

**RULES AND REGULATIONS  
OF THE  
JULIAN COMMUNITY  
SERVICES DISTRICT**

**ADOPTED  
NOVEMBER 17, 1998  
(Containing Amendments Through February 18, 2016)**

**ALL PREVIOUSLY WRITTEN RULES  
AND REGULATIONS, AMENDMENTS  
AND SUPPLEMENTS ARE HEREBY  
CANCELED AND SUPERSEDED**

## INTRODUCTION

The Julian Community Services District (hereinafter the "District") was formed on November 17, 1964 under the Community Services District law (Division 2 of Title 6 of the California Government Code 61000 et. seq.).

These Rules and Regulations are intended to provide general rules and procedures for the operation of the District, and for the water consumers of the District. The Board shall have the right to interpret these Rules and Regulations and make decisions on any point of contention which is not specifically covered herein.

## SECTION 1 - DEFINITIONS

1-1 : Board means the Board of the Julian Community Services District.

1-2 : District means the Julian Community Services District.

1-3 : Equivalent Dwelling Unit, abbreviated "EDU", means a unit of measure equal to one hundred sixty (160) gallons of water per day.

1-4 : EDU Allocation means the specific number of EDUs which are allocated to a parcel of property pursuant to the provisions of these Rules and Regulations and/or applicable ordinances, at any particular time.

1-5 : Owner, Property Owner, Parcel Owner, means the owner, owners, or any individual owner of record of any interest in any real property, according to the official records of the San Diego County Recorder.

1-6 : Parcel means a portion of real property to which the Assessor of San Diego County has assigned an individual Assessor's Parcel Number.

## SECTION 2 - GENERAL PROVISIONS

2-1 : All references to District property in these Rules and Regulations refers to property of the District where ever located devoted to furnishing water within District boundaries. All wells, tanks, pipelines, connections, valves, gates, fences, pumps, chlorination stations and other property of District is under the control of the Board of Directors which has the exclusive right to operate the water distribution system. Water will be turned on, turned off, and any device regulating flow of water within the system will be operated only under the direction of the Board of Directors.

2-2 : The District will, when practical, maintain transmission lines, wells, tanks, pump stations, easements, and other capital items existing at the time of adoption of these rules. Continued maintenance and replacement of such existing facilities will be at the direction of the Board of Directors.

2-3 : The District has the right at any reasonable hour to inspect any part of the supply system, meters, valves, connecting pipes and other devices, whether on public or private property, and to see that the Rules and Regulations of the District regarding the taking, use or waste of water are being observed.

2-4 : The District does not guarantee continuous delivery of water and does not assume liability for any damages due to the interruption of water delivery. The District specifically cautions all water users whose needs demand an uninterrupted supply of water to provide for adequate emergency supplies.

2-5 : The District does not guarantee adequate pressure in any main or other part of the water system, and the pressure from place to place and from time to time may vary depending upon conditions of supply, rates of use and elevations of services. The District will attempt to provide reasonable rates of flow at all times. If a property owner finds that flows or pressures at the point of use are insufficient, the District will check the flow available at such property owner's meter but will not attempt to find the cause of deficient pressure or flow at the point of use if the flow at the meter is within the reasonable flow range as established by the meter manufacturer.

2-6 : Water shall not be supplied to more than one parcel through a single meter.

2-7 : No customer within the boundaries of the District may enter into any contract or agreement to resell any portion of the water to which he is entitled without the special permission of the District, and the price of any water sold is to be fixed by the district. No customer outside of the District will be permitted to resell any water purchased from the District under any condition whatsoever.

2-8 : No customer may use water on any tract of land other than that covered by his application for services according to State law. No customer shall knowingly permit a leak to remain unrepaired or to permit a waste of water.

2-9 : The District may prorate water deliveries or place any portion of the system on an irrigation schedule when water availability requires such measures to assure equitable division of available water among property owners.

2-10 : The District will, upon request, furnish available information for locating pipelines, meters or other property of the District to avoid, insofar as possible, damage to such property during construction or other work on any property. The District does not guarantee the accuracy of any information so furnished and assumes no responsibility for damage sustained by reason of the

inaccuracy of such information.

2-11 : The District will keep a monthly record of water levels and water produced at each well in the District system. The records will be made available to the public upon request.

2-12 : The District will ensure that all tanks are sufficiently full before going off duty for more than 24 hours.

2-13 : The Board of the District may, at their discretion, amend these Rules and Regulations at any time.

2-14 : The Board of the Julian Community Services District, in order to ensure that all matters before the Board shall be deliberated and decided openly, hereby deem that the District shall, at all times, comply with the provisions of the Ralph M. Brown Act, as set forth in California Government Code Sections 54950 through 54963, regardless of whether the Legislature of the State of California has suspended the act, or any provision thereof.

### **SECTION 3 - PROPERTY OWNER'S RESPONSIBILITY**

3-1 All water charges as defined in Section 6 of these Rules and Regulations, all charges for EDU's pursuant to Section 5, and all fines, interest, and application fees set forth in these Rules and Regulations are the responsibility of the recorded owner of the property served (the "Property Owner"), and any private arrangement made by the Property Owner with any tenant to transfer such responsibility shall not be binding upon the District, and shall not relieve the Property Owner of such responsibility. Property Owners shall, at all times be responsible for the full, complete and timely compliance with each applicable term and condition of these Rules and Regulations, and in executing the Application for Service to the Julian Community Services District, hereby agrees and accepts these Rules and Regulations in their entirety as binding contractual obligations. Notwithstanding the foregoing, the District may enter into agreements with Property Owners for the reading and billing of separately metered water used by individual tenants of owner, however the existence of such an agreement shall not, under any circumstances, relieve any owner of the obligations of this Section.

3-2 : The property owner is responsible for all services and facilities located within and without the public right-of-way including the check valve on his/her side of the meter to the point of points of water use.

3-3 : Valves

- A. Every property owner must have a District-approved shutoff valve in working order on his/her side of the meter. The shutoff valve on the utility's side of the meter is the property of the District, and it shall not be used by the individual property owner to turn off water.
- B. If the utility valve is damaged and must be repaired or replaced, and if the property

owner does not have a shutoff valve on his/her side of the meter, then the property owner will be billed for costs of repair or replacement.

3-4 : Each property owner shall at all times maintain the water system located upon its parcel in good order and shall take all necessary precautions to prevent leakage and waste of water.

3-5 : By application for services, the property owner contractually obligates him/herself to reimburse the District for any damage to the facilities of the District directly or indirectly caused by the owner, or any tenants or assigns.

3-6 : Water from the District system may be used only on the premises described in the application for service. Water will not be wasted or allowed to leak from any portion of the property owner's system. Property owners are responsible for paying for all water lost through a leak on their side of the meter.

