

ORDINANCE 82-1

AN ORDINANCE ESTABLISHING RATES, RULES AND REGULATIONS FOR WATER SERVICE BY AND WITHIN THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT AND REPEALING ORDINANCE NOS. 77-10, 79-1, AND 81-1 RELATING TO SUCH RATES, RULES AND REGULATIONS

WHEREAS, the public interest, convenience and necessity requires that the provisions of the following ordinances heretofore adopted by the Board of Directors of the Georgetown Divide Public Utility District be consolidated, changed in certain respects, to wit: Ordinance 77-10, An Ordinance Establishing Rates, Rules, and Regulations for Water Service By and Within the Georgetown Divide Public Utility District and Repealing Ordinance Nos. 72-4, 74-7, 75-2, 75-4, 76-3, 77-4 and 77-5 Relating to Such Rates, Rules and Regulations, adopted on October 13, 1977; Ordinance 79-1, An Ordinance Amending Ordinance 77-10, An Ordinance Establishing Rates, Rules and Regulations for Water Service By and Within the Georgetown Divide Public Utility District, and Repealing Ordinance Nos. 72-4, 74-7, 75-2, 75-4, 76-3, 77-4, and 77-5 Relating to Such Rates, Rules and Regulations, by Amending Article 16 Thereof Relating to Pipeline and Storage Benefit Charges, adopted on February 16, 1979; and Ordinance 81-1, An Ordinance Establishing Rates, Rules and Regulations for Water Service By and Within the Georgetown Divide Public Utility District, and Repealing Ordinance Nos. 77-10, and 79-1 Relating to Such Rates, Rules and Regulations, adopted on February 4, 1981;

NOW, THEREFORE, BE IT ENACTED by the Board of Directors of the Georgetown Divide Public Utility District, El Dorado County, California, as follows:

ARTICLE 1 - DEFINITIONS

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

Sec. 1-1. Applicant is the person making application for water service and shall be the owner of premises to be served by the water facilities for which such service is requested, or his authorized agent.

Sec. 1-2. Board is the Board of Directors of the District.

Sec. 1-3. Building is any structure used for human habitation or a place of business, recreation or other purpose containing water facilities.

Sec. 1-4. Contractor is an individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under the permit and shall be the owner or his agent.

Sec. 1-5. Cost means the cost of labor, material, transportation, supervision, engineering, and all other necessary overhead expenses.

Sec. 1-6. County is the County of El Dorado.

Sec. 1-7. Cross-Connection means any physical connection between the piping system from the District service and that of any other water source whereby water from said other source may be forced or drawn from said other source or that of any other water supply into the District distribution mains.

Sec. 1-8. Distribution Mains means water lines in streets, highways, alleys and easements used for public fire protection or for general distribution of water for irrigation, industrial and municipal purposes.

Sec. 1-9. District means Georgetown Divide Public Utility District.

Sec. 1-10. District Inspector is the Inspector acting for the Board, and may be the Manager, the District Engineer or Inspector appointed by the Board.

Sec. 1-11. Engineer is the Engineer appointed by and acting for the Board, and shall be a Registered Civil Engineer.

Sec. 1-12. Owner means the person owning the fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the County Recorder's Office, or the person in possession of the property or buildings under claim of, or exercising acts of ownership over same for himself, or as executor, administrator, guardian, or trustee of the owner.

Sec. 1-13. Permit is any written authorization required pursuant to this or any other rule, regulation, or ordinance of District for the installation of any water works.

Sec. 1-14. Person is any human being, firm, company, partnership, association, and private, public, or municipal corporation, the United States of America, the State of California, districts, and all political subdivisions governmental agencies and mandatories thereof.

Sec. 1-15. Pipeline Benefit Charge means a charge for pipeline benefits for a lot or parcel of real property under one ownership.

Sec. 1-16. Storage Benefit Charge means a charge for storage benefit for a lot or parcel of real property under one ownership.

Sec. 1-17. Single Family Residential Premises means a lot or parcel of real property under one ownership which includes one or more separate single family residential structures.

Sec. 1-18. Commercial or Multi-Family Residential Premises means a lot or parcel of real property under one ownership which includes one or more apartment houses, motels, office buildings, commercial buildings, and structures of like nature.

Sec. 1-19. Public Fire Protection Service means the services and facilities of the entire water supply, storage, and distribution system of the District, including the fire hydrants affixed thereto, and the water available for fire protection, excepting house service connections and appurtenances thereto.

Sec. 1-20. Regular Water Service means water service and facilities rendered for normal domestic and commercial purposes on a permanent basis, and the water available therefor.

