

**BELLA VISTA WATER DISTRICT
URBAN WATER MANAGEMENT PLAN**

**APPENDIX M – WATER SHORTAGE CONTINGENCY PLAN
RESOLUTIONS**

**BELLA VISTA WATER DISTRICT
COUNTY OF SHASTA**

Resolution No. 21-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BELLA VISTA WATER DISTRICT DECLARING A WATER SHORTAGE EMERGENCY
AND ENACTING APPROPRIATE SHORTAGE MEASURES

WHEREAS, the Bella Vista Water District has contracted with the U.S. Bureau of Reclamation for a water supply from the Central Valley Project (CVP) via the Sacramento River in the annual amount of 24,578 acre feet; subject to shortage provisions; and

WHEREAS, California is experiencing dry conditions and 2021 has been designated a “critically dry” year by the U.S. Bureau of Reclamation for Central Valley Project Water Allocation Purposes; and

WHEREAS, the U. S. Bureau of Reclamation has notified the Bella Vista Water District that the District will receive fifty five percent (55%) of Historical Use, defined as the average of the prior 3, unconstrained years, for municipal and industrial (M&I) purposes and five percent (5%) for agricultural use from the Central Valley Project during the 2021 water year; and

WHEREAS, the District used an average of 6,649 acre-feet of its CVP Contract water for municipal and industrial purposes during the prior three, unconstrained water years that included 2017, 2018, and 2019 and without cutbacks by District customers and would expect to use even more during the 2021 water year due to critically dry conditions; and

WHEREAS, the Board of Directors has determined that voluntary water conservation measures will likely not be adequate to accommodate the anticipated demand for water without depleting the water supply available to Bella Vista Water District to the extent that there would be insufficient water for human consumption, sanitation and fire protection.

NOW, THEREFORE, be it resolved by the Board of Directors of the Bella Vista Water District and hereby declared that there is a water shortage emergency and enacts shortage measures in accordance with the District’s adopted Water Shortage Contingency Plan as follows:

I. PURPOSE

The purpose of this Resolution is to declare a water shortage emergency and enact appropriate shortage measures, to equitably distribute the available water to the District's customers and to ensure an adequate supply for human consumption, sanitation, and fire protection. This Resolution is adopted pursuant to Water Code Section 350 et seq., and Section 375 et seq.

For all stages of this plan, the Water Allocation Year is from March 1 through February 28. The Water Consumption figures of the 2017 through 2019 water year(s) will establish the historic use baseline quantity (the “prior three unconstrained years”) used for allocation throughout this water shortage.

II. RESTRICTIONS AND PROHIBITIONS

A. Residential and Rural Customer Classes

All District Residential and Rural customers shall receive a quantity equal to 90% of the amount that their average historical use from the prior three unconstrained years for each location and billing period. All District Residential and Rural customers shall receive a minimum quantity of 24 HCF for each billing period as set forth below. Overuse penalty rates shall apply to all use exceeding the 90% allotment or 24 HCF per billing cycle.

B. Commercial and Public/Institutional Customers Primarily Non-Landscape

All Commercial and Public/Institutional accounts except for those determined to be primarily for non-agricultural Landscape Irrigation shall receive an allotment of 90% of the average historical use from the prior three unconstrained years for each billing period. Overuse penalty rates shall apply to all use exceeding the 90% allotment or 24 HCF per billing cycle.

C. Commercial and Public/Institutional Customers Primarily Landscape

All Commercial and Public/Institutional accounts deemed to be primarily for Landscape Irrigation shall receive an allotment of 90% of the average historical use from the prior three unconstrained years for each billing period. Overuse penalty rates shall apply to all use exceeding the 90% allotment or 24 HCF per billing cycle.

D. Agriculture Customers

Agriculture Customers shall receive a quantity equal to 0.50 AF plus 5% of their average historical use from the prior three unconstrained years for the entire water year. Overuse penalty rates shall apply to all water deliveries exceeding the customer's annual allotment. Agriculture Customers that have voluntarily participated in the District's Supplemental Water Program to augment their supply can utilize their Supplemental Supply in addition to their allotment. Overuse penalty rates shall apply to all use exceeding 0.50 AF plus 5% of their average historical use, plus Supplemental Water, if any.

E. New service applications

New service applications may be granted upon the condition that the water shall be used for internal household purposes only and landscaping must be delayed until this resolution is revised or rescinded. New Residential and Rural Customers shall be granted the following for indoor public health and safety use purposes: 24 HCF per bi-monthly billing cycle (e.g. June 1st through July 30th). Applicable to all new meter installations purchased with no previous consumption history after the date of this Resolution.

F. Construction\Hydrant Water Use

Construction and/or authorized temporary hydrant water use will be monitored for efficient use for construction related purposes that includes compaction and dust control. Hauled water must be used within the District's boundary. All construction/hydrant water use will be billed at the rate of \$2.00/HCF.

G: Water Use Restrictions Declaration – Stage 2

The following restrictions will apply to all District provided water use as also described and detailed in the District adopted Shortage Contingency Plan:

Stage 1. Below Normal Water Supply (90% to 100% of Normal Water Production)

Stage 1. Below Normal Water Supply is categorized with a possible reduction percentage of up to 10%. Response Actions may include:

- Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited (*District Policy Manual Section 143*).
- Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.
- Free-flowing hoses are prohibited for all uses. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.
- Leaking customer pipes or faulty sprinklers shall be repaired within five (5) working days or less if warranted due to the severity of the problem or shall not be utilized until repaired.
- All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leakproof.
- Swimming pool and spa covers encouraged to prevent evaporative water loss.
- Pool draining and refilling shall be allowed only for health, maintenance, or structural considerations.
- Washing streets, parking lots, driveways, or sidewalks, except as necessary for health, aesthetic, or sanitary purposes, is prohibited.
- To reduce evaporation, between March 1 and October 31 the use of sprinkler irrigation systems for all landscape irrigation systems shall be limited to be between the hours of 7:00 p.m. and 9:00 a.m. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 15 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.
- Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).

Stage 2. Moderate Water Shortage (80% to 90% of Normal Water Production)

Stage 2. Moderate Water Shortage is categorized with a possible reduction percentage of 10-20%.

All Stage 1 Response Actions are required plus the following:

- Reduce water use by the following specified percentages: Residential and Rural by 10-20%, Multi-family and Public/Institutional customers by 10-20%, commercial customers by 5-10%, and Landscape Irrigation by 15-25%.
- Customers with “smart” irrigation timers or controllers are asked to set their controllers to achieve 90 to 95% of the evapotranspiration (ET) rate.
- Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased shall serve water only upon request.
- Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.
- Users of construction meters and fire hydrant meters will be monitored for efficient water use.

Penalties: Any customer in violation of Stage 2 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not corrected in a timely manner, any continued violation of mandatory Stage 2 requirements after notice and warning is provided shall be punishable by an administrative fine per day or per occurrence as set in Appendix A of the District’s Policy Manual.

III. OVERUSE PENALTY

Beginning with all billings on May 1, 2021 and thereafter for the duration of the enforcement of this Resolution, every customer shall, in addition to the existing water rates, be subject to an Overuse penalty rates for the use of water in excess of allotments allowed in Section II. The penalty amount as determined by the recorded meter reading, shall be as listed below:

Residential, Rural, Commercial, Public Institutional Customers that exceed their allotment described in Section II, will be subject to an Overuse Penalty rate of \$1.38 per HCF.

Agricultural Customers that exceed their allotment described in Section II, will be subject to an Overuse Penalty rate of \$1.38 per HCF or \$601.12 per AF.

IV. EXCEPTIONS AND/OR VARIANCES

The General Manager may, in writing, grant temporary variances for prospective uses of water otherwise prohibited after determining that due to unusual circumstances to fail to grant such variance would cause an emergency condition affecting health, sanitation, or fire protection of the applicant or the public. The Board of Directors shall ratify or revoke any such variance or adjustment at its next scheduled meeting. Any such variance or adjustment so ratified may be revoked by later action of the Board of Directors. No such variance shall be retroactive or otherwise justify any violation of this Resolution occurring prior to issuance of said temporary variance.

It must be recognized that due to the water shortage emergency the District has very limited ability to grant exceptions and/or variances to the Water Shortage Management Plan.

V. PUBLIC NOTICE

a. The Secretary of the Board is directed to publish this Resolution in accordance with Government Code Section 6061 and Water Code Section 375.

b. The Secretary of the Board is directed to publish a summary of this Resolution on the District's internet web site (www.bvwd.org) and include it in a newsletter sent to each customer in the District.

VI. DURATION

These restrictions shall remain in full force and effect until the rescission of this Resolution, or modification of a part thereof, by the Board of Directors.

Passed and Adopted this 22nd day of March, 2021, by the following vote:

Ayes:

Noes:

Absent:

Abstain:



Frank Schabarum, President of the Board of
Directors of Bella Vista Water District

ATTEST:



David J. Coxey, Secretary of the Board of
Directors of Bella Vista Water District

BELLA VISTA WATER DISTRICT

RESOLUTION 15-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BELLA VISTA WATER DISTRICT ADOPTING A MUNICIPAL AND INDUSTRIAL WATER SHORTAGE CONTINGENCY PLAN

WHEREAS, the Bella Vista Water District has contracted with the U.S. Bureau of Reclamation for a water supply from the Sacramento River in the annual amount of 24,578 acre feet; and

WHEREAS, the availability of Municipal and Industrial (M&I) water for the Bella Vista Water District may be affected by numerous factors including regulatory mandates imposed by the State Water Resources Control Board and/or reductions in surface water allocations imposed by the United States Bureau of Reclamation (USBR) under the shortage provisions of the District's Water Service Contract, reductions in surface water diversions under the District's long-term transfer agreement with the Anderson-Cottonwood Irrigation District as a result of reduced allocations under their Settlement Contract with the USBR; and

WHEREAS, water production facilities failures, water distribution infrastructure failures, contamination of supply, or other factors may result in emergency conditions that threaten the District's ability to provide for public health and safety; and

WHEREAS, the District's Water Shortage Contingency Plan currently in force does not adequately address all the factors that may limit the District's ability to respond to diminished source capacity or emergency conditions.

