

# Ventura River Water District

## **RULES & REGULATIONS FOR WATER SERVICE**



**409 OLD BALDWIN ROAD  
OJAI, CALIFORNIA 93023**

**November 15, 2023**

## TABLE OF CONTENTS

1.	GENERAL .....	2
2.	DEFINITIONS .....	2
3.	AREA SERVED AND ANNEXATIONS INTO THE DISTRICT .....	3
4.	ARRANGEMENTS FOR REGULAR WATER SERVICE.....	3
5.	OWNERSHIP OF FACILITIES.....	5
6.	TEMPORARY WATER SERVICE .....	6
7.	PRIVATE FIRE SERVICE.....	6
8.	WATER WASTE PROHIBITIONS .....	7
9.	WATER RATES .....	10
10.	BILLING AND COLLECTION CHARGES.....	11
11.	HEARING FOR DELINQUENT AND DISPUTED BILLS .....	13
12.	CUSTOMER REQUESTED DISCONTINUANCE & RESTORATION OF SERVICE .....	14
13.	METER TESTS .....	14
14.	DISTRIBUTION FACILITIES .....	14
15.	WATER SUPPLY AND INTERRUPTION OF DELIVERY .....	15
16.	VRWD EQUIPMENT ON CUSTOMER'S PREMISES.....	16
17.	RESPONSIBILITY FOR WATER RECEIVING EQUIPMENT .....	16
18.	PROTECTION OF PUBLIC WATER SUPPLY .....	17
19.	DAMAGE OF VRWD FACILITIES AND THEFT OF WATER.....	18
20.	WILL SERVE AND WATER AVAILABILITY LETTERS.....	18
21.	MASTER METER FOR ASSOCIATION .....	20
22.	SUBDIVISION - FIVE OR MORE PARCELS.....	20
23.	DISREGARD OF RULES & REGULATIONS OF WATER SERVICE .....	20
24.	MINOR DISAGREEMENTS .....	21
25.	HEARINGS .....	21
26.	SPECIAL BOARD MEETINGS .....	21
27.	ATTORNEYS' FEES .....	21
28.	LEAK RELIEF .....	21
29.	EFFECTIVE DATE.....	22
	APPENDIX I .....	23
	APPENDIX II .....	26
	APPENDIX III .....	27
	AMENDMENTS & ADDITIONS.....	28

# RULES AND REGULATIONS

## 1 GENERAL

This document shall be known as "Rules and Regulations for Water Service" for the Ventura River Water District. Unless otherwise approved by the Board of Directors of the Ventura River Water District, all water service shall be made in accordance with these rules and regulations. The Board of Directors may amend these rules and regulations at any regular or special meeting by Resolution or Ordinance.

## 2 DEFINITIONS

Whenever the words defined in this article occur in these rules and regulations, they shall have the meaning herein defined:

- 2.1 "Additional dwelling" shall mean a secondary dwelling unit with complete independent living facilities for one or more persons and generally takes three forms: (1) Detached: the unit is separated from the primary residential structure, (2) Attached: the unit is attached to the primary residential structure, or (3) Repurposed Existing Space: Space (e.g., master bedroom or garage) within the primary residence is converted into an independent living unit.
- 2.2 "Association" shall mean a corporation or association created to own, improve, lease lots or to provide management, maintenance or improvement of contiguous or non-contiguous lots.
- 2.3 "Board" shall mean the Board of Directors of the Ventura River County Water District.
- 2.4 "Commercial" shall mean any commercial or industrial development operating on land zoned for commercial or industrial uses.
- 2.5 "Customer-owned Facility" shall mean all the pipes, valves, fittings, pressure regulators and all other appurtenances after the VRWD water meter.
- 2.6 "District" shall mean Ventura River Water District.
- 2.7 "Field Service Charge" shall mean the charge applied when a check is returned for Not Sufficient Funds and a door hanger notice must be made or water must be turned off when the payment of the water bill is delinquent by more than 10 days in accordance with [Appendix I - Rates and Fees Schedule](#).
- 2.8 "General Manager" shall mean the person holding the position or acting in the capacity of General Manager of Ventura River Water District.
- 2.9 "LAFCo" shall mean the Ventura County Local Agency Formation Commission.
- 2.10 "Multi-Family Residential" shall mean any apartment or mobile home development with one or more meters designed to supply water to five (5) or more dwellings on the same parcel.
- 2.11 "Single Family Residential" shall mean a residential property with from one (1) to four (4) dwellings on the same parcel.
- 2.12 "Service" shall mean the furnishing of water to a customer through a connection to facilities of the VRWD.
- 2.13 "Service Facilities" shall mean the service lateral facilities between VRWD water main and the outlet of the meter.
- 2.14 "Unit" shall mean 748 gallons or 100 cubic feet of water.
- 2.15 "Water Agency" shall mean and include public water agencies and public water utilities, and mutual water companies.

- 2.16 "Will Serve Letter" shall mean a letter issued by the Ventura River Water District committing to provide water service to a new customer.
- 2.17 "VRWD" shall mean the Ventura River Water District.

### **3 AREA SERVED AND ANNEXATIONS INTO THE DISTRICT**

The rules and regulations set forth herein pertain to service to land and/or improvements lying within the boundaries of VRWD. The Board on an individual basis may establish Service to parcels outside VRWD boundaries after approval from LAFCo.

- 3.1 Approval of annexations in to or out of VRWD shall be at the pleasure of the Board and be approved by LAFCo. Annexation fees shall be the responsibility of the property owner(s) seeking annexation into or out of the District. The fees shall include, but not be limited to, all fees incurred by LAFCo, the State of California, mapping fees, administration fees, and any and all other fees related to the annexation process imposed by VRWD or other agencies. (See Appendix I for current Fee Schedule for VRWD fees)

No property owner shall annex only a portion of his or her whole contiguous parcel. Water shall not be acquired for a parcel that is annexed and then transported to a parcel outside of the District's boundaries.

Water service outside VRWD boundaries shall be approved by LAFCo and be by special service agreement only. This special service agreement will establish maximum rate of use, quantity to be purchased, duration of service and other matters pertinent to such service which are not covered by VRWD "Rules and Regulations". The water rate for outside user water service shall be established by the Board for each such service at the rate plus a surcharge and shall be set forth in the special service agreement.

Capital improvements for new services shall comply with Ventura River Water District Rules and Regulations. Fee schedules in effect at the time of the District's final Resolution approving and ordering the annexation shall be paid in full before water service is inaugurated.

### **4 ARRANGEMENTS FOR REGULAR WATER SERVICE**

- 4.1 APPLICATION FOR WATER SERVICE. Application for service shall be made in writing on a form available at the Ventura River Water District Office. The General Manager or his appointee may approve applications for service. All Applications for service shall be considered to be a written request for water and other services.