Sec. 1-21. Service Connection Charge means the benefit entitlement of the lot or parcel of real property to a connection from the water main line to the limits of the road or easements in which the pipelines are located.

Sec. 1-22. Service or Service Connection means the pipeline and appurtenant facilities such as the curb stop, curb cock or valve used to extend water service from a distribution main to premises, but exclusive of the meter and meter box. Where services are divided at the curb or property line to serve several customers, each such branch service shall be deemed a separate service.

Sec. 1-23. Single Family Unit means the water capacity normally needed to serve a single family residential unit or the equivalent water usage for buildings used for purposes other than single family residences. SFU means Single Family Unit.

Sec. 1-24. Street is any public highway, road, street, avenue, alley, way, easement, or right of way.

Sec. 1-25. Treatment Plant Connection Benefit Charge means a treatment plant capacity charge for benefits to a lot or parcel of real property under one ownership.

Sec. 1-26. Water Department means the Board of Directors of the District performing functions related to the District water service, together with the General Manager, the Water Superintendent, the Office Manager, and other duly authorized representatives.

#### ARTICLE 2 - GENERAL PROVISIONS

Sec. 2-1. Effective Area. Except as herein otherwise expressly provided, this ordinance shall apply to and be effective within the boundaries of the District.

Sec. 2-2. Rules and Regulations. The following rules and regulations respecting water construction and provision of water and connection to the water supply, storage, and distribution facilities of District are hereby adopted, and all work in respect thereto shall be performed as herein required and not otherwise.

Sec. 2-3. Purpose. This Ordinance is intended, among other things, to provide certain minimum standards, provisions, and requirements for design, methods of construction, and use of materials in water facilities and water service connections hereafter installed, altered, or repaired, and with respect thereto shall not apply retroactively, that is, in the event of an alteration or repair hereafter made, it shall apply only to the new materials and methods used therein.

Sec. 2-4. Short Title. This Ordinance shall be known and may be cited as "Georgetown Divide Public Utility District Water Ordinance."

Sec. 2-5. Words and Phrases. For the purpose of this Ordinance, all words used herein in the present tense shall include the future; all words in the plural number shall include the singular number; and all words in the singular number shall include the plural number.

Sec. 2-6. Pressure Conditions. All applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distribution system at the

location of the proposed service connection, and to hold the District harmless from any damages arising out of low pressure or high pressure water service conditions or from any interruptions in service.

Sec. 2-7. Maintenance of Water Pressure and Shutting Down for Emergency Repairs. The Board shall not accept any responsibility for the maintenance of pressure and it reserves the right to discontinue service while making repairs, replacements, and connections or performing other work in the operation of the water system. Consumers dependent upon a continuous supply should provide emergency storage.

Sec. 2-8. Tampering with District Property. No one, except an employee or representative of the Board, shall at any time in any manner operate the curb cocks or valves, main cocks, gates or valves of the District's water system, or interfere with meters or their connections, street mains, or other parts of the water system.

Sec. 2-9. Penalty for Violation. For the failure of the customer to comply with all or any part of this Ordinance, and any ordinance, resolution, or order fixing rates and charges of this District, a penalty for which has not hereafter been specifically fixed, the customer's service shall be discontinued and the water shall not be supplied such customer until he shall have complied with the rule or regulation, rate or charge which he has violated, or in the event that he cannot comply with said rule or regulation, until he shall have satisfied the District that in the future he will comply with all the rules and regulations established by ordinance of the District and with all rates and charges of this District. In addition thereto, he shall pay the District the sum of Ten Dollars (\$10.00) for renewal of his service.

Sec. 2-10. Ruling Final. All rulings of the Board shall be final. All rulings of the General Manager shall be final, unless appealed in writing to the Board within five (5) days. When appealed, the Board's ruling shall be final.

Sec. 2-11. Relief on Application. When any person, by reason of special circumstances, is of the opinion that any provision of this

Ordinance is unjust or inequitable as applied to his premises, he may make written application to the Board, stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises.

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

Sec. 2-12. Relief on Own Motion. The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and ordinance should be suspended or modified as applied to a particular premises and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof.

Sec. 2-13. Separability. If any section, subsection, sentence, clause, or phrase of this Ordinance, or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this Ordinance or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared to be unconstitutional.

