ARTICLE 14 - TEMPORARY SERVICE

SECTION 14.1. Duration of Service. Temporary service connections shall be discontinued and terminated within six (6) months after installation unless an extension of time is granted in writing by the District.

SECTION 14.2. Deposit. The applicant shall deposit in advance, the estimated cost of installing and removing the facilities required to furnish said service exclusive of the cost of salvageable material. Upon discontinuance of service, the actual cost shall be determined and an adjustment made as an additional charge, refund or credit. If service is supplied through a fire hydrant, the applicant shall deposit, in advance, a current deposit and will be charged in accordance with the following rate schedule:

SECTION 14.3. Rates. The rates for regular service shall be increased by fifty percent (50%) for temporary service, except as otherwise provided herein. The minimum charge for water shall be in agreement

with current charges.

SECTION 14.4. Installation and Operation. All facilities for temporary service to the customer connection shall be made by the District and shall be operated in accordance with its instructions.

SECTION 14.5. Responsibility for Meters and Installation. The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of the District which are involved in furnishing the temporary service from the time they are installed until they are removed, or until forty-eight (48) hours notice in writing has been given to the District that the contractor or other person is through with the meter or meters and the installation. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the customer.

SECTION 14.6 Temporary Service From a Fire Hydrant. If temporary service is supplied through a fire hydrant, a permit for the use of the hydrant shall be obtained from the proper authority and the District. It is specifically prohibited to operate the valve of any fire hydrant other than by the use of a spanner wrench designed for this purpose. Refer to Article 13, Section 13.1.

SECTION 14.7. Unauthorized Use of Hydrants. Tampering with any fire hydrant for the unauthorized use of water therefrom, or for any other purpose, is a misdemeanor, punishable by law.

SECTION 14.8. Credit. The applicant shall pay the estimated cost of service in advance or shall be otherwise required to establish credit in accordance with Article 18 hereunder.

ARTICLE 15 - SPECIAL PROVISIONS

SECTION 15.1. Pools and Tanks. When an abnormally large quantity of water is desired for filling a swimming pool or for other purposes, arrangements must be made with the District prior to taking such water. Water to be used for other than domestic purposes, such as swimming pools and tanks, will be supplied only through a meter and filter system approved by the State Board of Health. All meters, lines, checks, filter and appurtenances are to be furnished and installed by the customer, under the supervision of the Water Superintendent. The system is to be open for inspection by the Water Superintendent at all times. Permission to take water in unusual quantities will be given only if it can be safely delivered through the District's facilities and if other consumers are not inconvenienced thereby.

SECTION 15.2. Responsibility for Equipment. The customer shall, at his own risk and expense, furnish, install and keep in good and safe

condition all equipment that may be required for receiving, controlling, applying and utilizing water, and the District shall not be responsible for any loss or damage caused by the improper installation of such equipment, or the negligence or wrongful act of the customer or of any of his tenants, agents, employees, contractors, licensees or permittees in installing, maintaining, operating or interfering with such equipment. The District shall not be responsible for damage to property caused by faucets, valves, and other equipment that are open when water is turned on at the meter, either originally or when turned on after a temporary shutdown or non-payment discontinuance.

SECTION 15.3. Service Connections. The service connection extending from the water main to the property line and including the meter, meter box, and curb cock or wheel valve, shall be maintained by the District. All pipes and fixtures extending or lying beyond the meter box shall be installed and maintained by the owner of the property.

ARTICLE 16 - RATES

SECTION 16.1. Rate Schedule. Rates for water service will be those established on the current rate schedule.

SECTION 16.2. Single Service Connection - Multiple Use. Shall be charged according to the meter reading in accordance with the current rate schedule.

SECTION 16.3. Single Service Connection Use. Shall be the responsibility of the property owner.

SECTION 16.4. Domestic, Commercial, Business and Industrial Service Connection. It shall be unlawful to maintain a connection excepting in conformity with the following rules:

a. Separate Service Connections.. Each house, building or parcel of property under separate ownership must be provided with a separate service connection.

b. Single Connection. Not more than one service connection for domestic or commercial supply shall be installed for one building or premises except under special conditions.

c. Different Owners. A service connection shall not be used to supply adjoining or nearby property of a different owner or to supply property of the same owner across a street, alley, or individual parcel boundary line for which no separate application has

been filed with the District.

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

SECTION 16.5. Water Meter Installation Fees. Rates pertaining to meter installation fees are here-by adopted and shall remain in force until amended or repealed by the Directors of Trinity County Waterworks District #1.

3/4 x 5/8 Domestic use meter==== \$850.00 plus parts and installation
3/4 x 5/8 Commercial use meter=== \$1000.00 plus parts and installation
2" X 2" Commercial use meter=== \$1500.00 plus parts and installation

ARTICLE 17 - CREDIT

SECTION 17.1. Establishment and Maintenance. Each applicant for service shall establish and maintain credit to the satisfaction of the District by a cash guarantee deposit as hereinafter provided, or otherwise, before service will be rendered.

SECTION 17.2. Guarantee Deposit. The amount of the deposit required will be equal to four (4) months minimum deposit. No interest will be paid on a guarantee deposit.

SECTION 17.3. Loss of Credit. Any amount due for water service that remains unpaid for ten (10) days after presentation of a bill therefore, during the time the depositor is rendered service, may be deducted from the guarantee deposit and service shall be subject to discontinuance until the deposit is again restored to the original amount plus reconnection fee.