- 4.1.1 REGULAR WATER SERVICE. Regular water service to each property and additional dwelling shall be through separate pipes and water meters, except as provided herein. Water service for multi-family apartments and mobile home parks may be provided by a single meter to the facility. Water service to an association shall be in accordance with Section 21 MASTER METER FOR ASSOCIATION. All rates, fees, and provisions for multi-family residential development and associated service shall conform to the applicable portions of these "Rules and Regulations". The water rate shall be at the rates provided for in Appendix I.

- 4.1.2 ADDITIONAL DWELLING UNITS. Existing, detached and permitted additional dwellings that do not have a separate water meter shall not be required to install

a separate water meter. Existing, unpermitted and detached additional dwelling units that do not have a separate water meter shall be required to install a separate water meter. If a new, attached Additional Dwelling unit is created by remodeling an existing dwelling a new separate water meter shall not be required. New and detached Additional Dwelling Units built as a separate structure shall install a separate water service and meter to the main unless the water pressure serving the property is 70 psi or higher, or the service lateral from the main (System-owned facility) is at least 1" and will serve no more than two dwellings and is waived in writing by the General Manager.

#### 4.2 ESTABLISHMENT AND MAINTENANCE OF CREDIT.

4.2.1 DEPOSITS. New Customers are required to provide proof of credit worthiness to the District in the form of pictured identification, a major credit card, prior Water Company or other verifiable credit reference. Connection of service may be delayed until the determination of credit worthiness has been made. Customers may avoid this credit check by providing a voluntary refundable security deposit. In the event a customer who was deemed credit worthy at time of sign up does not maintain credit to the satisfaction of VRWD, a security deposit may be required after two late notices in any 12-month period. Customers not deemed credit worthy are required to provide a security deposit to guarantee payment of the customer's obligations to VRWD until his good credit has been established to the satisfaction of VRWD. If the customer is a water agency, credit shall be deemed established.

A customer's credit shall be considered established and maintained to the satisfaction of VRWD if the customer has not received a late notice during the prior 18 months. When a customer has established and maintained credit to the satisfaction of VRWD, the customer's deposit, without interest, will be applied to the customer's account as a credit. If the deposit is applied to a closing bill and the balance is less than \$10.00 a refund will only be made if specifically requested. In the event the customer does not continue to maintain credit to the satisfaction of VRWD after the deposit has been refunded, the full deposit will again be required in order to continue water service. If service has been discontinued for nonpayment, the General Manager may levy an additional deposit. Deposits shall be made according to the current schedule of rates available at the District Office. ([See Appendix I - Rates and Fees Schedule](#)).

4.2.2 OUTSTANDING OBLIGATIONS. Payment in full of any outstanding obligation in connection with VRWD water service must be paid before water service can be restored to an existing location or to a present customer at a new location.

4.3 SERVICE AND FACILITY INSTALLATION. Where the conditions of service require Special Facilities, as determined by VRWD, the installation fee, regardless of the size of service, shall include all direct and indirect costs of furnishing and installing such Special Facilities. Such Special Facilities may include, but are not limited to, turnout, heavy-duty pipeline, excess pipeline, trenching, installation of casing, and paving.

4.3.1 BACKFLOW PREVENTION DEVICES. The Customer may be required to furnish and install a backflow device at his sole expense in compliance with the requirements as set forth in Section 18 of these "Rules and Regulations".

4.3.2 CAPACITY CHARGE. A Capacity Charge shall be paid at the time an application for water service is made, in accordance with the current Capacity Charge Schedule. ([See Appendix II for Capacity Charge Schedule](#))

- 4.4 PAYMENT OF INSTALLATION FEE. The installation fee or estimated installation fee shall be paid in full at the time application is made for water service. Any adjustment of the estimated installation fee shall be made when the service installation is completed.
- 4.5 CHANGE IN SIZE OF SERVICE. Changes in the size of water service shall conform with the following:
- 4.5.1 Increase in size: Customers requesting an increase in the size of service shall make application to the District and pay any additional Capacity Charges for the size of service plus installation fees as provided for herein. ([See Appendix II for Capacity Charge Schedule](#)) The increase in size of service shall be charged to the customer at actual direct and indirect costs, including but not limited to labor, parts, and administrative costs.
- 4.5.2 Decrease in size: Customers requesting a decrease in the size of service shall make application to the District and enter into an agreement with the District documenting that the customer may upsize the service back to the original size without paying an additional Capacity Charge. The customer shall pay all costs associated with reducing the service size including direct and indirect costs, including but not limited to labor, parts, and administrative costs. VRWD reserves the right to require the customer enlarge the service at any time that VRWD determines that the customer's water demand necessitates a larger service. Refund of any of the original Capacity Charge due to a decrease in size shall not be allowed because those funds are invested in constructing the capacity of the infrastructure which cannot be reduced once constructed.
- 4.6 RELOCATION OF EXISTING SERVICE FACILITIES. When a change in the location of existing Service Facilities is deemed necessary by VRWD, such change in location shall be accomplished at VRWD's expense. When the relocation of existing Service Facilities is required as determined by VRWD, as a result of action taken by the customer or when such relocation is requested by the customer for his convenience, and upon approval by the General Manager, such relocation shall be accomplished at the customer's expense. In either event, the cost of reconnecting the customers' private plumbing system to the relocated VRWD-owned Service Facilities shall be at the customer's sole expense.
- 4.7 SHUTOFF FOR NONCOMPLIANCE. Water service may be shutoff for violation of or noncompliance with these "Rules and Regulations" and may be resumed only upon satisfactory evidence that violations have been corrected or those provisions of "Rules and Regulations" have been complied with.

## 5 OWNERSHIP OF FACILITIES

- 5.1 VRWD FACILITIES. VRWD shall retain ownership of all meters, appurtenances and connection piping serving the meter regardless of who pays for or installs the facilities. The valve on the outlet side of the meter, pressure regulators, backflow prevention devices and other special facilities beyond the meter are owned by the customer and their proper operation and maintenance are the responsibility of the customer. VRWD regulations relating to assurances regarding proper operation of such special facilities are set forth in Section 18 of these "Rules and Regulations".
- 5.2 CUSTOMER INSTALLED FACILITIES. By special agreement, and with the consent of the General Manger, the customer may furnish and install all of the required Service Facilities at his sole expense, provided such installation is by a VRWD approved,

licensed, and insured contractor. Under such circumstances, the customer may be required to pay to VRWD the costs of legal services, engineering, plan check, inspection, and administration service, operation and maintenance shutdown costs, and other cost related items. Such customer-installed facilities between VRWD pipeline and the customer's side of the meter shall become the property of VRWD and shall thereafter be maintained by VRWD.