#### **SECTION 4 - APPLICATION FOR SERVICE**

4-1 : Any person desiring water service must file a written Application with the District pursuant to Section 5-08, and such Application is subject to approval of the Board of Directors. Service application forms must be signed by the Property Owner of the property to be served, and such Application shall constitute a contract for water services, a valid personal obligation of the Property Owner. The Property Owner's signature on the Application shall confirm that said Owner has received a copy of these Rules and Regulations and shall signify the Owner's intention to be contractually bound thereby. The Property Owner shall be notified and give approval to all changes in billing information.

4-2 : Charges and fees for service applications for parcels contiguous to an existing water main shall be required pursuant to the following schedule:

METER SIZE	EDU EQUIV.	CAPACITY CHARGE	APPLIC . FEE	TOTAL CHARGES	INSTALLATION ONLY CHARGES		
					METER ONLY	STANDARD	COMPLEX
¾	1	\$7,078	\$250	\$7,328	\$275	\$2,250	\$3,300
1	2	\$14,156	\$250	\$14,406	\$345	\$2,500	\$3,600
1½	4	\$28,312	\$250	\$28,562	\$929	\$3,650	\$4,750
2	7	\$49,546	\$250	\$46,478	\$1,066	\$4,000	\$5,500

4-3 : Meters will be turned off and/or removed on written application of the property owner.

4-4 : When a meter has been turned off but not removed it will be not turned on until written application has been completed and approved, and a fee of \$25.00 has been paid. After normal working hours and on weekends, water will not be turned on.

4-5 : Prior to service being reconnected after termination for non-payment, all delinquent monies owed to the District must be paid in full. In addition, a deposit equaling twice the average monthly

billing will be paid to the District and held by the District for one year. If all payments are made by the billing due date for twelve (12) consecutive months, the deposit will be returned, with interest earned (interest will be paid at a rate equivalent to the rate of interest paid to the District's primary checking account held at RaboBank), to the customer making the deposit. The deposit will be held by the District until there have been twelve (12) consecutive payments made by the billing due date. The deposit will be returned with no interest paid if the service is discontinued by the customer with one or more late payments during the consecutive twelve (12) month period. The deposit and interest will be forfeited if there are two late payments occurring in any 12 month period during which a deposit is being held.

4-6 : All payments for delinquent accounts shall be submitted in cash or cashier's check. Upon receipt of payment, service will be restored within twenty-four (24) hours. If a personal or business check is submitted to satisfy the delinquency, the service will be restored within twenty-four (24) hours of the check being cleared by the District's bank.

## **SECTION 5 - ALLOCATION AND PURCHASE OF EQUIVALENT DWELLING UNITS ALLOCATION OF EDUs**

5-1 : Determination of EDU Allocation. Each parcel of real property situated within the boundaries of the District shall be allocated a specific number of EDUs which shall be referred to as the EDU Allocation. The amount of EDUs allocated to a particular parcel shall be based upon the average water consumption of the parcel for the most recent thirteen (13) month period prior to the Notice of EDU Allocation, described in Section 2 below. In all cases, EDU Allocations shall be "rounded" so that water consumption from zero to .99 EDU's shall be allocated as ½ EDU, 1.0 to 1.49 shall be allocated as 1 EDU, 1.50 to 1.99 shall be allocated as 1½ EDU's, and so on.

5-2 : Notice of EDU Allocation. The Manager of the District shall provide notice to the Owner of each parcel of property within the District of the EDU Allocation for such Owner's property. Said notice shall be in writing and mailed to the Owner of record of each parcel.

In the event an Owner disagrees with the EDU Allocation as set forth in the notice, such Owner may file an objection to the EDU Allocation. Such objection shall be in writing and shall set forth the reasons the Owner disagrees with the number of EDUs allocated with supporting evidence. Any objection must be received by the Board of the District within ninety (90) days after notice of EDU Allocation was mailed to the Owner.

5-3 : For both new residential and new non-residential construction, the allocation and purchase of EDU's shall be made upon the submission of an application for service pursuant to Section 4 of the Rules and Regulations.

5-4 : Record of EDU Allocation. The District shall maintain a current record of the EDU Allocation for each water consumer and parcel of property in the District, and such record shall be

available to the general public.

5-5 : Changes in EDU Allocations. The EDU Allocation for any parcel of property shall be modified only upon the approval of the Board.

5-6 : Allocation Review. In the event the average water consumption of any parcel for thirteen (13) consecutive months indicates water use in excess of the EDU Allocation, the Board shall determine the additional amount of EDUs allocated to such parcel, and the Owner shall purchase the EDUs pursuant to this Section.

### **PURCHASE OF EDUs**

5-7 : Purchase of EDUs. Either of the following events may require the parcel Owner to purchase EDUs or additional EDUs from the District:

- A. New construction upon a parcel.
- B. Substantial, sustained increase in volume usage upon any parcel. For purposes of this subsection, any average volume increase over the allocation of any parcel of eighty (80) gallons per day over a period of thirteen (13) months shall be deemed substantial and sustained.

5-8 : Procedure to Purchase EDUs. The Owner of any parcel shall apply to the District for an allocation of EDU's for new construction or an increase in the EDU Allocation of any parcel. Applications shall be in writing and shall contain the following:

- A. The applicant's name, address and telephone number, together with the assessors parcel number and street address of the parcel involved.
- B. A detailed description of the proposed change which requires the increased EDU Allocation. Whenever new construction or alteration of existing structures is involved, the application must contain blueprints as well as grading plans and landscaping plans, if applicable. All plans submitted shall be approved by the appropriate department of the County of San Diego.
- C. Application Fee. If the application seeks an increase in EDU allocation of one (1) EDU or less, the application fee shall be Two Hundred-Fifty Dollars (\$250.00). If it is determined that the application requires an increase in EDU allocation of more than one (1) EDU, the application fee shall be Five Hundred Dollars (\$500.00). The application fee shall be submitted together with each application. In the event the application is granted in whole or in part, the application fee shall be credited to the cost of the EDUs purchased. In the event the application is denied, the application fee shall be returned to the applicant, less a processing fee of One Hundred Dollars (\$100.00).

5-9 Board Determination. The Board shall consider each complete application at the next regular meeting following receipt. After consideration of the application, the Board may grant the application in whole, grant the application in part, deny the application, or request additional information and/or documentation from the applicant. The decision of the Board shall be set forth in writing and mailed to the address provided by the applicant. In the event the application is granted in whole or in part, the decision of the Board shall specify the number of EDUs allocated and available for the applicant to purchase.