WHEREAS, California is experiencing drought conditions for the fourth straight year;

WHEREAS, the U.S. Bureau of Reclamation has notified the Bella Vista Water District that the District will only be supplied 25 percent of its historical M&I water use, the allocated amount being 1,828 acre feet of water from Federal facilities during the 2015-2016 water-year;

WHEREAS, the District used a total of 8,216 acre-feet of M&I water during the 2013-2014 water-year and would expect to use more during the 2015-2016 water-year due to the projections of hotter and drier weather than normal; and,

WHEREAS, the Board of Directors declared a water shortage emergency on February 27, 2014 and that the water shortage emergency is still in effect; and

WHEREAS, the District's water shortage measures currently in force do not adequately address all the factors that may limit the District's ability to respond to diminished source capacity or emergency conditions; and

WHEREAS, it is the desire of the Board of Directors to set forth its policy for water shortages; and

NOW, THEREFORE, be it resolved by the Board of Directors of the Bella Vista Water District that to manage M&I water shortages the following M&I Water Shortage Contingency Plan, shall be enacted and shall read as follows:

I. PURPOSE AND INTENT

The purpose of this Resolution is to establish a Municipal and Industrial (M&I) Water Shortage Contingency Plan (WSCP) in order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions.

Water uses regulated or prohibited under the District's Water Shortage Contingency Plan are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as set forth in the WSCP.

II. WATER SHORTAGE CONTINGENCY PLAN

Upon declaration or amendment by the Board of Directors of the specific Stage in effect, the following mandatory water conservation requirements shall be in effect.

The declaration of Short-Term Stage 4 or Stage 5 water conservation requirements may be declared by the District's General Manager or his/her designee and subject to ratification by the District's Board of Directors in a regular or special session. A short-term declaration is for water shortage conditions expected for a duration of 45 days or less.

Exceedance charges may be imposed on all water usage above the allocated amounts for each customer account at Water Conservation Stages 3 and above.

A. STAGE 1 – NORMAL WATER SUPPLY (Water Supplies = 85% to 100% of Normal)

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.
2. Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.
3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.
4. Leaking customer pipes or faulty sprinklers shall be repaired within five (5) working days or less if warranted by the severity of the problem, or shall not be utilized until repaired.
5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. Pool draining and refilling shall be allowed only for

health, maintenance, or structural considerations. Swimming pool and spa covers are encouraged to prevent evaporative water loss.

6. Washing streets, parking lots, driveways, or sidewalks, except as necessary for health, aesthetic or sanitary purposes, is prohibited.
7. Reduce water use by the following specified percentages: Residential, Rural, Multi-family and Public/ Institutional customers reduce water use by 5-15%; commercial customers by 5%; and Landscape Irrigation by 10-20%.
8. To reduce evaporation, the use of sprinkler irrigation systems for all M&I customers shall be limited to between one hour before sunset and one hour after sunrise. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 5 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.
9. Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).

B. STAGE 2 – MODERATE WATER SHORTAGE (Water Supplies = 70% to 85% of Normal)

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.
2. Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.
3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.
4. Leaking customer pipes or faulty sprinklers shall be repaired within five (5) working days or less if warranted by the severity of the problem.
5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. Pool draining and refilling shall be allowed only for health, maintenance, or structural considerations. Swimming pool and spa covers are encouraged to prevent evaporative water loss.
6. Washing streets, parking lots, driveways, or sidewalks, except as necessary for health, aesthetic or sanitary purposes, is prohibited.
7. Reduce water use by the following specified percentages: Residential and Rural 15-25%; Multi-family and Public/ Institutional customers reduce water use by 10-20%; commercial customers by 5-10%; and Landscape Irrigation by 15-30%.

8. To reduce evaporation, the use of sprinkler irrigation systems for all M&I customers shall be limited to between one hour before sunset and one hour after sunrise. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 5 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.
9. Customers with “smart” irrigation timers or controllers are asked to set their controllers to achieve 90 to 95% of the evapotranspiration (ET) rate.
10. Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).
11. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and/or purchased, shall serve water only upon request.
12. Users of construction meters and fire hydrant meters will be monitored for efficient water use.

Penalties: Any customer in violation of Stage 2 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 2 requirements after notice and warning is provided shall be punishable by an administrative fine of \$50.00 per day or per occurrence.

C. STAGE 3 – SEVERE WATER SHORTAGE (Water Supplies = 50% to 70% of Normal)

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.
2. Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.
3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.
4. Leaking customer pipes or faulty sprinklers shall be repaired within two (2) working days or less if warranted by the severity of the problem.
5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. Pool draining and refilling shall be allowed only for health, maintenance, or structural considerations.
6. Washing streets, parking lots, driveways, or sidewalks, except as necessary for health, aesthetic or sanitary purposes, is prohibited.

7. Reduce water use by the following specified percentages: Residential and Rural 25-40%; Multi-family and Public/ Institutional customers reduce water use by 20-30%; commercial customers by 20%; and Landscape Irrigation by 25-50%.
8. To reduce evaporation, the use of sprinkler irrigation systems for all M&I customers shall be limited to between one hour before sunset and one hour after sunrise. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 5 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.
9. Customers with “smart” irrigation timers or controllers are asked to set their controllers to achieve 75% of the evapotranspiration (ET) rate. Drip irrigation systems are excluded from this requirement.
10. Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).

Outdoor irrigation of ornamental landscapes and turf with potable water shall be limited to 3 days a week. Customers whose street addresses end with an odd number may water on Wednesday, Friday and Sunday. Customers whose street addresses end with an even number may water on Tuesday, Thursday and Saturday.

The application of potable water to outdoor landscapes during or within 48 hours after measurable rainfall is prohibited.

11. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and/or purchased, shall serve water only upon request.
12. Users of construction meters and fire hydrant meters will be monitored for efficient water use. Flushing of water mains, sewers, or fire hydrants is prohibited except for emergencies and essential operations.
13. Water use exceedance tiered pricing will be implemented.
14. Motor vehicles and equipment shall be washed only with buckers or with hoses equipped with automatic shutoff nozzles.
15. Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.

Penalties: Any customer in violation of Stage 3 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 3 requirements after notice and warning is provided shall be punishable by an administrative fine of \$200.00 per day or per occurrence.

D. STAGE 4 – EXTREME WATER SHORTAGE: SHORT-TERM (Water Supplies = 30% to 50% of Normal)

The declaration of Short-Term Stage 4 water conservation requirements may be declared by the District's General Manager or his/her designee and subject to ratification by the District's Board of Directors in a regular or special session. A short-term declaration is for water shortage conditions expected for a duration of 45 days or less.

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.
2. Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.
3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.
4. Leaking customer pipes or faulty sprinklers shall be repaired within 24 hours or less if warranted by the severity of the problem.
5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. No potable water from the District's system shall be used to fill or refill artificial lakes, ponds or streams. Water use for ornamental ponds and fountains is prohibited.
6. The application of potable water to driveways and sidewalks is prohibited.
7. Reduce water use by the following specified percentages: Residential and Rural 40-50%; Multi-family and Public/ Institutional customers reduce water use by 30-50%; commercial customers by 30%; and Landscape Irrigation by 50-100%.
8. To reduce evaporation, the use of sprinkler irrigation systems for all M&I customers shall be limited to between one hour before sunset and one hour after sunrise. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 5 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.
9. Customers with "smart" irrigation timers or controllers are asked to set their controllers to achieve 75% of the evapotranspiration (ET) rate. Drip irrigation systems are excluded from this requirement.
10. Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).

Outdoor irrigation of ornamental landscapes and turf with potable water shall be limited to 1 day a week.

The application of potable water to outdoor landscapes during or within 48 hours after measurable rainfall is prohibited.

11. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and purchased, shall serve water only upon request.
12. Users of construction meters and fire hydrant meters will be monitored for efficient water use. Flushing of water mains, sewers, or fire hydrants is prohibited except for emergencies and essential operations.
13. Water use exceedance tiered pricing will be implemented.
14. Motor vehicles and equipment shall be washed only with buckers or with hoses equipped with automatic shutoff nozzles.
15. Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.
16. The installation of new turf or landscaping is prohibited.
17. Water use shall be restricted so as to meet the minimum requirements for personal health and safety.
18. No new connections to the District's water distribution system will be allowed.

Penalties: Any customer in violation of Stage 4 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 4 requirements after notice and warning is provided shall be punishable by an administrative fine of \$500.00 per day or per occurrence.

E. STAGE 4 – EXTREME WATER SHORTAGE: LONG-TERM (Water Supplies = 30% to 50% of Normal)

The declaration of Long-Term Stage 4 water conservation requirements will be by the

District's Board of Directors in a regular or special session. A long-term declaration is for water shortage conditions expected for a duration of more than 45 days.

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.
2. Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.

3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.
4. Leaking customer pipes or faulty sprinklers shall be repaired within 24 hours or less if warranted by the severity of the problem.
5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. No potable water from the District's system shall be used to fill or refill artificial lakes, ponds or streams. Water use for ornamental ponds and fountains is prohibited.
6. The application of potable water to driveways and sidewalks is prohibited.
7. Reduce water use by the following specified percentages: Residential and Rural 40-50%; Multi-family and Public/ Institutional customers reduce water use by 30-50%; commercial customers by 30%; and Landscape Irrigation by 50-100%.
8. To reduce evaporation, the use of sprinkler irrigation systems for all M&I customers shall be limited to between one hour before sunset and one hour after sunrise. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 5 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.
9. Customers with "smart" irrigation timers or controllers are asked to set their controllers to achieve 75% of the evapotranspiration (ET) rate. Drip irrigation systems are excluded from this requirement.
10. Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).

Outdoor irrigation of ornamental landscapes and turf with potable water shall be limited to 1 day a week.

The application of potable water to outdoor landscapes during or within 48 hours after measurable rainfall is prohibited.

11. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and purchased, shall serve water only upon request.
12. Users of construction meters and fire hydrant meters will be monitored for efficient water use. Flushing of water mains, sewers, or fire hydrants is prohibited except for emergencies and essential operations.
13. Water use exceedance tiered pricing will be implemented.
14. Motor vehicles and equipment shall be washed only at commercial establishments that use recycled or reclaimed water.

15. Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.
16. The installation of new turf or landscaping is prohibited.
17. Water use shall be restricted so as to meet the minimum requirements for personal health and safety.
18. No new connections to the District's water distribution system will be allowed.

Penalties: Any customer in violation of Stage 4 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 4 requirements after notice and warning is provided shall be punishable by an administrative fine of \$500.00 per day or per occurrence.

F. STAGE 5 – CRITICAL WATER SHORTAGE: SHORT-TERM (Water Supplies =less than 30% of Normal)

The declaration of Short-Term Stage 5 water conservation requirements may be declared by the District's General Manager or his/her designee and subject to ratification by the District's Board of Directors in a regular or special session. A short-term declaration is for water shortage conditions expected for a duration of 45 days or less.