## **6 TEMPORARY WATER SERVICE**

Application for temporary water service shall be made in writing on a form provided by VRWD. Temporary water service is intended primarily for construction and sanitary sewer flushing purposes and is provided via a hydrant meter or hard plumbed connection. Temporary water service may be provided for a maximum of six (6) months.

- 6.1 **INSTALLATION FEE OF TEMPORARY WATER SERVICE.** A meter installation fee shall be paid by the applicant at the time temporary water service is requested, providing service from nearest hydrant only. (See Appendix I for Rates and Fees Schedule).
- 6.2 **TEMPORARY SERVICE RELOCATION FEES.** If a temporary water service requires service consecutively at two or more points in VRWD's system, a relocation fee shall be paid by the customer for each change of location. Relocations will be made by VRWD upon 48-hour notice by the customer, excluding Saturdays, Sundays and holidays, (See Appendix I for Rates and Fees Schedule).
- 6.3 **GUARANTEE DEPOSIT.** The applicant shall be required to deposit funds as a guarantee of payment of charges for temporary water service and as a guarantee of payment for damage to VRWD property for which the customer is liable. The deposit shall be in accordance with the current Rates and Fees Schedule. (See Appendix I for Rates And Fees Schedule)
- 6.4 **RETURNED CREDITS.** Returned credits not cashed after six (6) months shall be void, subject to customer appeal. These funds will be transferred to the District's general income account.
- 6.5 **WATER SERVICE TO NEW SUBDIVISIONS.** Prior to receiving any water to a new subdivision, the developer must enter into an agreement to construct additions to the VRWD distribution system and pay applicable fees including current Capacity Charges. During construction, the developer may receive water from a temporary water meter connected to a fire hydrant, as described in Section 6. Prior to acceptance of the new distribution facilities, by VRWD, the developer will take out an application, or have an application taken out, for each service in the subdivision.
- 6.6 **RESPONSIBILITY FOR TEMPORARY WATER SERVICE EQUIPMENT.** Customers using temporary water service equipment are fully responsible for the condition and safe return of the meters and material associated with the temporary service connection.

## **7 PRIVATE FIRE SERVICE**

- 7.1 **APPLICATIONS FOR PRIVATE FIRE PROTECTION FACILITIES.** VRWD may grant applications for private fire service or private fire hydrants. Fire sprinkler service shall require a spring activated check valve on the fire sprinkler piping and shall be connected after the pressure regulator. A detector-check-type meter shall be required on all private

fire service connections. The customer, in accordance with plans previously approved by VRWD must install the required meter installation. The customer will be required to install the appropriate backflow prevention device in accordance with the provisions set forth in Section 18 herein.

7.2 FIRE STANDBY CHARGES FOR PRIVATE, COMMERCIAL AND INDUSTRIAL FIRE PROTECTION FACILITIES. (See Appendix I for Rates and Fees Schedule)

## 8 WATER WASTE PROHIBITIONS

### 8.1 PROHIBITIONS

No Ventura River Water District customer shall allow use of water for nonessential or unauthorized uses as defined herein:

- (1) **General Waste:** Indiscriminate running of water or washing using water which is wasteful and without reason or purpose.
- (2) **Cleaning of Structures and Vehicles:** The washing of building exteriors, mobile homes, cars, boats or recreational vehicles without the use of a positive shut-off nozzle on either the hose or pressure washer that causes it to cease dispensing water immediately when not in use.
- (3) **Washing of Exterior Surfaces:** The washing of hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios, streets or alleys, except when necessary to alleviate safety or sanitary hazards or when broom or other waterless device will not suffice. If necessary, washing may only be done with a bucket or similar container, a hose equipped with a positive shut-off nozzle, a pressure washer, a low-volume high pressure water efficient water broom, or a cleaning machine equipped to recycle the water used.
- (4) **Plumbing Leaks:** The escape of water through leaks, breaks, or malfunctions within the water user's plumbing or distribution system, for a substantial period of time within which such break or leak should reasonably have been discovered and corrected.
- (5) **Runoff Control:** The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
- (6) **Water Fountains:** The use of potable water in a fountain or other decorative water feature except where the water is part of a recirculating system.
- (7) **Watering Frequency:** Outdoor irrigation of ornamental landscapes or turf with potable water no more frequently than two days per week.
- (8) **Watering Times:** Outdoor irrigation of ornamental landscapes or turf with potable water between the hours of 10:00 A.M. and 6:00 P.M. unless performed by a watering can or handheld sprayer nozzle. (Exceptions may be authorized by the General Manager where there is no ability to not water between 10:00 a.m. to 6:00 p.m.)
- (9) **Continuously Running Water:** any fixture that provides continuously running water shall be modified to stop flowing when not in use unless otherwise mandated by the Ventura County Health Department.



- (10) **Cooling:** Water used for all cooling purposes shall be re-circulated. Single pass cooling systems shall be modified or taken out of service within 6 months of written notification from the District.

## 8.2 EXEMPTED WATER USES

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

## 8.3 ENFORCEMENT OF VIOLATION

Complaints of water waste will be investigated and enforced by the District in the form of a Notice of Violation. The following officers and employees of the Ventura River Water District are hereby designated and authorized to issue citations for enforcement of this Section: General Manager, Utility Workers, Water employees designated by the General Manager

## 8.4 NOTICE OF VIOLATION

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

## 8.5 CONSEQUENCE OF VIOLATION

Administrative fines and water service actions may be levied and applied for each violation of a provision of this Section as follows:

Penalties for failure to comply with any provision of the Section are as follows:

- a. **First Violation:** The District will issue a written notice to the water customer describing the violation, required compliance date and attach a copy of this Section.
- b. **Second Violation:** If the first violation is not corrected within the time frame specified by the District, or if a second violation occurs within the following twelve (12) months after the first violation notice, a second notice of violation will be issued and an administrative fine of one hundred dollars (\$100) shall be levied for the second violation of this Section.

- c. **Third Violation:** A third violation within the following twelve (12) months after the date of issuance of the second notice of violation is punishable by an administrative fine of two hundred dollars (\$200).
- d. **Fourth and Subsequent Violations:** Each day that a violation of this Section occurs beyond the remedy allowance provided in the third Notice of Violation is subject to any or all of the following penalties:
  - i. Water service may be turned off or flow may be restricted. Where water service is turned off or flow restricted, it shall be turned on or unrestricted upon correction of the violation and the payment of the reconnection charges, staff time, and District material purchases per the District's Rules and Regulations in effect at the time.
  - ii. A fine of not more than \$500 may be imposed per day of continued violation.