5-10 Costs and Payments. The Board has determined that the cost of an EDU shall be as follows: For service applications received after July 1, 2011, the cost of an EDU is Seven Thousand Seventy-eight Dollars (\$7,078.00). For an EDU required to be purchased pursuant to a Notice of EDU Charge served prior to July 1, 2011, the cost of each EDU is Six Thousand Six Hundred Four Dollars (\$6,604.00). For an EDU required to be purchased pursuant to a Notice of EDU Charge served on or after July 1, 2011, the cost of each EDU is Seven Thousand Seventy-eight Dollars (\$7,078.00). The cost of an EDU was determined pursuant to California Government Code Sections 66005 and 66013.

- A. In case of new construction, all amounts must be paid before a meter will be installed. For applicants not requiring meter installation, the amount due may be paid in full, or the applicant may execute a Installment Contract with the District within 45 days of receipt of notice of the Decision of the Board. Installment Contracts shall permit the applicant to pay the cost of EDUs in equivalent monthly installments for a term of years equal to the amount (or fraction thereof) of EDUs to be purchased, up to a maximum of five (5) years. In cases of demonstrated economic hardship, the Board may extend the term of any installment Contract for a period not to exceed five (5) years.
- B. In the event a Notice of EDU Charge pursuant to Section 5-11 herein is served upon an Owner of record while such Owner is in the process of making payments to the District pursuant to an Installment Contract, the Owner may elect to complete the payments on the first Installment Contract before commencing payments upon a second Installment Contract. Any subsequent Installment Contracts executed by such Owner shall be required to be paid concurrently.
- C. In the event a person owing an EDU charge to the District suffers a catastrophic illness or injury as defined in California Code of Regulations, Title 5, Section 42931, and becomes totally incapacitated from work, the Board may extend the time within which payment to the District is due for a period not to exceed the duration of such incapacitation, or one year, whichever is shorter. The extension of any amount due to the District pursuant to catastrophic illness or injury shall not accrue additional interest as a result of the extension.

### **EDU CHARGE**

5-11: Notice of EDU Charge. If either of the events described in Sections 5-07(A) or

5-07(B) occur upon any parcel located within the District and the Owner of such parcel has failed to purchase sufficient EDUs to accommodate the use, or the EDU Allocation for such parcel is insufficient for the water consumption of such parcel, the manager of the District shall serve upon the Owner of record of such parcel a Notice of EDU Charge. The Notice of EDU Charge shall (a) briefly describe the event requiring the increase in EDU Allocation of such parcel, (b) inform the parcel Owner of the amount of EDUs required to be purchased from the District and the cost thereof, and © in the case of new construction without the submission of an application, impose the payment of a fine in an amount not to exceed One Thousand Dollars (\$1,000.00) per EDU or fraction thereof required to be purchased. Upon the purchase of the required amount of EDUs and payment of the fine, the EDU Allocation for the parcel in question shall be increased.

- A. **Appeal Process.** In the event that the Owner of record of a parcel receiving a Notice of EDU Charge disputes a Notice of EDU Charge resulting from events described on 5-07(B), the Owner may submit a written appeal to the Board setting forth the basis for the appeal, and request a hearing before the board to present information indicating the increased use is either (1) not substantial or (2) not sustained. The Board shall consider the information presented by the Owner of record together with the relevant records of the District, and shall determine whether the EDU Charge shall be enforced.

5-12 : Failure to Comply With The Notice of EDU Charge. In the event the Owner of a parcel, after receiving a Notice of EDU Charge pursuant to Section 5-07(A), fails to purchase the amount of EDUs set forth in the Notice, or execute a Installment Contract with the District within 45 days of receipt of the Notice of EDU Charge, and/or fails to pay the stated fine within 45 days of receipt of the Notice, the owner of such parcel must restore the parcel to its condition prior to the event causing the District to issue the Notice of EDU Charge. In the event the Owner of a parcel fails to purchase the amount of EDUs set forth in the Notice of EDU Charge and fails to restore the parcel to the its condition prior to the event causing the District to issue the Notice of EDU Charge, the District may take any or all of the procedures set forth in Section 5-14 below.

5-13 : If the Notice of EDU Charge was issued as a result of the substantial, sustained increase in volume usage upon any parcel pursuant to Section 5-07(B), and the Owner of the parcel fails to purchase the amount of EDUs set forth in the Notice of EDU Charge, or execute an Installment Contract with the District within 45 days of receipt of the Notice of EDU Charge, there is no levy upon real property, and the District records no lien, however, the District may take any or all of the procedures set forth in Section 5-14 below.

5-14 : In order to enforce the payment of EDU's incurred by a substantial and sustained increase in volume usage, in addition to any other remedy at law or equity available for the enforcement of capacity charges, the District may undertake any of the following procedures which may pursued concurrently at the Boards discretion:

- A. Termination of water service.

- B. Installation of a flow restrictor to the meter.
- C. Restriction of water service to the parcel.
- D. Collection action against Property Owner of parcel served.

The Owner shall pay all direct and indirect costs incurred by the District in exercising any of the above procedures. Such costs include, but are not limited to, the cost of any equipment required to be installed, and time required by District employees to install, inspect and monitor any such equipment on an hourly or per visit basis, all costs and fees.

5.15 Capital Development Fund

- A. There is hereby created a Capital Development Fund into which all funds collected under this Section shall be deposited. Said deposits to the Capital Development Fund shall be used solely for the acquisition and construction of water facilities and systems necessary to provide water service to the residents of the Julian Community Services District, to repay principal and interest on bonds issued for the construction of such water facilities and systems, and to repay federal or state loans or advances made to the District for the construction of such water facilities and systems.
- B. Under no circumstances shall any of the funds collected under this Section be used for general revenue purposes.

**SECTION 6 - WATER CHARGES**

6-1 : There are four basic categories of water charges. They are water availability, ready-to-serve, metered water and bulk water charges.

6-2 Standby Charge

A water standby charge of \$40.00 per year shall be charged for each acre of land, or \$40.00 per year for each parcel of land less than one acre within the boundaries of the District. The water standby charge may be assessed on yearly tax rolls by the San Diego County Office of Auditor and Controller, or may be collected directly by the District. These funds will be used specifically for capital improvement projects. California Government Code 61765, 61765.75; California Elections Code 53753.5(b)(1).

6-3 : Ready-to-serve

A ready-to-serve charge will be charged for every installed meter. If water services is turned off or the meter is locked, it is billed at a rate of \$15.00 per month for both residential users and for commercial users.

#### 6-4 : Metered Water Charges

Sales of metered water by the District shall be charged pursuant to the following schedule:

- A. Basic Charge. Every installed water meter providing water service shall be billed a basic charge of Thirty Dollars (\$30.00) per month or portion thereof.
- B. All amounts of water used from 0 to 2000 cubic feet per month shall be billed at a rate of \$0.058 per cubic foot.
- C. All amounts of water used from 2001 cubic feet per month to 4000 cubic feet per month shall be billed at a rate of \$0.065 per cubic foot.
- D. All amounts of water used from 4001 cubic feet per month to 6000 cubic feet per month shall be billed at a rate of \$0.09 per cubic foot.
- E. All amounts of water used in excess of 6001 cubic feet per month shall be billed at a rate of \$0.14 per cubic foot.