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.
2. Landscape irrigation is prohibited.
3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.
4. Leaking customer pipes or faulty sprinklers shall be repaired immediately. Water service will be suspended until repairs are made.
5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. No potable water from the District's system shall be used to fill or refill artificial lakes, ponds or streams. Water use for ornamental ponds and fountains is prohibited.
6. The application of potable water to driveways and sidewalks is prohibited.
7. Reduce water use by the following specified percentages: Residential and Rural 50% or more; Multi-family and Public/ Institutional customers reduce water use by 50% or more; commercial customers by 50% or more; and Landscape Irrigation by 100%.

8. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and purchased, shall serve water only upon request.
9. Water for flow testing and construction purposes from water agency fire hydrants and blow-offs is prohibited. No potable water from the District's system shall be used for construction purposes including but not limited to dust control, compaction, or trench jetting.
10. Flushing of sewers or fire hydrants is prohibited except in case of emergency and for essential operations.
11. Water use exceedance tiered pricing and excessive water use fines will be implemented.
12. Motor vehicles and equipment shall be washed only at commercial establishments that use recycled or reclaimed water.
13. Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.
14. The installation of new turf or landscaping is prohibited.
15. Water use shall be restricted so as to meet the minimum requirements for personal health and safety.
16. No new connections to the District's water distribution system will be allowed.

Penalties: Any customer in violation of Stage 5 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 5 requirements after notice and warning is provided shall be punishable by an administrative fine of \$500.00 per day or per occurrence.

G. STAGE 5 – CRITICAL WATER SHORTAGE: LONG-TERM (Water Supplies =less than 30% of Normal)

The declaration of Long-Term Stage 5 water conservation requirements will be by the District's Board of Directors in a regular or special session. A long-term declaration is for water shortage conditions expected for a duration of more than 45 days.

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.
2. Landscape irrigation is prohibited.
3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.

4. Leaking customer pipes or faulty sprinklers shall be repaired immediately. Water service will be suspended until repairs are made.
5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. No potable water from the District's system shall be used to fill or refill artificial lakes, ponds or streams. Water use for ornamental ponds and fountains is prohibited.
6. The application of potable water to driveways and sidewalks is prohibited.
7. Reduce water use by the following specified percentages: Residential and Rural 50% or more; Multi-family and Public/ Institutional customers reduce water use by 50% or more; commercial customers by 50% or more; and Landscape Irrigation by 100%.
8. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and purchased, shall serve water only upon request.
9. Water for flow testing and construction purposes from water agency fire hydrants and blow-offs is prohibited. No potable water from the District's system shall be used for construction purposes including but not limited to dust control, compaction, or trench jetting.
10. Flushing of sewers or fire hydrants is prohibited except in case of emergency and for essential operations.
11. Water Crisis/Emergency tiered pricing and excessive water use fines will be implemented.
12. Motor vehicles and equipment shall be washed only at commercial establishments that use recycled or reclaimed water.
13. Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.
14. The installation of new turf or landscaping is prohibited.
15. Water use shall be restricted so as to meet the minimum requirements for personal health and safety.
16. No new connections to the District's water distribution system will be allowed and no commitments will be made to provide service for new water service connections.

Penalties: Any customer in violation of Stage 5 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 5 requirements after notice and warning is provided shall be punishable by an administrative fine of \$500.00 per day or per occurrence.

Passed and adopted this 23rd day of March 2015 by the following vote:

Ayes: Bambino, Nash, Smith, Waite

Noes: 0

Absent: Steppat

Abstain: 0

Ted Bambino, President of the Board of
Board of Directors of Bella Vista Water District

ATTEST:

David J. Coxey, Secretary of the Board of
Directors of Bella Vista Water District

**BELLA VISTA WATER DISTRICT
URBAN WATER MANAGEMENT PLAN**

APPENDIX N – CONSUMER ACTIONS BY STAGE

Table 8 2: Water Shortage Contingency – Mandatory Prohibitions

Customer Actions		Stage 1	Stage 2	Stage 3	Stage 4	Stage 5		Stage 6	
						ST	LT	ST	LT
Water Waste	Water shall be used for beneficial uses only; all unnecessary and wasteful uses of water are prohibited (District Policy Manual Section 143).	✓	✓	✓	✓	✓	✓	✓	✓
	Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.	✓	✓	✓	✓	✓	✓	Landscape Irrigation is Prohibited	
	Free-flowing hoses for all uses shall be prohibited. Customers shall use automatic shutoff devices on any hose or filling apparatus in use.	✓	✓	✓	✓	✓	✓	✓	✓
	Leaking customer pipes or faulty sprinklers shall be repaired within the specified working days or less by Stage after due to the severity of the problem or shall not be utilized until repaired.	5 Days or Less	5 Days or Less	2 Days or Less	24 hours or Less	24 hours or Less		Immediately	
Pools and Water features	All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leakproof.	✓	✓	✓	✓	✓	✓	✓	✓
	Swimming pool and spa covers encouraged to prevent evaporative water loss.	✓	✓	✓	✓	✓	✓	✓	✓
	Potable water use for ornamental ponds and fountains is prohibited.					✓	✓	✓	✓
	Pool draining and refilling shall be allowed only for health, maintenance, or structural considerations.	✓	✓	✓	✓	✓	✓	✓	✓
	Water use for ornamental ponds, fountains, or other ornamental water feature for aesthetic purposes is prohibited except where necessary to support aquatic life.				✓				
	Water use for ornamental ponds and fountains is prohibited.					✓	✓	✓	✓
Buildings and Driveways	Washing streets, parking lots, driveways, or sidewalks, except as necessary for health, aesthetic or sanitary purposes, is prohibited.	✓	✓	✓					

Table 8 2: Water Shortage Contingency – Mandatory Prohibitions

Customer Actions		Stage 1	Stage 2	Stage 3	Stage 4	Stage 5		Stage 6	
						ST	LT	ST	LT
	Application of potable water to driveways and sidewalks is prohibited				✓	✓	✓	✓	✓
Water Use Reductions	Residential and Rural Customers Reductions.	Up to 10%	10-20%	20-30%	30-40%	40-50%	40-50%	50% or more	50% or more
	Multi-family and Public Institutional Customers Reductions	Up to 10%	10-20%	20-30%	30-40%	40-50%	40-50%	50% or more	50% or more
	Commercial Customers Reductions	Up to 10%	5-10%	20%	30%	30%	30%	30% or more	30% or more
	Landscape Irrigation Reductions	Up to 10%	15-25%	25-35%	35-50%	50%	50%	100%	100%
	Water use exceedance tiered pricing or penalties may be implemented.			✓	✓				
	Water use exceedance tiered pricing or penalties will be implemented					✓	✓	✓	✓
Irrigation	To reduce evaporation, between March 1 and October 31 the use of sprinkler irrigation systems for all landscape irrigation systems shall be limited to be between the hours of 7:00 p.m. and 9:00 a.m. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 15 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.	✓	✓	✓	✓	✓	✓	Landscape Irrigation is Prohibited	
	Customers with “smart” irrigation timers or controllers are asked to set their controllers to achieve the specified % of the evapotranspiration (ET) rate.		90-95%	75%	75%	50-75%	50-75%		
	Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).	✓	✓	✓	✓	✓	✓	Landscape Irrigation is Prohibited	

Table 8 2: Water Shortage Contingency – Mandatory Prohibitions

Customer Actions		Stage 1	Stage 2	Stage 3	Stage 4	Stage 5		Stage 6	
						ST	LT	ST	LT
	Landscape irrigation limited to the days per week specified. Customers whose street addresses end with an odd number may water on Wednesday, Friday, and Sunday. Customers whose street addresses end with an even number may water on Tuesday, Thursday, and Saturday.			3 days per week	3 days per week	3 days per week	3 days per week		
	Application of potable water to outdoor landscapes during or within 48 hours after measurable rainfall is prohibited.			✓	✓	✓	✓		
Commercial	Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased shall serve water only upon request.		✓	✓	✓	✓	✓	✓	✓
	Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.		✓	✓	✓	✓	✓	✓	✓
Equipment/Vehicle Washing	Motor vehicles or equipment shall be washed only with buckets or hoses with automatic shutoff nozzles.			✓	✓	✓			
	Motor vehicles and equipment shall be washed only at commercial establishments that use recycled or reclaimed water.						✓	✓	✓
Construction/New Service	Users of construction meters and fire hydrant meters will be monitored for efficient water use.		✓	✓	✓	No Construction Water			
	Water for flow testing and construction purposes from water agency fire hydrants and blow-offs is prohibited.					✓	✓	✓	✓
	Installation of new turf or landscaping is prohibited.				✓	✓	✓	✓	✓
	New connections to the District's water distribution system will be allowed but their water use shall be restricted to the minimum requirements for personal health and safety.				✓	✓	✓	✓	✓
	No potable water from the District's system shall be used for construction purposes including but not limited to dust control, compaction, or trench jetting.					✓	✓	✓	✓

Table 8 2: Water Shortage Contingency – Mandatory Prohibitions

Customer Actions		Stage 1	Stage 2	Stage 3	Stage 4	Stage 5		Stage 6	
						ST	LT	ST	LT
	No commitments (“will serves”) will be made to provide service for new water service connections.								✓
Health & Safety	Flushing of water mains, sewers, or fire hydrants is prohibited except for emergencies and essential operations.			✓		✓	✓	✓	✓
	Water use shall be restricted so as to meet the minimum requirements for personal health and safety.					✓	✓	✓	✓

**BELLA VISTA WATER DISTRICT
URBAN WATER MANAGEMENT PLAN**

APPENDIX O – DISTRICT POLICY MANUAL

BELLA VISTA WATER DISTRICT

POLICY MANUAL

Adopted November 10, 1992

Latest Revision: April 1, 2015

BELLA VISTA WATER DISTRICT

POLICY, REGULATIONS, RULES, AND WATER RATES

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BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS

OF THE

BELLA VISTA WATER DISTRICT,

AS FOLLOWS:

ARTICLE I. GENERAL POLICY

110. PURPOSE. The Board of Directors deems it to be in the best interests of the District, its inhabitants and customers, that all rates and charges for water service and rules and regulations for the operation of the District's water supply system, together with procedures for furnishing water service, be set forth in writing for the guidance of the District and its consumers.

120. APPLICABLE LAWS AND REGULATIONS. The District will furnish water to property within the District pursuant to the provisions of the United States Bureau of Reclamation water contract, dated April 3, 1964, as amended from time to time; the regulations of the California Department of Health Services; applicable Federal, State and County laws and regulations and to the rules and regulations herein contained; and in accordance with amendments hereto and other applicable resolutions.

121. DISTRICT - DUTIES. The District shall be responsible for the operation, maintenance, repair and expansion of a water supply system; for enforcing the provisions of this Resolution; for collecting rates and charges for water service as herein set forth; and for administering and applying this Policy in accordance with the direction of the Board. In performing these duties, the District shall have and exercise all the powers given it by law in connection with its statutory purpose of supplying the inhabitants of the District with water for agricultural, rural, residential, industrial, commercial, and fire protection purposes as prescribed by the Board of Directors.