#### 8.6 PAYMENT OF ADMINISTRATIVE FINES

The water customer is responsible for the full payment of administrative fines. Each administrative fine shall be applied in the customer's regular water billing. Payment of the administrative fine will be the final responsibility of the individual named on the water account. Non-payment of fines will be subject to the same remedies as non-payment of basic water rates, in accordance with the Ventura River Water District Rules and Regulations. The above fines shall be included in the next monthly water bill and must be paid in accordance with normal bill paying processes or the water service will be subject to turn off and appropriate field charge to reconnect at the current re-connection charge. Failure to make corrections or pay a charge within the allotted time may also result in restriction of service.

#### 8.7 APPEAL

Any customer against whom an administrative fine or water service action is levied pursuant to this Section shall have the right to appeal as follows:

- (1) The appeal must be in writing, legible, and received by the General Manager within fifteen (15) calendar days of the issuance of the notice of violation to the customer. Any violation not timely appealed shall be deemed final. The written request for appeal consideration shall include:
  - i. A description of the issue,
  - ii. Evidence supporting the appeal, and
  - iii. A suggestion for resolution of the dispute, if any.
- (2) The General Manager will review the material submitted and make an independent determination of the issue, which shall be mailed to the customer within fifteen (15) calendar days of receipt of the request for appeal.
- (3) The General Manager's determination may be appealed in writing within fifteen (15) calendar days of the mailing of the notice of determination. The appeal of the General Manager's determination shall be heard and considered by the Board of Directors at an upcoming regular meeting of the Board. Notice of the hearing shall be mailed to the customer at least fifteen (15) calendar days prior to the date of

the appeal hearing. The Board may, in its discretion affirm, reverse, or modify the determination. The Board's determination is final.

- 8.8 Ventura River Water District may order implementation of water conservation measures in addition to those set forth in this Section. Nothing in this Section shall be construed to require the District to curtail the supply of water to any customer when such water is required by that customer to maintain an adequate level of public health and safety. If any part of this Section or the application thereof to any person or circumstance is for any reason held invalid by a Court of competent jurisdiction, the validity of the remainder of the Section or the application of such provision to other persons or circumstances shall not be affected.
- 8.9 The provisions of this Section shall prevail in control in the event of any inconsistency between this Section and any other rule, regulation, ordinance, or Resolution of this District.

## **9 WATER RATES**

All rates and fees will be established based on the type and capacity of service.

- 9.1 **CLASSES OF SERVICE.** For rate purposes, water service shall be divided into classes as follows:
- 9.1.1 **REGULAR SERVICE.** Regular service shall apply to services supplied with water which are not temporary and consists of Single Family Residential, Multifamily Residential and Commercial. Any new service with a meter larger than one (1) inch shall require Board approval.
- 9.1.2 **TEMPORARY WATER SERVICE.** Temporary water service shall apply to those temporary service connections as outlined in the "Rules and Regulations" in Section 6.
- 9.2 **WATER RATES.** All customers are to be billed monthly for water consumption according to the current Rates and Fees Schedule. (See Appendix I for Rates and Fees Schedule)
- 9.3 **MINIMUM BASE RATE.** Each customer shall pay a minimum Base Rate for each billing period during which a service connection exists regardless if the service is turned on. (See Appendix I for Rates and Fees Schedule)
- 9.4 **NON-REGISTERING METERS.** Should any meter in service fail to register during any billing period or a portion thereof, the customer shall be billed for the estimated use of water during such period as determined by VRWD.
- 9.5 **WATER BUDGET PROGRAM.** The District has established a Water Budget Program for Single Family Residential (SFR) customer class and assigned a monthly water budget for each SFR customer that includes a 10-unit Health and Safety budget per residence plus water needed for licensed child/adult/health care providers, livestock, irrigation, pools and arenas. Customers may apply at any time for a Water Budget Modification using the form provided by the District. Each month the General Manager shall compare the actual evapotranspiration (ET) rate with the average ET for that month and if found to be significantly different, the General Manger shall modify the ET prior to calculating the water bills for that month. During declared drought stages the water budget greater than the Health and Safety budget shall be reduced by the percentage required by the drought stage. A customer may notify the District when a pool must be filled and the District will increase that month's budget by the pool volume.

## **10 BILLING AND COLLECTION CHARGES**

10.1 WATER BILLS. Water bills are processed on the last day of the month or, if the last day of the month is a weekend or holiday, the following business day, but always dated as of the last day of the month.

10.1.1 PROPERTY OWNER RESPONSIBILITY. Bills for water service are the property owner's responsibility even if regularly paid by a renter or tenant. If water bills associated with the property remain delinquent, the General Manager may institute action in any court of competent jurisdiction, to cause the delinquent amount to be added to and become a part of the annual tax levied upon the property in accordance with Section 72094 et seq. of the California Water Code, and/or take any other steps to effect collection for services rendered by VRWD, provided such actions are compliant with California Health and Safety Code Sections 116900 et seq. as may be amended.

10.1.2 RENTERS. All new account holders shall be the owner, manager, or operator of the property, unless owner and renter have signed authorization for bill to be in the renters name.

If the owner, manager, or operator of a residential property is the customer of record, and the account has become delinquent, Residential service is subject to shutoff due to nonpayment (refer to Section 10.22 "Delinquency"), the occupant (also referred to as tenant or renter) of the serviced property has the right to appeal and become a customer, to whom the service will then be billed. The occupant will not be charged the delinquent amount provided that the occupant verifies that the delinquent account customer of record is or was the landlord, manager, or agent of the residential dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code. Any remaining delinquent amount from the previous customer account of record held by the owner, manager, or operator of the residential property will be subject to the terms under Section 10.226 "Remedies for Nonpayment."

If the renter closes their account, the account will revert back into the owner's name and the owner will be responsible for all services and charges that are incurred after the time from which the renter closed their account. If the district is unable to collect from the renter for more than 30 days (refer to Section 10.11 "Property Owner Responsibility"), then the renter's balance will revert into the owner's name.

If the renter becomes delinquent and is subject for shutoff due to nonpayment, the property owner will be required to put service in their name. The past due amount will be transferred to the owners account (refer to Section 10.11 "Property Owner Responsibility").

10.1.3 CLOSING BILLS. Closing bills shall be prepared upon request of the customer or upon change of account. All outstanding obligations shall remain the property owner's responsibility per Section 10.11.

### **10.2 PAYMENT**

10.2.1 DATE DUE. Amounts due VRWD pursuant to bill rendered in conformance with Subsection 10.1 above, shall be due and payable upon deposit of said bills in

the United States mail addressed to the customer at the mailing address designated by him or upon presentation to the customer in person or by electronic bill as elected as a billing preference by the customer.

#### 10.2.2 DELINQUENCY

10.2.2.1 WATER SERVICE. Payment due on water bills shall become delinquent unless paid on or before the 10th day of the month following the billing month. Example: bills dated January 31st become delinquent at the close of business on February 10th.