#### 6-5 : Bulk Water Rates

- A. All bulk water shall be sold at the same rate regardless of the amount of water sold. The bulk water rate shall be \$0.20 per cubic foot.
- B. Any person desiring to purchase bulk water (see Section 7-03b.) must first deposit \$100.00 plus a one-time, non-refundable \$25.00 project fee.
- C. Upon completion of such water deliveries, the District will refund any part of the \$100.00 deposit which has not been earned by the delivery of water at the rate set forth in (a) above. Bulk water charges will be billed monthly.
- D. Bulk water service may be terminated by the District after two weeks notice given by certified mail to the address on the application for service. In the event of an emergency, bulk water service will be terminated immediately and without notice.

#### 6:06: Miscellaneous Charges

- A. The District must fully recover all costs for providing services. Thus, anyone who requests a service not specifically covered elsewhere in these General Policy must deposit in advance an amount estimated by the Board of Directors for that service. This estimate will include labor, equipment, material and service costs for all administration, construction, maintenance, operations, or other activities directly related to the service request. Labor costs will be at the current full overhead rates of those performing the service.

- B. The District will make a final cost accounting as soon after the service is completed as practical. If appropriate, either a refund or a final bill may be issued.
- C. Emergency service calls are exempt from advance deposit. These calls will, however, be charged to the customer is deemed the responsibility of the customer - such as a leak on the customer side of the service meter.
- D. In the event the construction, relocation or alteration of an underground water line is necessary to provide water service to any parcel of property, either within or outside the boundaries of the District, all costs associated with such work shall be paid by the owner of the parcel to which the delivery of water service requires such work to be done. The Board of Directors of the District shall have sole discretion to determine the necessity of any such work.

### **SECTION 7 - METERS**

7-1 : The District will regulate the size, type and location of each meter and the property sought to be served. All meters will be furnished and installed by the District and will at all times remain the property of the District.

7-2 : Permanent Meters

- A. Whenever possible, permanent water meters shall be installed in the public right-of-way adjacent to the water main.
- B. Connection, disconnection, installation or removal of meters will be made only by the District.

7-3 : Temporary Meters

- A. The District will maintain one or more hydrant meters to furnish to tank trucks or other portable containers.
- B. Temporary meters for bulk water are customarily connected to fire hydrants or blow-offs.
- C. For temporary meters at locations other than fire hydrants or blow-offs, the District shall require a deposit of \$200 which shall be refundable when the temporary meter is returned to the District. A portion of the deposit shall be deducted, up to the full amount, if any meter is returned in damaged condition. In addition to the deposit, the District shall charge an installation fee for the cost of installing the temporary meter.
- D. Temporary meters shall be read and water charges billed on a monthly basis.

## **SECTION 8 - BILLING, DELINQUENCIES, TAMPERING**

8-1 : Water bills will be rendered monthly. Payments shall be due fifteen days after the billing date. Payments received after the due date will be subject to a 10% late payment charge.

8-2 When the final date for payment without penalty falls on a Saturday, Sunday or holiday, the date for payment will automatically be extended to the next working day. The date of postal cancellation is assumed to be the date received.

8-3 : All payments must be made to the District either by mail or in person. No payments will be accepted by any Board member.

8-4 : Partial payments will not be accepted. All amounts due must be paid in full prior to resumption of service.

8-5 : Failure to pay water bills within 28 days after billing date is cause for termination of service. When a bill remains unpaid up to three days before the next billing cycle, a shut-off notice will be mailed by certified mail to the property owner indicating the amount due and that payment in full must be received within ten (10) days of the shutoff notice. The shutoff notice shall contain a statement that any objections to the amount of the unpaid bill must be submitted to the manager of the District within five (5) days.

8-6 : If no objection is received within the five day period, and payment is not received within ten days, the water will be turned off and service discontinued without further notice. When water service has been terminated for non-payment, the District shall contact the San Diego County Department of Health Services with notification of termination of water service. When arrangements have been made to resume service, the turn-on fees will be the same as those specified under paragraph 3-02.

8-7 : In the event of non-payment, the District may exercise any or all of the following collection procedures:

- A. Imposition of a penalty in an amount equal to 10% of the unpaid amount.
- B Recording of a Lien Certificate against the Owner and the parcel to which water was provided. The District shall record a Lien Certificate for the nonpayment of any charge for services imposed by the District in any case where any such amount remains unpaid in excess of 45 days. The amount set forth in the Lien Certificate shall include the delinquent amount, plus any penalties imposed, and interest on those amounts at the legal rate. Upon recording, the Lien Certificate shall constitute a lien

upon the real property served. The lien created by the Lien Certificate shall continue until the charge and all penalties thereon are fully paid or the property sold.

- C Addition of the delinquent amount to the real estate tax roll prepared by the San Diego County Tax Collector.
- D. Any procedure set forth in Section 5-14 of these Rules and Regulations.

8-8 : No person shall tamper with any meter or other facility of the District. If the District determines that any meter has been tampered with, the meter will be removed and the property owner notified.

8-9 : A meter removed for tampering will not be turned on until a \$200.00 penalty has been paid for service and reinstallation of such meter, and any other monies owed the District have been paid. The District will bill the property owner served by such meter on an average past daily consumption from the date of last regular reading of the meter to the date of removal from tampering and such charge must be collected before service is resumed.

8-10 : After an account has had two (2) checks returned for non-insufficient funds, all further payments for service will be paid by cash or cashier's check.

### **SECTION 9 - ACCURACY TESTING**

9-1 : Meters will be tested periodically for accuracy. If a meter has not been tested within one year of date of request for testing, the District will test it free of charge. If the meter has been checked within the past year, the request will be subject to a \$50.00 deposit.

9-2 : If the test indicates a reading of more than 5% above true delivery, a new meter will be installed at no cost to the property owner, the \$50.00 deposit (if any) will be returned, and he/she will be given a prorated rebate on the three most recent monthly bills.

9-3 : If the test indicated less than a 5% variance above or below true deliver the meter shall be deemed accurate and any test deposit will be retained.

9-4 : If the test indicates more than 5% below true delivery, any test deposit will be retained and the property owner will be billed for a prorated adjustment on the three most recent monthly bills.

9-5 : Any meter in service which falls to register during any billing period is presumed to have delivered water in accordance with average past deliveries through the meter for similar periods.