122. GENERAL MANAGER - DUTIES. The General Manager (Manager) is the executive officer of the District and is responsible for the management of the general

affairs of the District. The Manager shall be directly responsible to the Board and operate the District pursuant to the rules and regulations of this Policy, all amendments thereto, and other policies and directives of the Board.

122.1 The Board will endeavor to evaluate the General Manager at six month intervals and shall provide a written evaluation which shall be delivered and discussed with the Manager at least annually.

123. EMERGENCIES - REPAIR. The Manager shall promptly report any major problems to the Board. If the problem is an emergency, the Manager shall take whatever steps are necessary to maintain service to consumers and to protect persons and property pending action by the Board.

124. EXPERT ADVISORS. In the execution of actions ordered and authorized by the Board, the Manager shall have the assistance of the District's legal counsel, engineering and financial consultants, and other advisors as deemed reasonably necessary to conduct the business of the District.

125. PERSONNEL. The Board may, from time to time, employ additional personnel as it deems necessary to perform the duties of the District and pay such compensation for the services rendered as the Board deems proper.

126. WORDS AND PHRASES. For the purpose of this Policy, all words used herein in the present tense shall include the future tense, all words in the plural number shall include the singular number and all words in the singular number shall include the plural number.

127. ALTERATION OF THIS POLICY. This Policy may be amended, rescinded, deleted or otherwise altered by action of the Board at any regular or special meeting, by adoption of a resolution specifically setting forth the amendment, rescission, or deletion. Thereafter, the General Manager is directed to make any authorized revisions to the

original of this Policy and maintain an appropriate updated Policy Manual in the records of the District.

128. CONFLICTING PROVISIONS. If any section, subsection, sentence, clause or phrase of this Policy is, for any reason, deemed to be inconsistent with, or contrary to the constitution or any law of the State of California, or of the United States of America, or with any provision of the Bureau of Reclamation (Bureau) contract, the remaining portions of this Policy shall not be affected thereby.

129. BOOKS, RECORDS, AND REPORTS. Pursuant to Article 30 - Books, Records, and Reports of the Bureau contract with District and California Water District law, the District shall establish and maintain accounts and other books and records pertaining to its financial transactions, land use and crop production, water supply, water use, changes in project works, and as to such other matters as the Bureau and State law may require. The District shall furnish such reports to the Bureau and other responsible State and Federal agencies as required.

130. EQUAL EMPLOYMENT OPPORTUNITY. Pursuant to Title VII of the Civil Rights Act of 1964, the District agrees not to discriminate against any employee or applicant for employment because of race, creed, color, sex, religion or national origin. The full text of this agreement starts at Section 38, Page 51, and ends on Page 54 of the Bureau contract.

131. APPEALS. The General Manager is responsible for all day-to-day operations of the District, and as a part of such duty is empowered to implement this Policy in accordance with its terms. Customers or other persons doing business with the District shall submit all questions regarding such business to the General Manager for determination, whose decision shall be final, subject to appeal as provided in this section. Any customer or person may appeal the decision of the General Manager to the Board by filing a written notice of appeal within seven (7) days of notification by the General Manager of the decision for which appeal is sought (excepting billing disputes

which are governed by Section 421 of this Policy). A Notice of Appeal form shall be provided for that purpose by the District. Thereafter, the appeal hearing shall be set at the next regular Board meeting date. A party's failure to file a notice within the seven day period provided shall render the General Manager's decision final. After an appeal, the decision of the Board shall be final, subject to legal right to review by a court of law, if applicable. Staff shall prepare a memo for inclusion in Board information packets explaining the facts, the issues, and why the customer's request was denied.

132. NOTICE TO CUSTOMERS. Notices from the District to a customer shall normally be given in writing, and either delivered or mailed to the customer at the customer's last known address. Where conditions warrant, and in emergencies, the District may resort to notification by telephone or messenger.

133. NOTICE FROM CUSTOMERS. Notices from a customer to the District may be given by the customer or the customer's authorized representative in writing: delivered to the District office at 11368 E. Stillwater Way, Redding, CA 96003.

134. PENALTY FOR VIOLATION. The penalty for the failure of the customer to comply with all or any part of this Policy and amendments thereto, and any other applicable policy including policies fixing rates and charges of this District, shall be as specifically provided in this Policy or such other resolution, or as provided by law. In the case of violations for which a penalty has not been specified, the customer's service shall be disconnected, and water shall not be supplied to such customer until the customer has complied with the rules or regulations, rates or charges, which have been violated. In addition, the customer shall pay the District reconnection charges as provided in this Policy.

135. TAMPERING WITH DISTRICT PROPERTY. No one, except an employee or District representative shall, at any time, in any manner, operate valves, curb stops, or interfere with meters or their connections, pumps, regulators or other fittings or facilities

of the District. This shall include the making of taps and/or connections to District facilities.

Any person who, with intent to obtain for himself or herself, obtains water services from Bella Vista Water District without paying the full lawful charge therefor, or with intent to enable another person to do so, or with intent to deprive Bella Vista Water District of any part of the full lawful charges for water services it provides, commits, authorizes, or solicits any of the following shall be liable to Bella Vista Water District for the penalties set forth in Appendix A:

- a. Diverts or causes water to be diverted by any means whatsoever.
- b. Prevents any water meter, or other device used in determining the charge for water services, from accurately performing its measuring function by tampering or by any other means, or bypasses any water meter to cause no measurement or inaccurate measurement of water actually delivered.
- c. Tampers with any property owned by or used by Bella Vista Water District to provide water services.
- d. Makes or causes to be made any connection with or reconnection to water service facilities owned or used by Bella Vista Water District to provide water services, and without the authorization or consent of the District.
- e. Uses or receives the direct benefit of all or a portion of water services with knowledge or reason to believe that the diversion, tampering, or unauthorized connection existed at the time of that use, or that the use or receipt was otherwise without the authorization or consent of the District.

f. Uses any instrument, apparatus, or device to obtain District water supplies which device(s) is/are primarily designed to be used to obtain water service without paying the full lawful charge therefor.

g. Cuts or removes a seal on any meter or other water measuring device.

136. RESPONSIBILITY FOR EQUIPMENT ON CUSTOMER'S PREMISES. All facilities, including, but not limited to water meters, installed by the District on private or public property for the purpose of providing water service shall remain the property of the District. Excepted from the above are backflow prevention devices on meter service lines which remain the property of the customer. As a condition to providing water service, private property owners consent to such installations and consent to grant District personnel reasonable access at all times for the purposes of maintenance or repair, as necessary. Private property owners shall use due care not to damage any District owned facility. Damage caused by customer's failure to use due care shall be the responsibility of the customer. Customers shall not permit placement of any object or structure in a manner which will interfere with access to the facility as necessary, including unrestricted access to fire hydrants, meter boxes, and backflow prevention devices.

137. DAMAGE TO WATER SERVICE FACILITIES. The customer shall be liable for any damage to District owned facilities (e.g., meter box, service line, angle meter stop, meter, service valves, etc.) when such damage is caused by actions originating on or near the premises by an act of the customer or his/her tenants, agents, employees, contractors, licensees, or permittees, including the breaking or destruction of locks on or near a meter, 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.

138. GROUND WIRE ATTACHMENTS. Customers shall be liable for any damage to District property caused by the attachment of an electrical ground wire to the customer's plumbing or piping.

139. UNAUTHORIZED USE OF HYDRANTS. Tampering with any fire hydrant for the unauthorized use of water there from, or any other reason, is a misdemeanor as provided by California Penal Code Sections 148.4 and 498. Such actions are punishable by imprisonment in the County Jail, or a fine, or both. The District will prosecute any such actions to the fullest extent of the law.

140. DISTRICT NOT LIABLE FOR WATER SHORTAGES. There may occur, at times, a shortage during any year, in the quantity of water available to the District pursuant to Article 12 of the Bureau contract. If a shortage occurs and the Bureau does not supply the water to the District, in no event shall any liability accrue against the District or any of its officers, agents, or employees, for any damage, direct or indirect, arising from a shortage on account of errors in operation, droughts, or other causes.

141. RESPONSIBILITY FOR EQUIPMENT. Customers shall, at their own risk and expense, furnish, install and keep in good and safe condition, all service equipment and facilities that may be required on their premises for receiving, controlling, applying and utilizing water, and the District shall not be responsible for any loss or damage caused by the improper installation or use of such equipment and facilities, or the negligence or wrongful act of customers or of any of their tenants, agents, employees, contractors, licensees, or permittees in installing, maintaining, operating, or interfering with such equipment and facilities. For example, 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.

142. FREE WATER PROHIBITED. The District shall not give free water to any person, group, or organization. The District shall not trade water for labor or other services.

143. WASTEFUL USE OF WATER. No customer shall permit leaks or otherwise waste water, whether intentionally or negligently. In the event that water is wastefully or negligently used on a customer's premises, District shall have the right to discontinue service to the premises and shall have the right to enter upon the premises for the purpose of disconnecting the service.

144. RESALE OF WATER. No customer shall transport, supply, resell or otherwise transfer water purchased from the District to any other person or property unless authorized by law and authorized by the District's Board of Directors. Notwithstanding this restriction, owners of a mobile home park, apartment building, or other multiple-unit complex shall have the right to supply water to their tenants and to charge them for such water, provided that the water is not supplied to property other than the owner's property and provided that the charge for water does not exceed the actual expense to the owner of the multi-tenant property. No additional living units shall be connected to any service without prior application to the District in accordance with this Policy.

145. DOCUMENTS, PHOTOCOPIES, ETC. The District will provide copies of non-restricted material upon request at a cost as shown in Exhibit A. Normally such copies will be provided no later than 72 hours after requested.

146. PUBLIC USE OF BOARD ROOM. It is the policy of this District to make the Board Room at the District office available for use by the public at no cost to the District. The room may be used by government agencies, non-profit corporations, volunteer groups, and neighborhood groups that have a relationship to water distribution and use, or for the general public good.

Whenever the public uses the facility, a District employee shall be on the site to secure the building and assist the public.

Meetings during working hours may be held at no charge. Meetings outside of working hours will require that the District be reimbursed at the hourly rate shown in

Appendix A with a two-hour minimum charge to compensate the District for its out-of-pocket personnel expenses.

ARTICLE II. DEFINITIONS

200. AGRICULTURAL WATER. Water delivered to consumers for use primarily in the commercial production of agricultural crops or livestock including domestic use incidental thereto.

201. AIR-GAP SEPARATION. A physical break between a supply pipe and a receiving vessel. The air-gap shall be at least double the diameter of the supply pipe measured vertically above the top rim of the vessel, in no case less than one inch.