10.2.2.2 DELINQUENT PENALTIES. When a bill has been delinquent for thirty (30) days (forty (40) days after the water bill date), the Delinquent Penalty shall be assessed if the bill is greater than the Delinquent Penalty. Example: bills dated January 31st become delinquent on February 10th and if still unpaid by March 10th will be assessed a delinquent penalty if the bill is greater than the Delinquent Penalty.

10.2.2.3 DELINQUENT NOTIFICATION. If a bill remains delinquent forty (40) days after the water bill date, VRWD may send a delinquency letter to the customer(s) of record (property owner/manager and tenant) or contact the customer(s) by telephone or email or place a shutoff door hanger notice at the service address of the delinquent account. If a bill remains delinquent fifty (50) days after the water bill date, VRWD shall call or mail and email the customer of record to notify them of the delinquency, delinquent penalties assessed, pending shutoff date and the Field Service penalty if the water is turned off. If notification is by phone, VRWD shall offer to provide in writing to the customer a copy of Sections 10 and 11 of these Rules and Regulations and discuss options to avert a water shutoff for nonpayment. If notification is by mail, it shall be sent to the customer of the residence to which the residential service is provided. If the customer's address is not the address of the property to which service is provided, the notice shall also be sent to the address of the property to which residential service is provided, addressed to "Occupant," and will include a copy of the District's Discontinuance of Water Service Policy based on Sections 10 & 11 of these Rules and Regulations, a description of payment plan options and the appeal process. Such notification shall be given in accordance with California Health and Safety Code Section 116908. If a bill remains delinquent after the first notification(s) via telephone or mail or email and at least seven (7) days before service is subject to shutoff, a notice of imminent discontinuation of service will be placed in a visible location at the service residence (door hanger notice).

10.2.2.4 DISCONTINUANCE OF WATER SERVICE. Water service will not be shut off until sixty (60) days after a bill remains delinquent (70 days after the water bill date). Water service will not be shut off if an adult in the residence is in the process of appealing the water bill or negotiating a payment plan or other accommodation. A water service will not be shut off for nonpayment if all the following conditions are met:

- (1) An occupant of the residence to which the service is provided submits a certification of a primary care provider that discontinuation of water service will be life threatening to or pose a serious threat to the health and safety of, a resident of the premises.
- (2) The customer demonstrates that they are financially unable to pay the water bill during the normal billing cycle. The customer shall be deemed financially unable to pay for water service within the normal billing cycle if the customer or any member of the customer's household is a current recipient of CalWORKs, CalFresh, General

Assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

- (3) The customer is willing to enter into an amortization agreement, an alternative payment schedule, or a deferral regarding the delinquent water bill.

If and when service is shut off for nonpayment, a Field Service Charge will be assessed. The Delinquent Penalty and Field Service Charge shall be in accordance with the current Rates and Fees Schedule and will be added to the bill for costs associated with noticing and disconnecting the service. (See Appendix I for Rates and Fees Schedule)

- 10.2.2.5 RESTORATION OF WATER SERVICE. In order to restore water service following shutoff for nonpayment, the customer will be required to enter into a payment plan or pay the total due on the account at the time service is restored including, but not limited to: water service, Delinquent Fee, Field Service Charges and Deposit. Payment for service reconnection must be made in cash, cashier's check or credit card only. (See Appendix I for Rates and Fees Schedule)

- 10.2.2.6 REMEDIES FOR NONPAYMENT. The General Manager may institute action in any court of competent jurisdiction, to cause the delinquent amount to be added to and become a part of the annual tax levied upon the property in accordance with Section 72094, et seq. of the California Water Code, and/or take any other steps to effect collection for services rendered by VRWD. The General Manager may establish a payment plan for the customer for up to 6 months and may adjust bills deemed to be in error. Delinquent payments older than two years and less than \$50 per account may be written off as bad debt by the General Manager.

- 10.3 RETURNED CHECK. If a check is returned from the bank for any reason, a returned item penalty shall be charged the NSF fee in accordance with the current Rates and Fees Schedule. (See Appendix I for Rates and Fees Schedule)

## **11 HEARING FOR DELINQUENT AND DISPUTED BILLS**

- 11.1 HEARING. A customer or adult at the residence who has a delinquent and/or disputed bill is entitled to a hearing and review by the General Manager, Monday through Friday, holidays excepted, between 8:00 a.m. and 12:00 noon and 1:00 p.m. and 4:30 p.m. If the dispute cannot be resolved, a hearing will be arranged for the next scheduled Board meeting. The decision of the Board will be final.

## **12 CUSTOMER REQUESTED DISCONTINUANCE & RESTORATION OF SERVICE**

- 12.1 SHUTOFF FOR TEMPORARY PERIOD OF NON-USE. A service may be discontinued at the request of the customer for a temporary period of non-use. During the period of non-use the Base Rate shall continue to be paid in accordance with section 9.3.
- 12.2 ARRANGEMENT FOR DISCONTINUANCE OF SERVICE. Water service will be turned off on the date requested by the customer, provided twenty-four (24) hours advance notice, excluding Saturdays, Sundays and holidays is furnished to VRWD.
- 12.3 ADVANCE NOTICE. Regardless of whether restoration of service is requested by a current customer or a new customer, VRWD shall be provided a minimum of twenty-four (24) hours notice, excluding Saturdays, Sundays and holidays, in advance of such restoration of service.
- 12.4 DEDUCTIONS. If a service is discontinued, deductions may be made from the customer's guarantee deposit to cover an unpaid bill due at time the service was shutoff, in which case service shall not be resumed until the deposit is restored to the current amount.

## **13 METER TESTS**

- 13.1 REQUEST FOR TEST. A customer who believes that the water meter serving his premises is not accurately measuring the water delivered may request a test of the water meter. When such a test is requested, the customer shall be required to pay a meter test fee to partially offset the cost of the test. (See Appendix I for Rates and Fees Schedule)
- 13.2 If VRWD believes that the meter is inaccurately measuring the water delivered to a customer's premises, it may initiate a test of the meter to determine the accuracy. In the case of VRWD-initiated tests, the customer is not charged a test fee.
- 13.3 13.2 TEST RESULTS. If the meter is found to be registering at a rate less than ninety-five (95) percent of true flow or greater than one hundred and five (105) percent of true flow, appropriate adjustment of the customer's water bills for the immediately preceding four months will be made and the customer's account credited or charged as determined by VRWD to be appropriate in light of the test results. If the test shows registrations outside the limits set forth above, the meter test fee shall be refunded.