### **SECTION 10- FIRE HYDRANTS / FIRE-FIGHTING AGENCIES**

10-1 : Fire hydrants on District lines are the property of the District; however, installation or moving expenses are the responsibility of the property owner concerned except by specific agreement with the District.

10-2 : If hydrants are required to be installed for any reason, they shall be subject to approval by the District as to type of installation, and upon installation, shall become the property of the District.

10-3 : The District shall seek reimbursement for water used for emergencies occurring outside of the District Boundaries and may seek reimbursement for emergencies occurring within the District Boundaries.

10-4 : The District Fire Hydrants will not be used by any entity or Agency for any non-emergency situation that occurs outside of the District Boundaries, except as provided for in Section 6-05 of these Rules and Regulations. Violations of this policy will be prosecuted under the California Penal Code 499: Theft of Water, taking water without authority or making unauthorized connections.

10-5 : If fire-fighting agencies damage the facilities of the District, the agency responsible for damage to the system will be billed for the repair.

## **SECTION 11 - ANNEXATIONS AND LINE EXTENSIONS**

11-1 : Extensions

When an application is made for water service to a property not traversed by or not abutting on water lines, or at least a “lot depth” away from existing pipelines owned or operated by the District, and when the owner or owners of the property to be served are willing to construct such lines at their own expense, the District may accept ownership of facilities, after construction to the District requirements, upon the execution of a contract in conformance with the provisions of this Section.

11-2 Application and Design

- A. Applications for the construction of any facilities (including capital facilities) must contain a full legal description of the property or properties to be served, the acreage of such properties, the number of lots to be served in the future through the facilities proposed for construction, and a preliminary estimate of the total construction cost. The application shall also contain an offer by the applicant to construct such facilities at his/her sole cost and expense. The extension of water lines or construction of new capital facilities to serve additional properties cannot reduce the levels of service to users within the existing boundaries of the District. Upon receipt of the application, the District will determine the boundaries of the “benefitted area.” That area will include all parcels of land within the existing or extended boundaries of the District which are actually or conveniently served through the proposed line extension.
- B. When a pipeline extension is to be installed by a private contractor, the applicant must submit plans and specifications for approval by the District. These plans and specifications shall be prepared by the civil engineer, registered by the State of

California. The applicant will provide an estimated total cost of the construction of the extension including, but not limited to, pipelines, appurtenant structures, rights-of-way, and other resulting expenses which District might have to incur. It shall be the responsibility of the applicant to see that all easements and rights-of-way are furnished to the District. Such total costs shall be the amount subject to reimbursement in accordance with Section 11-03. All facilities so constructed must

meet District specifications as to pipeline size, design and location and any other conditions (including road work) which the District might impose to safeguard its water lines.

- C. The applicant must deposit in advance \$350.00 for review.

11-03: Contract

Any contract entered into under the terms of this Section shall contain the following provisions:

- A. The applicant must construct, or cause to be constructed at his/her sole expense, the facilities covered by this agreement.
- B. All facilities must be constructed in accordance with plans and specifications approved by the District prior to the execution of the agreement between applicant and the District.
- C. The determination of the extent of the area to be served by the proposed facilities shall be made by the District, and a map delineating such area must constitute part of the contract. Only “off-site facilities,” exceeding 150' in length, shall be eligible for the reimbursement provisions of this Section. “Off-site facilities” are defined as facilities that do not solely benefit lands, owned, operated or controlled by the applicant.
- D. The District agrees, upon transfer of ownership of the facilities including all requisite easements and rights-of-way, free and clear of all liens and encumbrances, to accept ownership, and thereafter to operate and maintain such facilities at District expense.
- E. Normally the District may allow the owner to construct such facilities, provided the work is executed under the direction of a civil engineer, registered in the State of California and by a contractor licensed by the State of California and acceptable to the District. The District will inspect all construction of facilities to be accepted by the District. All work shall be guaranteed for one year from date of acceptance by the District.
- F. Before acceptance of any facilities, a complete set of “as-built” plans must be furnished to the District.
- G. In the event the District sells EDU’s to parcels within the benefitted area which are not, and have never been owned, operated or controlled by the applicant within a period of ten (10) years after the date of the agreement, the District shall require the owners of such parcels to pay a construction charge in addition to the regular EDU

charge.

Any such construction charge must be established by District at or before the time the agreement is entered into. In general, the construction charge for each parcel within the benefitted area will be determined by dividing the total cost of construction of the line extension by the sum of all EDU's allotted to every parcel in the benefitted area, including those of applicant. The District retains the right to determine, in its sole discretion, both the total cost of constructing the line extension, the EDU allotment, and the construction charge for each parcel. The District has the right to impose additional charges for meters, laterals and other expenses in making connections to said line. The EDU charge and the additional charges are not included in the construction charge to be paid to applicant under any agreement.

- H. The applicants right to receive reimbursement in the form of a construction charge shall continue for a period of ten years after the date of the contract after which time the applicant is not entitled to any further payment. All payments thereafter accruing shall be the property of the District.
- I. All payments accruing to the applicant shall be made to him/her, his/her heirs and assigns, and the right to the payment is personal and shall not run with, or be assignable with, the lands owned by them.
- J. Any payment schedule shall be approved by the Board of the District.

12-1 : Purpose. **SECTION 12 - CROSS-CONNECTIONS**

The purpose of this regulation is (1) to protect the public water supply against actual or potential contamination of the Public Water supply through cross-connections by isolating sources of contamination that may occur within a water user's premises because of some undiscovered or unauthorized cross-connection on the premises; (2) to eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption; (3) to eliminate cross-connections between drinking water systems and sources of contamination (i.e. irrigation systems, private wells, fire suppression sprinkler systems, etc.); (4) to prevent the making of cross connections in the future. These regulations are adopted pursuant to the California State Department of Health Administrative Code, title 17, entitled "Regulations Relating to Cross-Connections".

It is unlawful for any person, firm or corporation at any time to make or maintain or cause to be made or maintained, temporarily or permanently, for any period of time whatsoever, any cross connection between plumbing pipes or water fixtures being served with water by the Julian Community Services District and any other source of water supply or to maintain any sanitary fixture or other appurtenances or fixtures which, by reason of their construction, may cause or allow backflow of water or other substances into the water supply system of the Julian Community Services District and/or the service of water pipes or fixtures of any consumer of the Julian Community Services District.

12-2 : Definitions.

**Approved Backflow Prevention Assembly:** The term "Approved Backflow Prevention Assembly" shall mean 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.