202. APPLICANT. Any person, as defined herein, applying for water service.

203. APPROVED BACKFLOW PREVENTION ASSEMBLY. An assembly which has passed laboratory and field evaluation tests performed by a recognized testing organization which has demonstrated their competency to perform such tests to the California Department of Health Services. The District's construction standards includes a list of devices approved for use on District services.

204. APPROVED WATER SUPPLY. Any water supply whose potability is approved by a state or local health agency.

204.5 AQUACULTURE. Commercial production of fish or aquatic plants under controlled conditions. Does not include farm pond environments where fish are present and fee for fishing enterprises.

205. AUXILIARY SUPPLY. Any water supply on or available to the premises other than the approved water supply.

206. AWWA STANDARD. An official standard developed and approved by the American Water Works Association (AWWA).

207. BACKFLOW. A flow condition, caused by a differential in pressure that causes the flow of water or other substances into the distributing pipes of the District's water supply from any source other than an approved water supply source. Back-siphonage is one cause of backflow. Back pressure is the other cause.

208. BOARD. The Board of Directors of the Bella Vista Water District.

209. BUREAU. The United States Bureau of Reclamation.

210. BUREAU CONTRACT. The contract number 14-06-200-851a entered into between the Bella Vista Water District and the United States Bureau of Reclamation on April 3, 1964 and as amended and as renewed from time to time.

210.5 CAPITAL IMPROVEMENT FEE. Portion of installation charges used primarily for building system improvements.

211. Not Used

212. COMMERCIAL SERVICE. Delivery of water to customers engaged in trade, manufacturing and all other business and processing activities, including lodges, motels, hotels, trailer parks, home businesses, duplexes, triplexes, apartment houses etc., and other social or political organizations. Commercial service shall also include small businesses with living quarters attached thereto or served by the same meter.

212.5 CONNECTION FEE. That portion of the installation charges consisting of meter costs, service installation fee, and if applicable, a road crossing fee.

212.10 CONTAMINANT. Any physical, chemical, biological or radiological substance or matter in water.

213. CONTAMINATION. A degradation of the quality of the potable water by any foreign substance which creates a hazard to public health, or which may impair the usefulness or quality of the water.

214. COST. The total cost of labor, material, transportation, equipment rental, supervision, engineering, legal, and all other necessary overhead expenses.

215. Not Used

216. CROSS CONNECTION. Any unprotected actual or potential connection between a potable water system used to supply water for drinking purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome, and potable. Bypass arrangements, jumper connections, removable sections, swivel or changeover assemblies, or other assemblies through which backflow could occur, shall be considered to be cross-connections.

217. CUSTOMER OR CONSUMER. A water user of record.

218. DATE OF PRESENTATION. The date upon which a bill or notice is mailed or delivered personally to the customer.

219. DEVELOPER. Any individual, firm, company, partnership, association, corporation, or institution who divides land into two or more parcels.

220. DISTRIBUTION MAINS. Installations starting from the turnouts provided in the "Main Conveyance" system extending to individual services throughout the District in the form of main or lateral extensions, to provide the customers with water service.

221. DISTRICT. Bella Vista Water District, the territory of the Bella Vista Water District, its directors, officers, employees, and facilities.

222. DIVERT. To change the intended course or path of water without the authorization or consent of Bella Vista Water District.

223. DOMESTIC OR RESIDENTIAL SERVICE. Water for all household purposes, including water for sprinkling lawns, gardens or shrubbery; washing vehicles and clothes; human consumption, sanitation; and other general and customary purposes.

224. DOUBLE CHECK VALVE ASSEMBLY. An assembly of two internally loaded, independently acting check valves, including shut-off valves on each end of the assembly and test cocks for testing the water tightness of each check valve.

225. ENR. Engineering News Record magazine.

226. GENERAL MANAGER OR MANAGER. The person employed by the District as its executive officer.

226.5 GROSS ACREAGE. Parcel size as shown on annual tax statement used for agricultural, aquaculture, and public/institutional water allocations.

227. HEALTH AGENCY. The California Department of Health Services.

227.1 INSTALLATION CHARGES. Includes the Capital Improvement Fee for system improvements, meter cost, service installation fee, and if applicable, a road crossing fee.

227.2 LAND DIVISION. Any adjusting or amending of a property or properties resulting in a change of tax liability, acreage size, or configuration such as a subdivision, property line adjustment, or parcel split.

228. LOCAL HEALTH AGENCY. The Shasta County Division of Environmental Health.

229. MAIN CONVEYANCE OR TRANSMISSION MAINS. The major pipeline and the laterals connected thereto, forming the basic system as provided for in the Bureau of Reclamation Contract.

230. MUNICIPAL AND INDUSTRIAL (M&I) WATER. Water delivered to the District by the U.S. Bureau of Reclamation for use primarily other than as agricultural water.

231. OFFICE. The office of the Bella Vista Water District located at 11368 East Stillwater Way, Redding, California.

232. PERSON. Any individual, firm, company, partnership, association, corporation, Federal, State and County governments, public utility, municipality or institution.

232.5 PERSON. Individual, corporation, company, association, partnership, or other public body or institution.

233. POTENTIAL CROSS CONNECTION. Capable of being a cross connection but not yet in existence.

234. PREMISES. A lot, parcel or acreage under single ownership, except that any separate structure shall be deemed a separate premises. Apartment houses, motels, office buildings and structures of like nature, may be classified as a single premise by the District.

235. PRIVATE FIRE PROTECTION SYSTEMS. Water service and facilities for building sprinkler systems, hydrants, hose reels and other facilities installed on private property for fire protection, excepting there from, meter connections for regular service and the appurtenant facilities thereto.

236. PUBLIC FIRE PROTECTION SERVICES. The services and facilities of the District, including the storage, transmission and distribution systems and the water there from to serve fire hydrants and fire fighting equipment.

236.5 PUBLIC/INSTITUTIONAL SERVICE. Any water using establishment dedicated to public services. This includes schools, golf courses, churches, hospitals, and government facilities.

237. PUBLIC WATER SYSTEM. The District system.

238. RECLAIMED WATER. A wastewater which, as a result of treatment, is suitable only for other than potable use.

239. RECONNECTION. Means the reconnection of water service by a customer, other person, or by the District after service has been disconnected by Bella Vista Water District.

240. REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION ASSEMBLY. An assembly incorporating two internally loaded, independently operating check valves and an automatically operating differential relief valve located between the two checks, including shut-off valves on each end of the assembly, and equipped with necessary test cocks for testing the assembly.

241. RESIDENTIAL SERVICE. Delivery of water to a parcel of land which does not meet agricultural, commercial, or rural service requirements.

242. RURAL SERVICE. Water service available to parcels of land which do not meet agricultural or commercial service requirements and are two (2) acres or more in size and have a one-inch or larger meter.

242.5 SCHOOL. Any building used for educational purposes accredited by the Western Association of Schools and Colleges including K through 12, junior colleges, and universities. This definition shall not include buildings used for day-care purposes.

243. SERVICE. The pipeline and appurtenant facilities, such as curb stops, service lines, meter yokes, meter boxes, meter gate valve and fittings, all used to extend water service from a distribution main to the premises. Where services are divided at curbs or property lines to serve several customers, each branch service shall be deemed a separate service.

244. SERVICE CONNECTION. The point of connection of a user's piping to the water supplier's facilities.

244.1 SERVICE RECONNECTION CHARGE. Fees levied in cases where the District has previously turned off service for delinquent payment.

245. SINGLE DETECTOR CHECK ASSEMBLY. An assembly of an internally loaded check valve together with bypass and a water meter which records low flows.

245.1 SUBDIVISION. Any division of land, including, but not limited to, lot split, lot line adjustment or parcel map recordation, which results in any parcel served by the District being divided into two or more parcels as a result of such subdivision.

246. TAMPER. To rearrange, injure, alter, interfere with, or otherwise prevent a device from performing its normal or customary function.

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

248. WATER SERVICE. The provision of water by the Bella Vista Water District for compensation.

249. WATER SUPPLIER. The District.

249.1 WATER SYSTEM. Improvements installed within a tract of land for the purpose of providing water service to a subdivision.

249.2 WATER TURN-OFF AND TURN-ON CHARGE. Fees levied in cases where the customer requests to have their service turned off and on for their convenience. This fee does not apply to new customers or move-outs.

250. WATER USER. Person(s) using water for residential, commercial, rural, or agricultural purposes.

251. WATERLINE EXTENSION. Water main(s) installed for the benefit of existing parcels of land without previous water service.

ARTICLE III. BOARD OF DIRECTORS

354. MEETINGS. The Board of Directors shall hold regular meetings on the fourth Monday of each month at 5:30 o'clock p.m. at the District office. Provided that in the event any regular meeting falls on a holiday, as defined in Sections 6700, 6701 and 54954 of the Government Code, such regular meeting shall be held on the next business day.

Special Meetings may be called or held as provided in Section 34803 of the Water Code and Section 45956 of the Government Code and notice thereof shall be given as set forth in Section 34804 of the Water Code and Section 54956 of the Government Code.

Any regular or special meeting may be adjourned from time to time as provided in Section 54955 of the Government Code.

Individual meetings may be held at such other place in or near the District provided that notice of said meeting is posted at the District office at least 72 hours in advance.

Board meetings are not to continue past 8:00 p.m. unless there is pressing business at which time a majority vote will be required to extend the meeting.

356. OFFICERS. The officers of the District shall include the directors, secretary and treasurer. An officer need not be a resident or elector of the District; provided, however, that directors shall be holders of title to land within the District. Officers take office as soon as they qualify except that officers elected or appointed pursuant to the Uniform District Election Law shall take office at noon on the first Friday in December next following the general district election.

357. PRESIDENT, VICE-PRESIDENT. The Board of Directors shall choose from among its members a president, who shall preside at all meetings of the Board and shall perform all other duties incumbent on such office, and all duties required of the president by law or order of the Board of Directors. In the president's absence or inability to act, the president's duties shall devolve upon the vice-president, who shall be selected from their own number by the Board of Directors. The terms of office of the president and vice-president shall be one (1) year beginning at the first regular meeting in December of each year.

358. SECRETARY. The Board of Directors shall appoint a Secretary of the District to hold office at the pleasure of the Board. The office of the secretary shall be combined with the General Manager. The Secretary shall keep a record of all the proceedings at meetings of the Board and shall have charge of all documents pertaining to the District's affairs. The secretary shall perform all duties usually pertaining to such office and those required by law or by order of the Board.