## **14 DISTRIBUTION FACILITIES**

- 14.1 ALTERNATE PROCEDURES. Whenever extension of the water system is required because the lands to be served do not lie along a pipeline of adequate capacity or proper pressure, or special facilities for water service are required, the works shall be installed in accordance with one of the following procedures:
  - 14.1.1 INSTALLATION BY VRWD. The works may be installed by VRWD with the cost associated with service to the applicant's property paid by the applicant. All fees are to be paid prior to work commencing, including Capacity Charges, deposits and installation fees.
  - 14.1.2 INSTALLATION BY CUSTOMER. The works shall be financed and installed by the applicant in accordance with plans and specifications previously approved by

VRWD. The applicant may be required to pay to VRWD the cost of engineering, inspection, and administrative services incurred in connection with the works.

14.2 EXCESS CAPACITY. Where distribution facilities are to be constructed pursuant to any of the procedures set forth in Section 14, VRWD shall determine whether or not such facilities could be utilized to provide service to lands other than those for which service is requested. If other lands are benefited by service through such facilities, VRWD may require the installation of works with sufficient capacity to service such other lands in addition to those for which service is requested. If such excess capacity is installed, the following rules respecting financing and repayment shall apply:

14.2.1 COST ALLOCATION BY BOARD. Regardless of which procedures of this section are applied, the Board shall determine an equitable division of the total cost of the facilities between the lands requesting service and those for which the excess capacity is provided. Costs associated with the excess capacity so determined shall become a 10-year lien on water service to the land for which excess capacity is provided, and service shall not be rendered to any portion of said land until the owner thereof has executed an agreement with VRWD covering repayment by him of costs allocated to the land for which such owner requests water service

14.2.2 INSTALLATION BY CUSTOMER. If the works are constructed pursuant to the procedure in Subsection 14.21 of this document, VRWD may enter into a ten(10) year reimbursement agreement with the applicant, and moneys will be reimbursed as benefiting property owners connect, and moneys will be collected, provided that ownership is retained. Agreements must be negotiated at the time of installation. Refer to Section 20.221.

## **15 WATER SUPPLY AND INTERRUPTION OF DELIVERY**

15.1 NO LIABILITY DUE TO INTERRUPTION OF DELIVERY. VRWD will attempt to deliver to customers a continuous and sufficient supply of water at the meter. VRWD, however, shall not be liable for interruption of service or shortage or insufficiency of supply or for any loss or damage occasioned thereby.

15.2 NO LIABILITY DUE TO REPAIRS AND IMPROVEMENTS TO VRWD'S SYSTEM. For the purpose of making repairs or installing improvements to the system, VRWD shall have the right to temporarily suspend the delivery of water. VRWD may notify customers in advance of such action, except in cases of emergency. Repairs or improvements may be performed during regular working hours except in the case of emergencies as defined by VRWD. VRWD shall not be liable for any loss or damage occasioned by or the result of repairs or improvements made to the VRWD system. The customer's water system is expected to be of sufficiently maintained condition as to be able to handle the effects of work being completed on the VRWD system.

15.3 WATER SHORTAGES. During times of threatened or actual water shortage, VRWD will apportion its available supply among its customers in the manner that appears most equitable under the circumstances then prevailing with due regard to public health and safety, and to priorities of types of use established by the California Water Code.



## **16 VRWD EQUIPMENT ON CUSTOMER'S PREMISES**

- 16.1 **RIGHT OF ACCESS.** All service pipe and equipment needed to serve a customer up to and including the meter shall be owned by VRWD whether installed (1) on public or private property, or (2) at applicant's or VRWD's expense. VRWD equipment required for service, which is installed on a customer's premises, may be repaired, replaced, or removed by VRWD. Authorized representatives of VRWD shall have the right of access to such equipment for any purpose reasonably connected with furnishing service. VRWD shall make no payment for placing or maintaining equipment that is required solely for providing service to the customer's premises.
- 16.2 **RESPONSIBILITY OF CUSTOMER.** The customer shall exercise care to prevent damage to or interference with the operation or servicing of VRWD equipment. In the event a customer installs improvements that create the need to modify VRWD equipment for operation or servicing, the Customer shall pay such costs. The customer shall be liable for any damage to VRWD owned meters, locks or other equipment which is caused by himself or his tenants, agents, employees, contractors, licensees or permittee and must properly reimburse VRWD for all costs direct and indirect.
- 16.3 **EASEMENTS.** Should the District determine that an easement is necessary to service a parcel, such easement may be acquired to facilitate VRWD operations.

## **17 RESPONSIBILITY FOR WATER RECEIVING EQUIPMENT**

- 17.1 **RESPONSIBILITY OF CUSTOMER.** The customer shall be responsible for connecting his pipeline to VRWD's meter. The customer shall furnish and install, at his own risk and expense, that portion of the water system, which begins at the outlet side of the meter. Such water receiving equipment shall remain the property of the customer, and he shall be responsible for its maintenance and repair. VRWD may, at its sole discretion, require the customer to install protective devices or adjust, replace or discontinue using any water receiving or regulating equipment when the customer's operations and/or equipment cause surges or other potentially damaging effects to VRWD's water system. VRWD may require the customer to submit plans for this proposed water receiving equipment for approval by VRWD prior to the installation of its service connection facilities. Where the customer desires reduced or increased pressure, he shall be responsible for installing and maintaining the necessary regulators, pumps and/or relief valves. In such cases, the equipment shall be installed on the customer's side of the meter and at his sole expense.
- 17.2 **VRWD NOT LIABLE.** VRWD shall not be responsible for any loss or damage caused by the negligence, want of proper care or wrongful act of the customer or any of his tenants, agents, employees, contractors, licensees or permittees in installing, maintaining, using, operating and/or interfering with any water receiving equipment. Furthermore, VRWD shall not be responsible for damage caused by faucets, valves and other equipment which may be open at any time that water is turned on at the meter.
- 17.3 **ELECTRICAL GROUNDING.** VRWD is not responsible for providing an electrical ground through water service equipment. Accordingly, customers are cautioned not to attach any ground wiring to plumbing which is or may be connected to VRWD service equipment, unless the customer installs an approved insulating device between the

customer's and VRWD's system. VRWD may hold the customer liable for any damage to VRWD property resulting from a ground wire attachment.

## **18 PROTECTION OF PUBLIC WATER SUPPLY**

18.1 RESPONSIBILITY OF CUSTOMER. In making plumbing connections, the customer is required to comply with the regulations of the Division of Drinking Water, as set forth in Title 17 of the California Administrative Code and the United States Public Health Service. Such regulations prohibit (1) unprotected cross connections between a public water supply and any non-approved source of water and (2) unprotected water service connections to premises where there is a possibility of contaminated water backflowing into the public water system.

If VRWD has any reason to believe that a backflow prevention device may be necessary, the customer will be required to install said device at customer's expense. VRWD reserves the right to impose whatever requirement it deems necessary to protect the public water supply.