### ARTICLE 3 - WATER DEPARTMENT

Sec. 3-1. Creation. A Water Department has been heretofore created comprising the Directors and the following positions, to wit: The General Manager, a Water Superintendent, a District Inspector, and an Office Manager. The same person may be appointed to any or all of said positions. They shall be appointed to serve at the pleasure of the Board. If the same person is appointed General Manager and any other position, then said person shall be known as the General Manager and shall assume

and execute all the duties and responsibilities of each of the positions to which he is appointed.

Sec. 3-2. Plumbing, Water Facility, Inspection, Compensation.

The Board of said District shall employ the District Engineer or such other person as may be designated by the Board to perform the duties of inspecting the installation, connection, maintenance, and use of all water facilities in said District, to be known as the District Inspector. He shall receive, as compensation for his services for making inspections required to be made by the ordinances, orders, and regulations from time to time enacted and ordered by said Board, a sum to be fixed by the Board. He shall serve during the pleasure of the Board.

Sec. 3-3. General Manager. The General Manager shall have full charge and control of the maintenance, operation and construction of the water works and system. He shall, with the consent and approval of the Board, have authority to employ and discharge all employees and assistants. He shall prescribe the duties of employees and assistants. He shall perform such other duties as are imposed from time to time by the Board, and shall report to the Board in accordance with the rules and regulations adopted by the Board.

Sec. 3-4. Water Superintendent - Duties. The Water Superintendent shall regularly inspect all physical facilities related to the District's water system, to see that they are in good repair and proper working order, and to note violations of any water regulations.

Sec. 3-5. Engineer, Inspector or Water Superintendent - Supervision. The Engineer, Inspector or Water Superintendent shall supervise all repair or construction work authorized by the Board, and perform any other duties prescribed elsewhere in this Ordinance or which shall be hereafter prescribed by the Board.

Sec. 3-7. Office Manager. The position of Office Manager is hereby created. He shall have charge of the office of the District and of the billing for and collecting the charges herein provided. He

shall perform such other duties as shall be determined by the General Manager.

Sec. 3-8. Id. - Duties. The Office Manager shall compute, prepare, and mail bills as hereinafter prescribed, make and deposit collections, maintain proper books of account, collect, account for, and refund deposits, do whatever else is necessary or directed by the District Auditor to set up and maintain an efficient and economical bookkeeping system, and perform any other duties now or hereafter prescribed by the Board.

Sec. 3-9. Performance of Duties. The foregoing duties of Engineer, Inspector, Water Superintendent, and Office Manager may be performed by existing District personnel or by an additional employee or employees or agent thereof.

Sec. 3-10. Compensation. The General Manager, Engineer, Inspector, Water Superintendent, and Office Manager shall receive such compensation as is prescribed by the Board.

#### ARTICLE 4 - NOTICES

Sec. 4-1. Notices to Customers. Notices to a water customer from the District will normally be given in writing, and either delivered or mailed to him at his last known address. Where conditions warrant and in emergencies, the District may resort to notification either by telephone or messenger.

Sec. 4-2. Notices from Customers. Notice from the customer to the District may be given by him or his authorized representative in writing, at the District's operating office. Where conditions warrant and in emergencies, the customer may resort to notification either by telephone or messenger.

#### ARTICLE 5 - STANDARD DISTRICT SPECIFICATIONS

Sec. 5-1. Design and Construction Standards. Minimum standards for the design and construction of water facilities within the



District shall be in accordance with the applicable provisions of the ordinances, rules and regulations, and with the STANDARD DISTRICT SPECIFICATIONS for District heretofore or hereafter adopted by the District, copies of which are on file in the District office. The District or the District Engineer may permit modifications or may require higher standards where unusual conditions are encountered.

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

ARTICLE 6 - APPLICATION FOR REGULAR WATER SERVICE -  
WHERE NO MAIN EXTENSION REQUIRED

Sec. 6-1 Application for Water Service. Applications for regular water service, where no main extension is required, shall be made on the form of application approved by the Board from time to time.

Sec. 6-2. Undertaking of Applicant. Such application shall signify the customer's willingness and intention to comply with this and other ordinances or regulations relating to water service and to make payment for water service required.

Sec. 6-3. Payment for Previous Service. An application shall not be honored unless payment in full has been made for water service previously rendered to the applicant by the District.

Sec. 6-4. Installation of Services. Water services will be installed at the location and of the size determined by the Water Department. Service installations will be made only to property abutting on public streets or abutting on such distribution mains as may be constructed in alleys or easements, at the convenience of the Water Department. Services installed in new subdivisions prior to the construction of streets or in advance of street improvement must be accepted by the applicant in the installed location.

Section 6-5. Service Connections. Service connections will be installed in accordance with applicable provisions of Article 8.