359. POWERS OF THE BOARD. The Board of Directors shall have all powers conferred by law.

The Board of Directors may, by resolution, adopt rules and regulations not inconsistent herewith for the operation of the District and for the sale and distribution of water, and fix the rates to be charged for water.

360. COMPENSATION OF OFFICERS. Officers shall be compensated as follows: Each director shall receive compensation in the amount shown on Schedule A for each day's attendance at meetings of the Board or for each day's service rendered as a director by request of the Board, not exceeding a total of ten (10) days in any calendar month, together with any expenses incurred in the performance of his or her duties required or authorized by the Board; provided, however, that no mileage expenses shall be paid for traveling to or from Board meetings.

361. VACANCIES. If any office of the District shall become vacant by forfeiture, death, resignation or from any other cause, the same shall be filled by appointment by a majority of the Board of Directors, in accordance with the provisions and requirements of California Government Code Section 1780.

362. ELECTIONS. Elections shall be called by the Board of Directors every two years, and as provided in the California Elections Code. Elections shall be conducted pursuant to the provisions of the California Uniform District Election Law, Elections Code Sections 23500, and following. Votes cast shall be based on the acreage of land of each owner of land within the District, as provided by law.

The Secretary of the District shall provide a report to the Board regarding the make-up of the District with respect to non-agricultural land use versus agricultural and rural use as provided by law. At such time as at least 50% of the assessable area of the District is devoted to and developed for residential, industrial or nonagricultural commercial use, the District may adopt resident voter procedures, i.e., one vote per person.

364. WATER CODE. As to all matters concerning the affairs and business of the District not herein specifically set forth or provided pertinent provisions of the Water Code of the State of California and other applicable laws of the State shall govern.

365. ATTENDANCE. Each director shall make all reasonable efforts to attend each regular or special meeting held or called by the Board. In the event that a director fails to attend three (3) consecutive regular meetings, such director's office may be declared forfeited and a successor appointed pursuant to Section 34707.5 of the Water Code and Section 1780 of the Government Code.

ARTICLE IV. WATER SERVICE, GENERAL

400. APPLICATION FOR WATER SERVICE. Applications for water service shall be made upon a form provided by the District. Such application will signify the customer's intent and willingness to comply with this and other rules and regulations relating to water service and to make payment for the water service required.

401. PAYMENT FOR PREVIOUS SERVICE. An application for new water service will not be acted upon by the District unless payment in full has been made for water service previously rendered to the applicant.

402. SECURITY DEPOSITS FOR WATER SERVICES. The District reserves the right to require a security deposit from new customers requesting water service.

403. INSTALLATION OF SERVICES. "District" shall install or authorize the installation of all meters pursuant to the rules and regulations established herein. The location of the meter shall not restrict District access to the meter at any time. Where practical, water services will be installed at the location desired by the applicant, after the necessary connection fees and installation charges have been paid by the applicant. Meters shall be placed upon the parcel they serve or within a recorded easement immediately adjacent to the parcel they serve. Exceptions to this provision must be made in written request form to the District and approved by the District's Board of Directors. Services installed in new subdivisions must be accepted by the applicant in the installed location.

Services and meters may be sealed by the District at the time of installation and no seal shall be altered or broken except by one of the District's authorized representatives.

403 (a) REQUIREMENTS FOR THE PURCHASE OF A WATER METER. The sale of a water service connection (i.e., a water meter and the capital improvement fee)

for non-agricultural purposes shall be contingent upon the property owner providing satisfactory proof of the existence of an existing dwelling unit, commercial or industrial building on the property or proof of the issuance of a building permit for the property at the time of purchase. The sale of a water service connection for agricultural purposes shall be contingent upon the property owner meeting all of the District's requirements for the receipt of irrigation water (i.e., an approved agricultural water application) at the time of purchase.

403 (b) WATER SERVICE AVAILABILITY REQUESTS. Prior to the installation of a new service the property owner shall complete a Water Service Availability Request in order for the District to research what will be required in order to provide water service to the property and the costs for the installation of the service and meter. The District will inform the requestor by letter once the research is completed. The price given for the water service installation shall be good for 60 days from the date of the letter unless an increase in the District's fees occurs within the 60 day period, in which case the price shall expire not more than 30 days after the date of the increase. When a water service availability request is submitted prior to an increase in Capital Improvement Fees and the results of the research are not provided to the requestor until after the fees have increased the pre-increase prices will be honored for 30 days from the date of the letter, provided that the requirements for purchase of a water meter (section 403 (a) were met prior to the date of the increase..

403 (c) FEES : CHANGES IN AMOUNT. Connection fees may be changed at any time. An applicant shall pay the connection fees existent when service commences regardless of when the connection fees are deposited or paid. "Service commences" when a request for service has been made and water can be first delivered to the applicant's property through District owned facilities and the bimonthly water services can be assessed. Service does not "commence" for the purpose of this section when construction water is provided through a temporary meter prior to the acceptance by the District of the water system serving the applicant's property.

404. METERING OF SERVICES. All water services within the District shall be metered with ownership of the meters retained by the District.

405. NEW SERVICE CONNECTIONS REQUIRING ADDITIONAL REAL PROPERTY ACCESS. When new service connections are requested from the District and it is determined by District staff that access rights to real property owned by the customer requesting service or another party will be required in order for the District to properly maintain the new water service facilities, the necessary rights-of-way shall be obtained. Access shall be in the form of an easement deed from the fee title owner of the property, or such other evidence as is satisfactory to the District.

A. If the distribution line to which the service connects is existing, the District will acquire the necessary rights-of-way for the distribution line either through voluntary grant, purchase, or eminent domain, as necessary. The District may allow the new service to be connected prior to obtaining the required rights of way.

B. If the distribution line to which the service will connect is to be constructed, the developer or person constructing the distribution line shall be responsible for providing the necessary access. No permanent water service shall be provided to a customer until such time as the foregoing requirements are met.

406. LONG SERVICES. The installation of a service line up to sixty (60) feet in length is included in the cost of a standard service installation. When the installation of a service line of more than sixty (60) feet in length is required additional fees will be applicable (as listed in Appendix A).

407. ROAD CROSSINGS. If it is necessary to cross a paved road during installation of a complete service a road crossing fee will be applicable.

408. Not Used.

409. CONTROL VALVE ON THE CUSTOMER'S PROPERTY. The District will provide a valve on the customer's side of the service installation, as close as is practicable to the meter location, to control the flow of water to the customer's premises. The customer shall use this valve and not the District's curb stop to turn the water off and on as required.

410. PRESSURE CONDITIONS. All customers receiving water service shall accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection, and shall hold the District harmless for any damages arising out of low pressure and/or high pressure conditions or interruptions in service. The District will endeavor to identify unusual pressure conditions at the time an application is received, but shall not be responsible for its failure to do so.

411. INTERRUPTIONS IN SERVICE. The District shall not be liable for damages which results from an interruption in service for any cause. Temporary shutdowns may be made by the District to make improvements and repairs to the District's facilities. Whenever possible and as time permits, all customers affected will be notified prior to making such shutdowns.

412. TEMPORARY SERVICE. All facilities for temporary service to the customer connection shall be made by the District and shall be operated according to District requirements.

413. TEMPORARY SERVICE DEPOSIT. All applicants shall deposit in advance, a sum sufficient to cover all installation and disconnection costs. Refund of any excess deposit shall be made by the District after the service is terminated and the system restored to its former condition. Applicant's shall pay all costs of installation and removal of any temporary service in accordance with Appendix A, Rates and Charges.

414. DURATION OF TEMPORARY SERVICE. Temporary service connections shall be disconnected and terminated not later than six (6) months after installation unless an extension of time is granted in writing by the District.

415. CONSTRUCTION WATER. When available, water for construction will be supplied from District hydrants. A construction water permit shall first be obtained from the District. Application for construction water shall be made on a form provided by the District and the applicant will be required to pay a security deposit in accordance with Appendix A. A meter rental fee and water usage will be billed bimonthly.

The District will provide the applicant with a hydrant meter. Care of the hydrant meter is the responsibility of the applicant who shall be responsible for any damage. If the meter is lost, the security deposit will not be refunded.

In cases where the amount of water to be used is minimal or the District is unable to provide a meter, the General Manager may waive the meter and security deposit and use a load count to determine usage.

416. SERVICE BEYOND DISTRICT BOUNDARIES. The determination of whether to serve water outside the exterior boundaries of the District shall be made by the Board. Such outside water service, the rates, installation and facilities installed therefor, shall be of a temporary nature only.

417. APPROVALS REQUIRED. If service outside District boundaries is permitted, approval from the Bureau must be secured pursuant to the water contract. Bureau approval is also required in order to annex territory to the District. Approval from the Local Agency Formation Commission will also be required in most cases.

418. OUTSIDE WATER RATES. Water rates for water delivered outside the District shall be one hundred fifty percent (150%) of the standard District residential rates.

419. BILLING FOR EACH METER. Separate bills will be provided for each service connection or meter installation except where the District has allowed the installation of two (2) or more meters to serve large quantities of agricultural or rural water on the same premises or on contiguous lands under one ownership. Where such installations are approved, the meter readings will be combined for billing purposes.

420. METER READING. Meters will be read as nearly as possible, on the same day bi-monthly. Billing periods containing fewer than fifty-eight (58) days and more than sixty-four (64) days, will be prorated. The regular billing period will be bimonthly.

421. PAYMENT OF BILLS. Bills are due and payable on the date of presentation and become delinquent twenty-two (22) days thereafter. Payment may be received at the District office by mail, electronically (I-Web), or in person. Each bill for water service shall contain the following statement which sets forth the process for bill disputes and delinquency bill disconnections:

PAYMENTS All bills, if unpaid twenty-two(22) days after date of mailing, shall be deemed delinquent and service may be discontinued. The entire delinquent bill, plus a delinquent penalty charge, reconnection charge, security deposit and any additional charges, shall be paid in full before service will be re-established.

DISPUTED BILL PROCEDURE If you believe that your bill is incorrect, within five (5) days of receiving a disputed bill, please contact a Customer Service Representative during regular office hours, either in person, at 11368 E. Stillwater Way, or by telephone (241-1085) for an explanation. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Thursday; 8:00 a.m. – 4:00 p.m. on Friday, except holidays.

If, after such explanation, you still believe this bill is wrong, within ten (10) days of such explanation, you may request a hearing with the Office Manager

of the District. Any customer whose request for a hearing by the Office Manager has resulted in an adverse determination may appeal to the General Manager within thirty (30) days after the Office Manager's determination.

All requests for an extension of a bill asserted to be beyond the means of the customer to pay in full during the normal period for payment shall be made prior to disconnection directly to a Customer Service Representative during regular office hours, either in person or by telephone (241-1085).