- A. **Approved Water Supply:** The term "approved water supply" means any water supply whose potability is regulated by a State or local health agency.
- B. **Auxiliary Supply:** The term "auxiliary water supply" means any water supply developed and approved by the American Water Works Association (AWWA).
- C. **AWWA Standard:** The term "AWWA Standard" means an official standard developed and approved by the American Water Works Association (AWWA).
- D. **Backflow:** The term "backflow" shall mean a flow condition, caused by a differential in pressure, that causes the flow of water or other liquids, gasses, mixtures or substances into the distributing pipes of a potable supply of water from any source or sources other than an approved water supply source. Backsiphonage is one cause of backflow. Backpressure is the other cause.
- E. **Contamination:** The term "contamination" means a degradation of the of the quality of the potable water by any foreign substance that creates a hazard to the public health, or which may impair the usefulness or quality of the water.
- F. **Cross-Connection Regulation:** The term "cross-connection regulation" as used in this means 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.

- G. Double Check Valve Assembly: The term "double check valve assembly" means an assembly of two internally loaded, independently acting check valves, including resilient seated shut-off valves on each end of the assembly and test cocks for testing the watertightness of each check valve.
- H. Health Agency: The term "health agency" means the California Department of Health Services or the local health agency with respect a small water system.
- I. Local Health Agency: The term "local health agency" means the county or city health authority.
- J. Person: The term "person" means an individual, corporation, company, association, partnership, municipality, public utility or other public body or institution.
- K. Premises: The term "premises" means any and all areas on a water user's property which are served or have the potential to be served by the public water system.
- L. Public water system: The term "public water system" means a system for the provision of piped water to the public for human consumption that has five or more service connections or regularly serves an average of 25 individuals daily at least 60 days out of the year.
- M. Reclaimed Water: The term "reclaimed water" means a wastewater, which as a result of treatment, is suitable for uses other than potable use.
- N. Reduced Pressure Principle Backflow Prevention Assembly: The term "reduced pressure principle backflow prevention assembly" means an assembly incorporated two internally loaded, independently operating check valves and an automatically operating differential relief valve located between the two check.
- O. Service Connection: The term "service connection" refers to the point of connection of a user's piping to the water supplier's facilities.
- P. Water Supplier: The term "water supplier" means the person who owns or operates the approved water supply system.
- Q. Water User: The term "water user" means any person obtaining water from an approved water supply system.

12-3 : Cross-connection Protection Requirements.

- A. General Provisions

1. Unprotected cross-connections with the public water supply are prohibited.
2. Whenever backflow protection has been found necessary, the Julian Community Services District will require installation of an approved backflow prevention assembly at the users expense for continued service or before a new service will be granted.
3. Whenever backflow protection has been found necessary on a water supply line entering a water user's premises, then any and all water supply lines from the Julian Community Services District mains entering the premises, buildings or structures shall be protected by an approved backflow prevention assembly. The type of assembly to be installed will be in accordance with the requirements of these regulations.

**B. Where Protection is Required**

1. Each service connection from the Julian Community Services District for supplying water to premises having an auxiliary water supply shall be backflow of water from the premises into public water system unless the auxiliary water supply is accepted as an additional water source by the Julian Community Services District and is approved by the public health agency having jurisdiction.
2. Each service connection from the Julian Community Services District for supplying water to any premises on which any substance is handled in such fashion as may allow its entry into the water system shall be protected against backflow of the water from the premises into the public system. This shall include the handling of process waters and waters originating from the Julian Community Services District which have been subjected to deterioration in sanitary quality.
3. Backflow prevention assemblies shall be installed on the service connection to any premises having (a) internal cross-connections that cannot be permanently corrected and controlled to the satisfaction of the state or local health department and the Julian Community Services District, or (b) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily available for inspection purposes, making it impracticable or impossible to ascertain whether or not cross connections exist.
4. All new residential, commercial and government construction requiring a potable water supply from the District is required to install either a reduced pressure zone backflow prevention device or a double check valve assembly backflow prevention device after their water meter.

**C. Type of Protection Required**

The type of protection that shall be provided to prevent backflow into the approved water supply shall be commensurate with the degree of hazard that exists on the consumer's premises. The type of protective assembly that may be required (listed in an increasing level of protection) includes:

Double check Valve Assembly (DC), Reduced Pressure Principle Backflow Prevention Assembly (RP) and an Air-gap separation. The water user may choose a higher level of protection than required by the Julian Community Services District.

**Table 1**

**TYPE OF BACKFLOW PROTECTION REQUIRED**

<u>Degree of Hazard</u>	<u>Minimum type Of Backflow Prevention</u>
A. Sewage and Hazardous Substances:	
(1). Premises where the public water system is used to supplement the reclaimed water supply	AG
(2). Premises where there are wastewater pumping and/or treatment plants and there is no interconnection with the potable water system. This does not include a single family residence that has a sewage lift pump. An RP may be provided in lieu of an AG if approved by the health agency and the Julian Community Services District.	AG
(3). Premises where reclaimed water is used and there is no inter-connection with the potable water system. An RP may be provided in lieu of an AG if approved by the health agency and the Julian Community Services District.	AG
(4). Premises where hazardous substances are handled in any manner in which the substances may enter a potable water system. This does not include a single-family residence that has a sewage lift pump. An RP may be provided in lieu of an AG if approved by the health Agency and the Julian Community Services District.	AG
(5). Premises where there are irrigation systems into which fertilizers, herbicides and/or pesticides are, or can be, injected.	RP
B. Auxiliary Water Supplies	
(1). Property where there is an unapproved auxiliary water supply which is interconnected with the public water system. An RP or DC may be provided in lieu of an AG if approved by the health Agency and the Julian Community Services District.	AG
(2). Property where there is an unapproved auxiliary water supply and there no interconnections with the public water system.	

A DC may be provided in lieu of an RP if approved by the health agency and the Julian Community Services District. RP

C. Fire Protection Systems

(1). Premises where the fire system is directly supplied from the public water system and there is an unapproved auxiliary water supply on or to the premises (not interconnected). DC

(2). Premises where the fire system is supplied from the public water system and interconnected to an unapproved auxiliary water supply. An RP may be provided in lieu of an AG if approved by the health Agency and the Julian Community Services District. AG

(3). Premises where the fire system is supplied from the public water system and where either elevated storage tanks or fire pumps which take suction from the private reservoirs or tanks are used DC

D. Premises where entry is restricted so that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to that cross-connections do not exist. RP

E. Premises where there is a repeated history of cross-connections being established or re-established. RP

F. All businesses selling fountain style dispensed carbonated beverages are required to install a reduced pressure zone backflow prevention device at their water meter. RP

12-4 : Backflow Prevention Assemblies.

A Approved Backflow Prevention Assemblies. Only backflow prevention assemblies which have been approved by the Julian Community Services District shall be acceptable for installation to a user connected to the Julian Community Services District potable water system.