When requested, the customer, at his sole expense, shall furnish and install any approved backflow device to the satisfaction of VRWD.

18.2 VRWD REQUIREMENTS. VRWD, in compliance with the Public Health Regulations, will require the installation of approved backflow prevention devices or other protective devices before granting or continuing service under such conditions as set forth hereafter:

18.2.1 ALTERNATIVE SUPPLY. Where another source of water is in use or is available for use unless the alternate supply has been certified for domestic use by the County Environmental Resource Agency - Environmental Health Division or the California State Division of Drinking Water. Periodic water quality tests are required by VRWD, they shall be made at the sole expense of the customer. Water quality tests may be required for the following circumstances:

18.2.1.1 CONTAMINATED SUBSTANCES. Where contaminated liquid or soluble substances of any kind are used, produced and/or processed.

18.2.1.2 FERTILIZERS OR OTHER CHEMICALS. When service is made to land upon which the customer utilizes his irrigation system for the application of fertilizers or other chemicals through the injection of such substances into the water system.

18.2.1.3 SPECIAL CASES. In special cases, at the sole discretion of VRWD, VRWD may require the customer to eliminate certain plumbing or piping connections as an additional precaution to prevent backflow.

18.3 CUSTOMER INSPECTION OF PROTECTIVE DEVICES. The regulations of VRWD and the California State Division of Drinking Water require that the owner of any premises on or for which protective devices are installed for the protection of VRWD facilities shall cause these devices to be inspected and checked for proper operation at least once per year by a licensed plumber approved by the Ventura County Environmental Resource Agency - Environmental Health Division. All defective devices shall be serviced, overhauled or replaced at the customer's expense. A written report on this annual inspection, including any required corrective action taken, shall be submitted to VRWD or its appointee.

18.4 VRWD INSPECTION OF PROTECTIVE DEVICES. Protective devices may be inspected and tested for proper operation by VRWD or its appointee. Service to any premises may be immediately discontinued if it is found that dangerous unprotected cross-connections exist or if any defect is found in the operation of the protective devices. Service shall not be restored until the customer corrects such defects.

18.5 PROTECTION OF CUSTOMER'S PLUMBING SYSTEM. As a protection to the customer's water system, a suitable pressure reducing valve must be installed. Where check valves or other backflow prevention devices are installed such installation must conform to the requirements of the plumbing code as adopted by the local jurisdictional agency. Such installation shall be installed and maintained at the customer's sole expense.

## **19 DAMAGE OF VRWD FACILITIES AND THEFT OF WATER**

19.1 Intentional damage to, destruction of, or tampering with VRWD facilities, and the unauthorized appropriation or theft of VRWD water shall be punishable as follows:

- a) By termination of water service to the perpetrator.
- b) By the assessment of liquidated damages in an amount not to exceed the actual damages incurred or \$1,000.00, whichever is greater.

Persons or other legal entities who divert water from our system as described in the Penal Code, Section 498, without authorized consent from VRWD or without proper payment for the water diverted will be billed a minimum fee of \$100.

The person or persons charged with one or more of the acts above shall be entitled to a hearing to be conducted in accordance with the applicable provisions of the Administrative Procedure Act (Government code Section 11500, et seq.).

Pending said hearing, the General Manager shall determine whether water service to the person or persons so charged shall be continued or discontinued. His determination shall be based on the following factors:

- a) Amount of damage to VRWD facilities.
- b) Amount of water lost through such damage.
- c) Likelihood of the damage being repeated.
- d) Notwithstanding any administrative code, criminal charges will be filed.

## **20 WILL SERVE AND WATER AVAILABILITY LETTERS**

20.1 GENERAL. Upon request by the owner, or his designee, of any parcel of land within the boundaries of VRWD and the determination of all water service and fire protection requirements in a manner satisfactory to VRWD, VRWD may issue Will Serve Letters with or without additional terms, conditions, or restrictions. Will Serve Letters will not be issued for any parcel which is located within the service area of another water purveyor. Letters will not be issued where an agreement is required until the agreement is fully executed. All will serve letters shall comply with current VRWD, and County Water Works Manual requirements.

Variances to this section may be granted upon approval of the Board of Directors where the owner, or his/her designee, can provide evidence such variance is warranted. All variances shall be established on a case-by-case basis.

- 20.2 WATER AVAILABILITY LETTER. The Water Availability Letter shall conform with section 1.3.6 of the County Waterworks Manual, shall be prepared by VRWD and submitted to the County for Approval.
- 20.3 WATER AVAILABILITY LETTER. A Water Availability Letter may be issued if the owner needs assurance that a water service can be obtained but is not yet ready to install the water service. Water Availability Letters shall be good for 12-months and will assure the ability to install a new water service during the 12-months provided the requirements for a Will Serve Letter are met. The declaration of a connection moratorium by VRWD shall not apply to current Water Availability Letters.
- 20.4 WILL SERVE LETTER. A new Will Serve Letter shall conform with Section 1.3.8 of the County of Ventura Waterworks Manual. Prior to issuance of the Will Serve Letter the Applicant shall provide the VRWD an Allocation from Casitas Municipal Water District to the District for the anticipated annual quantity of Casitas water required by the Applicant's proposed project. Casitas does not issue Allocations for Additional Dwelling Units. The Casitas Allocation obtained by the Applicant shall accrue to the District and shall not create any water right, privilege or influence the individual water budget for the Applicant or their successors. A Will Serve Letter will only be issued after the Capacity Charge has been paid along with a deposit for any related meter or service connection costs for items installed or provided by VRWD. Installation of the new water service will occur when construction is ready to proceed. (See Appendix I for current Fee Schedule for Will Serve Letters.)
- 20.5 SINGLE PARCELS. Single parcels are defined as those parcels, which are zoned so that further split cannot be made. Water service will be provided in accordance with one of the following alternatives as determined by VRWD:
- 20.5.1 ALTERNATIVE 1: INSTALL METERS ONLY. Install a metering facility to serve the single parcel and living dwelling. Separate metering facilities shall be required for each additional dwelling unless waived in writing by the General Manager. The metering facility will be installed within Ventura County's right-of-way at a mutually agreeable location. This alternate assumes the Ventura County Fire Protection District and/or VRWD are completely satisfied that adequate fire protection can be afforded to the single parcel from VRWD existing distribution facilities.
- 20.5.2 ALTERNATIVE 2: INSTALL DISTRIBUTION FACILITIES. Install the distribution facility necessary to provide adequate fire protection and to serve the single parcel through a metering facility. Separate metering facilities shall be required for each additional dwelling unless approved in writing by the General Manager. This alternate assumes that the Ventura County Fire Protection District and/or VRWD require that distribution facilities be installed in order to provide domestic and fire protection to the single parcel in accordance with the Ventura County Waterworks Manual, as amended from time to time.
- 20.5.3 REIMBURSEMENT AGREEMENT. Owner shall enter into an agreement with VRWD for the installation of the distribution facilities described above. The agreement may provide that as other property owners obtain service within ten (10) years thereafter, VRWD will endeavor to require an appropriate portion of the cost of said distribution facilities be reimbursed to the Owner. Agreements must be negotiated at the time of installation. Refer to Section 14.22.