422. PENALTY CHARGES. Any customer requesting extended payment for water billing charges and other charges related to water service shall be subject to a 1-1/2% per month periodic charge rate on the past due balances.

Billings for water service which are not paid on or before twenty-two (22) days following the date of mailing shall be subject to a ten percent (10%) late payment fee.

423. OPENING AND CLOSING BILLS. Opening and closing bills for less than the normal billing period shall be prorated according to the fraction of the time of service. Closing bills may be estimated by the District for the final period as an accommodation to permit the customer to pay the closing bill at the time service is discontinued.

424. Not used.

425. NOTICE OF DELINQUENCY AND TERMINATION OF SERVICE.

Current charges must be received within twenty-two (22) days after date of mailing. If payment is not received by due date of the bill, a Second Notice will be issued and penalty fees shall be applied to the account.

The Second Notice payment must be received with fifteen (15) days after the date of mailing. If payment is not received by the due date, a Disconnect Notice will be issued and additional penalties will be applied to the account.

Payment of the Disconnect Notice must be received within seven (7) days after the date of mailing. No further notices will be given. If payment is not received by the end of business hours on the due date set forth in the Disconnect Notice, service

shall be scheduled for disconnection. If service is disconnected, the entire delinquent bill, penalty charges, finance charges, reconnection charges and a \$200 security deposit, shall be paid in full before service will be re-established.

Every Disconnect Notice shall include all of the following information:

- (1) The name and address of the customer whose account is delinquent.
- (2) The amount of the delinquency.
- (3) The date by which payment or arrangements for payment is required in order to avoid termination.
- (4) The procedure by which the customer may initiate a complaint or request an investigation concerning service or charges.

No termination of service may be affected without compliance with this section. Any service terminated without the notice required by this Policy shall be restored without charge.

426. Not used.

427. DISPUTE OF WATER SERVICE BILLING. Whenever a customer has filed a complaint or requested an investigation into his or her water bill within five days of receiving the disputed bill, water service will not be terminated for nonpayment while such complaint or investigation is pending.

The customer will be contacted by the District by telephone, in person, or via first class mail with an explanation of the disputed charges within a twenty-day period after receiving the complaint or request for investigation.

429. INABILITY TO PAY WATER BILLS. Any customer who has notified the Customer Service Department prior to termination for nonpayment that he or she is unable to pay a bill within the normal payment period will be allowed to amortize the unpaid amount over a reasonable period of time, not to exceed 6 months. The customer will be required to pay the amortized amount plus the current water service charges. Failure to pay the amortized amount plus the current charges each billing period will nullify the amortization agreement, and the customer will immediately thereafter be required to pay the entire outstanding balance.

430. MEDICAL CERTIFICATION OF LIFE-THREATENING SITUATION. Residential water services for homeowners will not be terminated for nonpayment of any bill if the customer asserts that payment of such bill within the normal period of time is beyond his or her means, and the customer has provided a signed statement from a licensed physician or surgeon to the District prior to termination that such action would result in a life-threatening situation to the customer. Such charges shall, however, continue to accrue for actual usage and the District shall only provide water service under these conditions for a period of 12 months. After that date, water service will be terminated according to this Policy. Any and all unpaid charges shall become a lien against the real property served by the District, as provided in the Water Code.

431. RECONNECTION. Water service disconnected for nonpayment will be reconnected upon payment of the entire amount due, which shall include all delinquent charges, service reconnection charges, security deposit, and other penalties. Water service will not be restored to a customer until all conditions for service have been satisfied.

All new customers applying for water services at a location where water service has been disconnected as a result of nonpayment of a prior account must provide the Customer Service Department with proper identification and a signed rental agreement from the property owner or landlord. New customers will be required to sign a water application/subscribers agreement.

In the event service is discontinued for non-compliance with regulations other than delinquency or nonpayment of water bills, there will be a service reconnection charge in accordance with Appendix A which must be paid prior to reinstating service.

432. NON-ALLOWABLE WATER SERVICE TERMINATION. The District has set forth the following restrictions on termination of a customer's water service for nonpayment of billing charges. No customer's service shall be terminated:

1. On Saturday, Sunday, legal holidays, or at any time during which the business office of the District is not open to the public.

2. For nonpayment of a delinquent account unless the District first gives notices of the delinquency and impending termination under a Notice of Disconnection.

3. During the pending investigation by the District for a customer who has initiated a complaint or requested an investigation within five days of receiving a contested bill.

4. When a customer has been granted an extension of the period for payment of bill.

5. On the certification of a licensed physician that to do so will be life threatening to the customer and the customer is financially unable to pay for service within the normal payment period and is willing to enter into an amortization agreement with the District, not to exceed 12 months.

433. CLOSED DELINQUENT ACCOUNTS. A closing statement is deemed delinquent if unpaid twenty-two 22 days after date of mailing.

If the delinquent bill has not been paid and an extension has not been approved by the District, accounts will receive a pre-collection due date demand,

commencement of legal action, and/or a 15-day notification of assignment to a collection agency if billing remains unpaid after the pre-collection due date.

For homeowners, all unpaid and uncollected accounts shall become a lien against the real property on which the water service was provided in accordance with the provisions of California Water Code 37212 and 37213.

434. Not used.

435. Not Used.

436. METER TEST - DEPOSIT FOR TEST. Customers requesting a meter test shall first pay a meter testing deposit, as shown in Schedule A, depending on the meter size. 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.

437. ADJUSTMENTS ON BILLING FOR METER ERRORS. If a meter tested is found to be more than two percent (2%) fast, the excess charge for the time service was rendered, not to exceed six (6) months, shall be refunded to the customer. If a tested meter is found to be more than ten percent (10%) slow, the District may bill the customer for the amount of the undercharge for a period not to exceed six (6) months that the meter was in use.

438. WATER RATES FOR TEMP SERVICE. Meter water rates for temporary services will be charged at one hundred fifty percent (150%) of the rates set forth herein.

439. NON-REGISTERING METERS. If, for any reason, a meter is not registering, the charges for service shall be the minimum bimonthly rate as shown on Schedule A plus the cost of the estimated consumption. Such estimates shall be determined from

previous consumption for a comparable period or by such other reasonable method as is determined by the District.

440. FIRE PROTECTION SYSTEM RATE. Fire service installations in which a detector-check meter is employed shall pay a monthly maintenance fee equal to that shown in Appendix A. Overhead sprinklers and other private fire protection equipment in factories, supermarkets, schools, and similar structures shall be rated on the size requirements of the service desired.

441. Not Used

442. TEMPORARY SERVICE THROUGH A FIRE HYDRANT. If service is supplied through a fire hydrant, the applicant will, in addition to charges for water usage, be charged a flat charge per connection payable in advance, for both installation and removal of temporary facilities, including the meter, as shown in Appendix A.

443. Not used.

444. DISCONTINUANCE (NON-COMPLIANCE WITH REGULATIONS). Service may be discontinued for non-compliance with this Policy or any other rule or regulation relating to water service provided by the District. All applicable fees must be paid before service is reinstated.

445. DISCONTINUANCE (MORE THAN ONE SERVICE). A customer's water service may be discontinued if water service furnished at a previous location is not paid as required by this Policy. If a customer receives water service at more than one location and the bill for service at any one location is not paid within the time provided for payment, water service at all locations may be terminated.

446. Not used.

447. Not used.

448. TERMINATION OF SERVICE. Customers desiring to discontinue service should so notify the District two (2) days prior to vacating the premises or two (2) days prior to the date actual water turnoff is to take place. Failure to do so will result in the customer continuing to be liable for charges for water service whether or not water is used.

449. Not Used.

450. FIRE HYDRANTS. Any party using public fire hydrants, shall operate hydrants in accordance with instructions issued by the District. Unauthorized use of hydrants will be prosecuted according to law.

451. RESPONSIBILITY FOR METERS AND INSTALLATIONS. The customer shall use all possible care to prevent damage to the meter or to any other District facilities which are involved in furnishing water service or temporary services from the time they are installed until they are removed. If a meter or other facility is damaged, the cost of making repairs shall be paid by the customer. It is specifically prohibited to operate the valve of a hydrant by other than a spanner wrench.

451.1 METER SIZES. The District reserves the right to require the installation of a compound meter to provide accurate flow readings, prevent undue wear on the meter due to under sizing, or prevent other potential problems.

Sizing of water meters for multiple dwelling units shall be based on the number of fixture units and the landscaping demands for the property. The developer shall provide to the District a report prepared by a registered professional (civil or mechanical) engineer detailing the number of fixture units, landscaping demands, sizes of water lines to be installed, available water pressure, head losses, and resultant water pressures, as well as, the recommended size water meter (based on the AWWA's "Recommended Maximum Rate for Continuous Operation as listed in Appendix D). The District's Engineer will review the report provided and make the final determination of the appropriate meter size for the building(s).

In the absence of an engineer's report justifying a particular meter size the maximum meter size that will be allowed for a parcel shall be the smallest meter size from Appendix D that will meet the household and irrigation needs of the property based on a 10 gpm household demand plus 5 gpm per acre.

452. UP SIZING. The total cost of a change in the size of a meter or other facility shall be paid for by the customer, including the differences in Capital Improvement Fees in effect at the time of change(see Appendix B for examples). A non-scheduled Ag meter may be converted to a larger scheduled Ag meter. The customer will pay for the difference in the current Capital Improvement Fee of the non-scheduled meter and the Capital Improvement Fee for the larger scheduled meter plus the installation cost. If the difference in Capital Improvement fees results in a credit to the customer no monetary compensation toward the new installation will be allowed; however, the difference in the Capital Improvement Fees may be used as a credit toward any future up-sizing of the same meter. The customer will be responsible for the installation costs.

453. METER DOWNSIZING - EXISTING PARCEL. If a meter is downsized, the property owner shall be credited the following: the difference between the current cost for a "meter set" and "service installation," if applicable, of the size being removed and the new meter size (see Appendix B for examples). No credit will be given for the difference in Capital Improvement Fee.

453.1 METER DOWNSIZING/EXCHANGE - SUBDIVISION. When an existing parcel is subdivided, the existing service shall be downsized so that the meter remaining on the parcel is properly sized. The maximum meter size for any of the parcels created by the subdivision shall be in accordance with the meter sizing criteria in Appendix D. The existing service can be downsized/ exchanged for up to a maximum of four smaller services providing that the combined meter flow rates for the new proposed services do not exceed the AWWA's Recommended Maximum Rate for Continuous Operations for the original meter. When an exchange is made, no monetary compensation toward the new installation will be allowed.

The smaller meters must be located within the subdivision. The developer/owner will be required to pay the service installation costs and/or meter set costs, whichever is applicable. A meter that has been previously downsized in accordance with this section shall not be eligible for downsizing/exchange a second time.