B. Backflow Prevention Assembly Installation.

1. Backflow prevention assemblies shall be installed in a manner as prescribed in Section 7603, Title 22 of the California Administrative Code. Location of the assemblies should be as close as practical to the user's connection. The Julian Community Services District shall have the final authority in determining the required location of a backflow prevention assembly.

2. Air-gap separation (AG). The air-gap separation shall be located on the user's side of, and as close as practical to, the service connection. All piping from the

service connection to the receiving tank shall be above grade and entirely visible. No water use shall be provided from any point between the service connection and the air-gap separation. The water inlet piping shall terminate a distance of at least two (2) pipe diameters of the of the supply inlet, but in no case less than one (1) inch above the overflow rim of the receiving tank.

3. Reduced Pressure principle backflow prevention assembly (RP). The approved reduced pressure principle backflow prevention assembly shall be installed on the user's side of, and as close as practical to the service connection. The assembly shall be installed a minimum of twelve inches (12") above grade and not more than thirty six inches (36") above grade measured from the bottom of the assembly and with a minimum of twelve inches (12") side clearance. The assembly shall be installed so that it is readily accessible for maintenance and testing. Water supplied from any point between the service connection and the RP assembly shall be protected in a manner approved by the Julian Community Services District.
4. Double check valve assembly (DC). The approved double check valve assembly shall be located as close as practical to the user's connection and shall be installed above grade where ever possible and in a manner where it is readily accessible for testing and maintenance. If a double check valve is put below grade, it must be installed in a vault such that there is a minimum of six inches (6") between the bottom of the vault and the bottom of the assembly so that the top of the assembly is no more than a maximum of eight inches (8") below grade and there is a minimum of twenty four inches (24") of clearance between the side of the assembly with the test cocks and the side of the vault and so there is a minimum of twelve inches (12") clearance between the other side of the assembly and the side of the vault. Special consideration must be given to double check valve assemblies of the "Y" type. These assemblies must be installed on their "side" with the test cocks in a vertical position so that either check valve may be removed for service without removing the assembly. Vaults, which do not have an integrated bottom, must be placed on a three-inch (3") layer of gravel.
5. Backflow Prevention Assembly Testing and Maintenance

Backflow prevention assemblies must be tested at least annually and immediately after installation, relocation and repair. The Julian Community Services District may require a more frequent testing schedule if it is determined to be necessary. No assembly shall be placed back into service unless it is functioning as required. A report in a form acceptable to the Julian Community Services District shall be filed with the District each and every time an assembly is tested, relocated or repaired. These assemblies shall be serviced, overhauled or replaced whenever

they are found to be defective and all costs of testing, repair and maintenance shall be borne by the water user. Upon request by the water user, the Julian Community Services District will test a water user's backflow prevention assembly to fulfill the requirements of this Ordinance. The water user will be charged for the test and any maintenance found necessary to keep the assembly in working order on the next regular water bill.

6. Backflow Prevention Assembly Removal

Approval must be obtained from the Julian Community Services District before a backflow prevention assembly is removed, relocated or replaced.

a. Removal: The use of an assembly may be discontinued and the assembly removed from service upon presentation of sufficient evidence to the Julian Community Services District that a hazard no longer exists or is not likely to be created in the future:

Relocation: An assembly may be relocated following confirmation by the Julian Community Services District that the relocation will continue to provide the required protection and satisfy installation requirements. A retest will be required following the relocation of the assembly.

Repair: An assembly may be removed for repair, provided the water use is either discontinued until the repair is completed and the assembly is returned to service, or the service connection is equipped with other backflow protection approved by the Julian Community Services District. A retest will be required following the repair of the assembly: and

Replacement: An assembly may be removed and replaced provided the water use is discontinued until the replacement assembly is installed. All replacement assemblies must be approved by the Julian Community Services District and must be commensurate with the degree of hazard involved.

12-5 : User Supervisor.

\_\_\_\_\_ At each premises where it is necessary, in the opinion of the Julian Community Services District, a user supervisor shall be designated by and at the expense of the water user. This user supervisor shall be responsible for the monitoring of the backflow prevention assemblies and for avoidance of cross connections. In the event of contamination or pollution of the drinking water due to a cross-connection on the premises, the Julian Community Services District shall be properly notified by the user supervisor so that appropriate measures may be taken to overcome the contamination. The water user shall inform the Julian Community Services District of the

user supervisor's identity on, as a minimum, an annual basis and whenever a change occurs.

12-06: Administrative Procedures.

A. Water System Survey

1. The Julian Community Services District shall review all requests for new services to determine if backflow protection is needed. Plans and specifications must be submitted to the Julian Community Services District upon request for review of possible cross-connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention assembly is necessary to protect the public water system, the required assembly must be installed before service will be granted.
2. The Julian Community Services District may require an on-premise inspection to evaluate cross-connection hazards. The Julian Community Services District will transmit a written notice requesting an inspection appointment to each affected water user. Any water user who cannot or will not allow an on-premise inspection of his piping system shall be required to install the backflow prevention assembly the Julian Community Service District considers necessary.
3. The Julian Community Service District may, at its discretion, require a re-inspection for cross-connection hazards of any premise to which it serves water. The

Julian Community Services District will transmit a written notice requesting an inspection appointment to each affected water user. Any water user who cannot or will not allow an on-premise inspection of his piping system shall be required to install the backflow prevention system assembly the Julian Community Services District considers necessary.

B. Customer Notification - Assembly Installation

1. The Julian Community Services District will notify the water user of the survey findings, listing the corrective actions to be taken if any are required. A period of 30 days will be given to complete all corrective actions required, including the installation of backflow prevention assemblies.
2. A Second Notice will be sent to each water user who does not take the required corrective actions prescribed in the first notice within 30 days time period allowed. The Second Notice will give the water user a two-week period to take the required corrective action. If no action is taken within the 2-week period, the Julian Community Services District may terminate water service to the affected

water user until the required corrective actions are taken.

C. Customer Notification - Testing and Maintenance

1. The Julian Community Services District will notify each affected water user when it is time for the backflow prevention assembly installed on their service connection to be tested. This written notice shall give the water user 30 days to have the assembly tested and supply the water user with the necessary form to be completed and resubmitted to the Julian Community Services District.
2. A Second Notice shall be sent to each water user which does not have his/her backflow prevention assembly tested as prescribed in the First Notice within the 30 day time period allowed. The Second Notice will give the water user a two-week period to have his/her backflow assembly tested. If no action is taken with the 2-week period, the Julian Community Services District may terminate water service until the subject assembly is tested.

12-7 : Water Service Termination.

A. General

When the Julian Community Services District encounters water uses that represent a clear and immediate hazard to the potable water supply that cannot be immediately abated, the Julian Community Services District shall institute the procedure for discontinuing the Julian Community Services District water service.