SECTION 17.4. Return of Guarantee Deposit. If the service is discontinued, the deposit will be returned provided all outstanding bills against the consumer for water service have been paid. Any deposit unclaimed within one (1) year will become the property of and be retained by the District.

ARTICLE 18 - TIME OF TAKING EFFECT

SECTION 18.1. The revisions to these ordinances shall take effect 30 days after adoption, provided a summary of this ordinance as adopted is published in a newspaper of general circulation within the District within 15 days after adoption. I

TRINITY COUNTY ORDINANCE No. 332

WHEREAS the Trinity County Waterworks District has recently completed the Ewing Dam and Reservoir Project, such project to provide a supply of domestic water to that District, as well as a source of recreation, the Trinity County Board of Supervisors does hereby adopt the following regulations concerning the operation of the reservoir and recreation area:

I. USE REGULATIONS

- A. The reservoir, onshore recreation facilities, and recreation area shall be available to the general public for recreational use without regard to race, color, or creed.
- B. The reservoir and picnic area shall be closed to every unauthorized person during the hours from one hour after sunset to one hour before sunrise.
- C. The dam, reservoir, onshore recreation facilities and recreation area shall be operated in compliance with all laws, regulations, orders, and other lawful directives of the State of California and of local agencies pertaining to public health and safety.
- D. No overnight camping shall be permitted.
- E. The number of persons using the recreation facilities and area shall not exceed the number Trinity County Health Department deems proper.

II. GENERAL REGULATION

No persons shall, without permission of the District, within the Ewing Lake Recreation Area:

- A Swim, bathe or engage in any other water-contact sports.

- B. Operate any type of boat or raft.
- C. Molest, injure, kill, or remove any flora or fauna, or disturb its habitat.
- D. Deface anything in any way, including fastening to any object any advertising or inscriptions.
- E. Dig up or remove any natural thing.
- F. Place or leave any trash, except in a receptacle provided for that purpose.
- G. Build a fire any place but in those fireplaces provided for that purpose.
- H. Possess, discharge or set off, over, onto or through the Ewing Lake Recreation Area any firearms, firecrackers, torpedoes, rockets or other explosives or fireworks.
- I. Permit or allow any domestic animal to be within the Ewing Lake Recreation Area unless the same shall at all times be under the actual and physical control of the owner or person having custody.
- J. Engage in soliciting, selling or peddling any goods or services or to distribute any circulars.
- K. Clean any fish or leave any fish entrails, or other remains in the lake.

III. VEHICLE USE REGULATIONS

No person shall within the Ewing Lake Recreation Area:

- A. Operate any motor vehicle except upon District roads and parking lots unless otherwise approved by the District.
- B. Park and leave unattended any vehicle in areas other than those designated for parking. Vehicles left unattended in areas not so designated, or in other areas without permission, may be towed away and stored by the District and said removal and storage costs shall be charged to and paid by the owner prior to release.
- C. Operate any motor vehicle without a muffler system conforming to the provisions of the California Vehicle Code.

PENALTIES

Any person who violates any of the provisions of this ordinance is guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than \$500.00 or by imprisonment in the County Jail for not more than six months or by both such fine and imprisonment.

This ordinance shall take effect 30 days after its passage and shall be published at least once in the Weekly Trinity Journal within 15 days after its passage.

TRINITY COUNTY WATERWORKS DISTRICT #1 ORDINANCE NO. 322-A

WHEREAS, This District owns and operates the facilities known as "EWING RESERVOIR", and is thereby charged with the task of providing for safe and reasonable use of the recreation facilities. For the above reasons, The Board of Directors of Trinity County Waterworks District #1 hereby adopts the following ordinance:

It is unlawful for any person to possess or consume any alcoholic beverage at any time upon the grounds of Trinity County Waterworks District #1.

It is unlawful for any person to possess or consume any controlled substance at any time upon the grounds of Trinity County Waterworks District #1.

The grounds of Trinity County Waterworks District #1 is defined as all property of every nature and description owned by Trinity County Waterworks District #1, including but not limited to all land around Ewing Reservoir, the picnic area, any trails, paths, restrooms, parking areas, and access road.

Any person who violates any of the provisions of this Ordinance is guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine or not more than \$500.00 or by imprisonment in the county jail for not more than six months or by

both such fine and imprisonment.

This Ordinance shall take effect 30 days after its passage and shall be published at least once in the Weekly Trinity Journal within 15 days after its passage.

TRINITY COUNTY WATERWORKS DISTRICT #1 ORDINANCE NO. 332-B

WHEREAS This District owns and operates the facilities known as "EWING RESERVOIR", and is thereby charged with the task of providing for safe and reasonable use of the recreation facilities. For the above reasons The Board of Directors of Trinity County Waterworks District #1 hereby adopts the following ordinance:

It is unlawful for any person to Ride or Bring a Horse, Mule or Like Animal onto to the grounds of Trinity County Waterworks District #1.

The grounds of Trinity County Waterworks District #1 is defined as all property of every nature and description owned by Trinity County Waterworks District #1, including but not limited to all land around Ewing Reservoir, the picnic area, any trails, paths, restrooms, parking areas, and access road.

Any person who violates any of the provisions of this Ordinance is guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than \$500.00 or by imprisonment in the county jail for not more than six months or by both such fine and imprisonment.

This Ordinance shall take effect 30 days after its passage and shall be published at least once in the Weekly Trinity Journal within 15 days after its passage.

Amended: December 18, 1990