454. Not Used.

455. METER REPLACEMENT. Before replacing any meter 3-inches or larger in size, the District will attempt to contact the owner of the property that the meter serves. The District will estimate the actual cost (labor and materials) to replace the meter with the same size meter and the cost to replace it with a smaller meter. The owner will then be given the opportunity to have a smaller size meter installed and be credited in conformance with Article 453 above.

456. CHANGE IN LOCATION OF METERS. Meters moved for the convenience of the customer will be relocated at the customer's expense. Meters can be relocated on an existing parcel but cannot be relocated to a different parcel.

456.A RELOCATION OF METERS. Meters relocated due to subdivision developments, parcel splits, or property line adjustments shall be relocated onto the properties that they serve. In the event a water main of adequate size onto which the meter can be relocated does not exist, the District shall make the determination to have a water main of adequate size installed or allow the service to remain at its existing location provided easements are granted to legitimize the water service's location. All costs to be borne by the proponent of the foregoing.

457. INGRESS AND EGRESS. The District is charged with the responsibility of maintaining a sanitary and potable supply of water for the public pursuant to law and the rules and regulations herein. As a condition of water service, representatives of the District shall have the right of ingress and egress to the customer's premises at all

reasonable hours for any purpose reasonably connected with the furnishing of water service, and as provided by California Water Code Section 35404.

458. STREET WIDENING, PAVING, ETC. Persons responsible for service and/or main locations being changed in connection with street realignment, paving, grading, widening, resurfacing, sewer or storm drainage construction and/or other works on streets, road, avenues, thoroughfares, highways, and easements shall also be responsible for all costs incurred by the District in regard to changes in the water facilities required by such activities.

459. UNSAFE APPARATUS. Water service may be refused or discontinued to any premises where apparatus or appliances are in use which cause excessive water hammer or otherwise might endanger or disturb service to other customers.

460. FRAUD OR ABUSE. Service may be discontinued, if necessary, to protect the District against fraud or abuse, e.g., name changes to avoid payment of bills.

461. PROHIBITED ACTS. Any person who, with intent obtains water services from Bella Vista Water District without paying the full lawful charge therefor, or with intent to enable another person to do so, or with intent to deprive Bella Vista Water District of any part of the full lawful charges for water services, provides, commits, authorizes, or solicits any of the following shall be liable to Bella Vista Water District for the penalties set forth in Section 463:

(1) Diverts or causes water to be diverted by any means whatsoever.

(2) Prevents any water meter, or other device used in determining the charge for water services, from accurately performing its measuring function by tampering or by any other means.

(3) Tamper with any property or equipment owned by or used by Bella Vista Water District to provide services.

(4) Makes or causes to be made any connection with or reconnection with property or equipment owned or used by Bella Vista Water District to provide water services without the authorization or consent of the District.

(5) Uses or receives the direct benefit of all or a portion of water services with knowledge or reason to believe that the diversion, tampering, or unauthorized connection existed at the time of that use, or that the use or receipt was otherwise without the authorization or consent of the District.

462. DETERMINATION OF VIOLATION. The Board of Directors of the District, after notice and opportunity to be heard, shall determine whether there has been a violation of the prohibitions of section 461. In that determination, if there are any of the following objects, circumstances, or conditions on premises controlled by the customer or by the person using or receiving the direct benefit of all or a portion of water services obtained in violation of this section, then the District may presume that the customer or person intended to, and did violate this section:

(1) Any instrument, apparatus, or device primarily designed to be used to obtain water services without paying the full lawful charge there for;

(2) Any water meter that has been altered, tampered with, or bypassed so as to cause no measurement or inaccurate measurement of water delivered; or.

(3) The cutting or removal of a seal on any meter or other water measuring device.

463. PENALTIES. In the event any person is found liable to the District for the violations set forth above in Section 461, each and every person involved in such violation shall be liable to Bella Vista Water District as follows:

(1) Fines for violations are payable upon demand thereby to the party so assessed, and shall be payable in the following amounts:

(i) First violation: cost of unauthorized water taken, plus a fine of up to \$250.00;

(ii) Second violation: cost of unauthorized water taken, plus a fine of up to \$500.00;

(iii) Third and subsequent violations: cost of unauthorized water taken, plus a fine of up to \$1,000.00 for each violation.

(2) In the event that a person violates the above-cited restrictions, and as a part of such violation tampers with a fire hydrant, due to the potential for increasing danger to life and property, such fire hydrant tampering will result in immediate assessment of a fine of up to \$1,000.00 per incidence, plus, in the District's discretion, criminal charges may be pressed with appropriate authorities pursuant to the provisions of California Penal Code.

(3) Any repairs which are required to restore damaged facilities, shall be paid by either the customer to whom such facilities currently serve water, or by any new or different customer requesting water service through damaged facilities.

(4) The foregoing penalties shall be in addition to any such other penalty as is provided by law, including, but not limited to California Penal Code Section 498, and any other criminal violations that may result from the unlawful taking of District water supplies.

464. BILL STUFFERS. Upon request, the District will include written information to be inserted in the District's bills at no cost to the District. Such use will be limited to government agencies, non-profit corporations, and volunteer groups that have a relationship to water distribution and use. The information shall be of public interest and non-controversial, non-political, and for the benefit of residents of the District.

Prior to including any non-District information in the District's bills, the proponents shall provide the District with a sample copy which will be reviewed and approved by the Board of Directors. The following material shall be prohibited: material advocating passage or defeat of a measure appearing on any election ballot; advocating promotion or defeat of any candidate for nomination or election to public office; promoting or attempting to defeat the appointment of any person to any administrative or executive position in federal, state, or local government; promoting or advocating the defeat of any proposed change in federal, state, or local legislation or regulations; and/or anything that would constitute advertising for a "for profit" enterprise.

The information shall be provided to the District complete, including furnishing paper, printing, and folding so it can be added to the District's standard billing envelope without further manipulation by the District.

APPENDIX A

SCHEDULE OF RATES AND CHARGES

WATER RATES

Bimonthly Base and Water Usage Rates are detailed by customer class in Appendix E

Bimonthly W.T. Surcharge – for repayment of the District’s Water Treatment Improvements, Safe Drinking Water / State Revolving Fund (SDWSRF) Loan.....\$14.00

Construction Water

Construction Meter (Security Deposit)\$750.00
Bimonthly Rental Fee.....\$75.00
Each 100 cu ft (includes CVP surcharge)\$1.00
..... Or as superseded by current Water Shortage Resolution

Temporary Water

Per fill up (fill tank at District office).....\$25.00
..... Or as superseded by current Water Shortage Resolution

CROSS CONNECTION (BACKFLOW) CONTROL

Bimonthly Testing Fee (includes up to one hour of labor per year for repair) for required annual testing and repair of any size of backflow device, includes reduced pressure principle assemblies, double check detector check, and reduced pressure principle detector check assemblies.)\$10.00

Certified Backflow Tester Fee (Staff review of application, verify CA certification, inspection of testing equipment and verify and valid calibration .) \$25.00

New or replacement installations and repair of above noted devices for materials and labor are per current District rates.

Installation Costs for Backflow Devices (All sizes) At cost + 15%

Steel Backflow Enclosures (all sizes) At cost + 15%

Thermal Freeze Protection Blanket (all sizes) At cost + 15%

PERMIT FEES

Backflow Prevention Permit (for portable pressure sprayers, tanker trucks and cleaning units that have capacity of connecting to a public water system)..... \$10.00
Bacteriological Testing Cost plus 15%

Inspection Fees [Note: Per Article 707, a deposit of one percent (1%) of the engineer’s estimated cost of construction of the water system improvements shall be paid prior to issuance of a Construction Permit.]

Plan Check Fees

Base Fee (includes first 3 lots)..... \$200.00
Plus Per Lot for each lot over 3 lots \$24.00

LABOR & EQUIPMENT RATE SCHEDULE

Labor* (Labor rates vary significantly depending upon job classification and will be billed in quarter hour increments at cost using a multiplier of 1.95 times the employee’s actual hourly wage to reflect the full labor burden, including benefits and accruals).....At cost

Equipment Rental is limited to availability and use by qualified employees. Equipment rental rates shall be in accordance with “Caltrans Labor Surcharge and Equipment Rental Rates”, current edition.
www.dot.ca.gov/hq/construc/equipmnt.html

*NOTE: Overtime labor rates will apply to all hours worked other than during the normal workday, Monday through Friday. Overtime labor rates at one and one-half times the regular hourly rate will apply to all hours worked in excess of 8 hours in a single day. Overtime labor rates of two times regular hourly rates will apply to all hours worked in excess of 12 hours in a single day, and all holidays.

OTHER

After Hours Callout for Private (Customer) Water System..... \$65.00/hr
..... (two hour minimum)
Agricultural Water Application Fee \$50.00
Agricultural Water Reapplication Fee \$25.00
Application sent to customer by fax or mail \$5.00
Application by telephone \$10.00
Bad Check Charge \$30.00

Board Room Charge (use by public)	\$25.00/hour (two hour minimum)
Credit Card Convenience Fee for Utility Bills (per transaction).....	\$3.00
Delinquent Payment Penalty Charge.....	1.5 % per month
Delinquent Penalty Notice (on site delivery of a delinquent notice)	\$30.00
Delinquent Service Turnoff	\$45.00
Delinquent Service Reconnection Charge (Reg. Business Hours)	\$30.00
Digital data provided on compact disk (CD or DVD /each)	\$10.00
Fire Hydrant Flow Testing	\$100.00
Fire Hydrant Installation.....	actual cost plus 15%
Front Footage Fee	\$16.00 per foot
Fire Protection Services	(see Appendix E)
Hydraulic Modeling (fire flows or new waterlines).....	actual cost plus 15%
Meter Removal (all sizes)	actual cost
Meter Re-installation (all sizes).....	actual cost
Meter Testing Deposit	\$50.00
Photocopies	
First five copies.....	\$0.25/per 8-1/2 x 11" sheet
Additional copies.....	\$0.15/per 8-1/2 x 11" sheet
Postage	actual cost
Service Transfer Fee (rate change by customer request)	\$10.00
Temp Services through Fire Hydrants	
Installation & Removal	\$40.00
Water Service Turnoff/Turn-on (Customer Requested, Regular Hours) Each....	\$30.00
Will Serve District Administrative Overhead Filing & Research Fee.....	\$50.00

Fines (per section 463). :

- 1. First violation..... \$250.00
- 2. Second violation..... \$500.00
- 3. Third and subsequent violations (for each violation) \$1,000.00
- 4. Tampering with a fire hydrant..... \$1,000.00