ARTICLE 7 - GENERAL USE REGULATIONS

Sec. 7-1. Number of Services per Single Family Residential Premises. The applicant may apply for as many services as may reasonably be required for his single family residential premises, provided that the pipeline system for each single family residence shall be independent of the other single family residences on said premises and that they shall not be inter-connected.

Sec. 7-2. Supply to Separate Single Family Residential Structures. Each single family residence for which the application for water service is hereafter made, shall have a separate service connection, including a separate meter.

Sec. 7-3. Supply to Separate Commercial or Multi-Family Residential Premises. Each separate commercial or multi-family residential building for which application for a separate water service is hereinafter made, shall have a separate service connection, including a separate meter. Application for water service for more than one commercial or multi-family residential building on one lot or parcel of real property under one ownership shall have a separate service connection, including a separate meter, for all of the buildings under one application for water service.

Sec. 7-4. Number of Services Per Commercial or Multi-Family Residential Premises. The applicant may apply for as many services as may reasonably be required for his commercial or multi-family residential premises. The pipeline system from each service shall be independent of the others and they may not be inter-connected. One service with sufficient equivalent single family unit capacity may provide all of the service to any or all of the structures on the commercial or multi-family residential premises.

Se. 7-5. Water Waste. No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the

District may discontinue the service if such conditions are not corrected within five (5) days after giving the customer written notice.

Sec. 7-6. Responsibility for Equipment on Customer Premises.

All facilities installed by the District on private property for the purpose of rendering water service shall remain the property of the District and may be maintained, repaired, or replaced by the Water Department without consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in the protection of the facilities. No payment shall be made for placing or maintaining said facilities on private property. No persons shall place or permit the placement of any object in a manner which will interfere with the free access to a meter box or will interfere with the reading of a meter.

Sec. 7-7. Changes in Customer's Equipment. Customers making any material changes in the size, character, or extent of the equipment or operations utilizing water service, or whose change in operations results in a large increase in the use of water, shall immediately give the District written notice of the nature of the change, and, if necessary, amend their application.

Sec. 7-8. Damage to Water System Facilities. The customer shall be liable for any damage to the District-owned customer water service facilities when such damage is from causes originating on the premises by an act of the customer or his tenants, agents, employees, contractors, licensees, or permittees, including the breaking or destruction of locks by the customer or others on or near a meter, 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.

Sec. 7-9. Ground Wire Attachments. All persons are forbidden to attach any ground wire or wires to any plumbing which is or may be connected to a service connection or main belonging to the District unless such plumbing is adequately connected to an effective driven ground installation on the premises. The District will hold the customer

liable for any damage to its property occasioned by such ground wire attachments.

Sec. 7-10. Cross Connections. The customer must comply with the state and federal laws governing the separation of dual water systems or installations of backflow protective devices to protect the public water supply from the danger of cross-connections. Backflow protective devices must be installed as near the service as possible and shall be open to test and inspection by the Water Department. Plans for installation of backflow protective devices must be approved by the Water Department prior to installation.

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

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

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

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

The service of water to any premises may be immediately discontinued by the District if any defect is found in the check valve

installation or other protective devices, or if it is found that dangerous unprotected cross-connections exist. Service will not be restored until such defects are corrected.

Sec. 7-11. Interruptions in Service. The District shall not be liable for damage which may result from an interruption in service from a cause beyond the control of the Water Department to make improvements and repairs. Whenever possible, and as time permits, all customers affected will be notified prior to making such shutdowns. The District will not be liable for interruption, shortage, or insufficiency of supply, or for any loss or damage occasioned thereby, if caused by accident, act of God, fire, strikes, riots, war, or any other cause not within its control.

Sec. 7-12. Ingress and Egress. Representatives from the Water Department shall have the right of ingress and egress to the customer's premises at reasonable hours for any purpose reasonably connected with the furnishing of water service.

#### ARTICLE 8 - METERS AND METERED SERVICE CONNECTIONS

Sec. 8-1. District Property. All services shall be metered. The service connection, whether located on public or private property, is the property of the District, and the District reserves the right to repair, replace and maintain it as well as to remove it upon discontinuance of service.

Sec. 8-2. Meters. When an application for service is granted under Article 6, the District will install the meter and meter box. A 5/8 x 3/4-inch meter will be furnished without charge. The applicant will pay a \$60 fee for the cost of installation. If the applicant desires a larger meter, the applicant shall pay the difference in cost between a 5/8 x 3/4-inch meter and that requested plus installation cost.

Only duly authorized employees or agents of the District will be permitted to install a meter and meter box.