B. Basis for Termination

Conditions or water uses that create a basis for water service termination shall include, but are not limited to, the following items:

1. Refusal to install a required backflow prevention assembly,
2. Refusal to test a backflow prevention assembly,
3. Refusal to repair a faulty backflow prevention assembly,
4. Refusal to replace a faulty backflow prevention assembly,

5. Direct or indirect connection between the public water system and a sewer line,
6. Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants,
7. Unprotected direct or indirect connection between the public water system and an auxiliary water system,
8. A situation which presents an immediate health hazard to the public water system.

C. Water Service Termination Procedures

1. For conditions 1, 2, 3 or 4, the Julian Community Services District will terminate service to a customer's premises after 2 written notices have been sent specifying the corrective action needed and the time period in which it must be done. If no action is taken within the allowed time period, water service may be terminated.
2. For conditions 5, 6, 7 or 8, the Julian Community Services District will take the following steps:
  - a. Make a reasonable effort to advise the water user of intent to terminate water service;
  - b. Terminate water supply and lock service valve. The water connection will remain inactive until correction of violations has been approved by the Julian Community Services District.

12-8 : Requirements for the Certification as a Backflow Prevention Device Tester.

Each applicant for certification as a tester of backflow prevention assemblies shall file an approved application with the Julian Community Services District General Manager, together with a fee as may be established by the Julian Community Services District Board of Directors. Personnel employed by the Julian Community Services District shall be exempt from the application and fee requirements only.

Competency in all phases of backflow prevention assembly testing and repair must be demonstrated by means of education, certification and/or experience in order to obtain certification.

The following are minimum requirements:

a. Applicants shall have had at least two (2) years of experience in plumbing or pipe-fitting or equivalent qualifications. The successful completion of a Community College class of three semester units in the field of Backflow Prevention Assembly Maintenance and Repair is the sole equivalent qualification.

b. Applicants shall hold a valid certification from the American Water Works Association, California-Nevada Section or the American Backflow Prevention Association.

c. Each applicant for certification as a tester of backflow prevention assemblies shall furnish evidence to show that he/she has available the necessary tools and equipment to properly test such assemblies. He/she shall be responsible for the accuracy and competency of all tests and reports prepared by him.

The certificate issued to any tester is valid for a period of one year and may be suspended, revoked or not renewed by the Julian Community Services District for improper testing, repairs and/or reporting.

#### 12-9 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance or any part thereof. The Board of Directors of the Julian Community Services District hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

### **SECTION 13 - STATE LAWS**

13-1 : For the protection of public water supplies, many offenses are misdemeanors under the laws of the State of California for which the offender may be criminally prosecuted. It is the policy of the District to encourage and cooperate in the prosecution of such offenses under the following sections:

- A. California Penal Code Section 499; Theft of water, taking water without authority or making unauthorized connection.
- B. California Penal Code Sections 592 & 627; Interfering with pipelines or conduits.
- C. California Penal Code Section 607; Injuring tanks, flumes, reservoirs, etc.
- D. California Penal Code Section 624; Breaking, cutting or obstructing pipes, etc.

California Penal Code Section 625; Taking water after works have been closed or meter sealed.

## **SECTION 14 – EMERGENCY WATER CONSERVATION REGULATIONS**

### 14-01: Emergency Water Restrictions.

All water use for every connection in the Julian Community Services District (District) shall be restricted as follows:

#### A. Irrigation Restrictions.

1. No outdoor irrigation shall be permitted within 48 hours of any measurable rainfall.
2. Outdoor irrigation shall be permitted only on Wednesdays and Saturdays of each week between the hours of 6:00 AM and 8:00 AM, and between 4:00 Pm and 6:00 PM.
3. Water runoff from irrigation shall not be permitted to leave the property.
4. Hoses used for hand irrigation must be equipped with a positive shut-off device on the discharge end of the hose.
5. Irrigation timers must be set to comply with the above restrictions.
6. Potable water shall not be used to wash sidewalks or driveways, or used in water features that do not recirculate.
7. Restaurants shall serve water only on request.
8. Lodging establishments must offer guests the option of not having linens and towels laundered daily, and such option must be displayed in each guest room.

#### B. Enforcement.

1. The District shall impose fines for the violation of the above restrictions. The first violation shall result in a warning. The second violation shall incur a fine of \$100.00; the third violation shall incur a fine of \$250.00; the fourth violation will incur a fine of \$500.00.

2. The restrictions set forth in subsection “A” of this Section, and the enforcement provisions set forth in subsection ”B” of the Section shall remain in effect for 270 days from the date of passage of this Ordinance unless the California Regional Water Quality Control Board (the “State Water Board”)

determines that it is no longer necessary due to changed conditions, or unless the State  
Water Board renews the regulation due to continued drought conditions as  
California Water Code section 1058.5, June 30, 2015.

ORDINANCE 19-01

AMANEMENT OT THE RULES AND REGULATIONS OF THE  
JULIAN COMMUNITY SERVICES DISTRICT

The Board of the Julian Community Services District finds that the Rules and Regulations of the District, adopted November 17, 1998 (as amended February 18, 2016) require certain amendments to clarify certain sections of the Rules. Accordingly, the Board makes the following amendment to wit:

The Board of the Julian Community Services District hereby amends Section 6 by deleting the existing sections 6-03 and 6-04 A, replacing the said Section as follows:

6-03: Ready-to-Serve

A ready-to-serve monthly charge will be assessed for every installed meter. If water services are turned off or the meter is locked, it shall be billed at a rate of half the Basic Charge per month for both residential users and for commercial users.

6-04: Meterd Water Charges

Sales of metered water by the District shall be charged pursuant to the following schedule:

- A. Basic Charge: Every installed water meter providing water service shall be billed a basic charge of Thirty-Five Dollars (\$35.00) per month or portion thereof.
- B. All amounts of water used from zero cubic feet per month to 2,000 cubic feet per month shall be billed at a rate of \$0.075 per cubic foot.
- C. All amounts of water used from 2,001 cubic feet per month to 4,000 cubic feet per month shall be billed at the rate of \$0.082 per cubic feet.
- D. All amounts of water used from 4,001 cubic feet per month to 6,000 cubic feet per month shall be billed at the rate of \$0.0145 per cubic foot.
- E. All amounts of water used in excess of 6,001 cubic feet per month shall be billed at \$0.0185 per cubic foot.

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F. All bulk construction water shall be sold at \$0.25 per cubic foot.

PASSED, APPROVED AND ADOPTED this 17<sup>th</sup> day of December, 2019.

AYES:

NAYS:

ABSENT:

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Herbert J. Dackerman, President  
Board of Directors of the  
Julian Community Services District

ATTEST my hand and the seal of the Board of Directors this 17<sup>th</sup> day of December 2019.

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District Secretary,  
Board of Directors of the  
Julian Community Services District