## **21 MASTER METER FOR ASSOCIATION**

A single metering facility may be installed to serve a single or multiple parcels for which the owners thereof have joined together and formed an association. All of the owners of the various parcels will be required to enter into an agreement for the purpose of installing said distribution and fire protection.

- 21.1 ASSOCIATION. An association shall consist of two (2) or more owners who agree to burden their property with the responsibility for (a) installing, operating and maintaining its own distribution and/or fire protection facilities, (b) providing water to its members, (c) payment of the cost of the installation of the master metering facilities and (d) payment of the water bill, the service charge and other related fees and deposits required by VRWD.
- 21.2 FOUR OR LESS MULTIPLE PARCELS. Multiple parcels are defined as those parcels, which are being subdivided into four (4), or less lots from a single parcel. Water service will be provided in accordance with one of the following alternates as determined by VRWD:
- 21.3 ALTERNATE 1: SEPARATE METER INSTALLATION. Install a separate metering facility to serve each of the multiple parcels and/or additional dwelling units. These metering facilities will be installed within VRWD's right-of-way at a mutually agreeable location. This alternate assumes that the Ventura Fire Protection District and/or VRWD are completely satisfied that adequate fire protection can be afforded to each of the multiple parcels from VRWD's existing distribution facilities.
- 21.4 ALTERNATE 2: INSTALL DISTRIBUTION FACILITIES. Install the distribution facilities necessary to provide adequate fire protection and to install separate metering facilities to serve each of the multiple parcels and/or additional dwelling units from the new distribution facilities. This alternate assumes that the Ventura County Fire Protection District and/or VRWD require that distribution facilities be installed in order to provide domestic service and fire protection to each of the parcels in accordance with the Ventura County Waterworks Standards, as amended from time to time. All of the owners of the multiple parcels will be required to enter into an agreement with VRWD for the installation of the distribution facilities described above.

## **22 SUBDIVISION - FIVE OR MORE PARCELS**

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

## **23 DISREGARD OF RULES & REGULATIONS OF WATER SERVICE**

Willful disregard of the Rules and Regulations shall result in immediate discontinuance of service and forfeiture of the deposit.

## **24 MINOR DISAGREEMENTS**

The General Manager is authorized to negotiate and resolve minor disagreements on behalf of the water district. He is authorized to make restitution, as he deems necessary, using good business practices. His monetary authority for this purpose is limited to \$250.

## **25 HEARINGS**

If the General Manager cannot resolve any dispute regarding VRWD Rules & Regulations, a written request for a hearing before the Board will be arranged. The hearing will be scheduled for the next Regular Board Meeting after it can be placed on the Agenda. The decision of the Board will be final.

## **26 SPECIAL BOARD MEETINGS**

A written request for a Special Board Meeting will be considered and scheduled at the pleasure of the Directors. A fee to cover District costs must be paid prior to scheduling the meeting. (See Appendix III for Fee Schedule).

## **27 ATTORNEYS' FEES**

Should any district customer bring any legal action against VRWD, and the District is the prevailing party, VRWD shall be entitled to recover the District's attorney fees and costs in connection therewith. The word prevailing as used in this section shall include any action in law, in equity, or pursuant to arbitration in which VRWD has been successful.

## **28 LEAK RELIEF**

28.1 When a leak is unavoidable and was promptly stopped once discovered, the General Manager may grant leak relief for leaked quantities greater than 40 units of water. The quantity of the leak shall be determined by subtracting the customer's normal usage from total water usage including the leak, using data from a smart meter if available or other means of estimating the leaked volume. The normal usage plus the first 40 units of water shall be charged at the water rates currently in effect. The remaining leaked water shall be charged for the current cost of chlorine, electricity, and the Upper Ventura River Groundwater Agency pump fee per unit of water if the customer was served ground water during the leak event. The Abusive Water Waste Penalty shall be waived for the entire volume of a qualifying leak. If the customer was served Casitas water the cost of the remaining leaked water shall be the unit cost of the Casitas water. The General Manager's decisions regarding leak relief may be appealed in writing to the Board of Directors.

Examples of avoidable leaks shall include but are not limited to: freeze damage, use of PVC pipe above ground, a water valve that can be activated by an animal, leaky toilet or interior water fixture, leaky or sticking irrigation valve, malfunctioning water softeners, pool or pond filling systems, a reoccurring leak, a second leak in an old iron pipe, a leak that is unaddressed because the customer did not utilize a smart meter installed by the

District or a leak in a class 200 (thin walled) PVC pipe. The General Manager may apply discretion for unique circumstances regarding leak relief.

28.2 Abusive Water Waste Penalty Relief - When a customer experiences a leak that does not meet the requirements above for Leak Relief, they may be considered for Abusive Water Waste Penalty Relief. Abusive Water Waste Penalty may be waived by the General Manager if it was caused by an unintended use of water, was stopped in a timely manner and does not extend over more than two billing periods. Relief only applies to the Penalty; the regular cost of water shall be paid. The value of water waste penalties must be greater than \$50.00 to be eligible to apply for the Abusive Water Waste Penalty Relief program. To be eligible, customers may not have exceeded their water budget more than twice in the last 12 months.

## **29 EFFECTIVE DATE**

These Rules and Regulations were approved by the Board of Directors on October 18, 2023 and are effective on that date. Previous versions, Appendices and Amendments to the Rules and Regulations are hereby no longer in effect and are superseded.

## APPENDIX I

### RATES AND FEES SCHEDULE

--EFFECTIVE May 15, 2023--

#### DEPOSITS\*\*

Residential 3/4" to 1" (minimum)	\$120*
Residential 1 1/2 or 2" (minimum)	\$250*
Business - General Mgrs. Discretion (minimum)	\$150
Temporary 2 1/2" Hydrant Meter (minimum)	\$250***

\* Or 2 times the highest water bill whichever is greater.

\*\* Deposits may be doubled with each disconnect for non-payment.

\*\*\* Deposit is required for Hydrant Meters and is refunded when the meter is returned undamaged

#### INSTALLATION FEES (If unusual conditions: All costs, direct & indirect)

Customer Service Valve, 3/4"	\$85
Customer Service Valve, 1"	\$105

#### METER TESTING FEES

3/4" - 2"	\$100
2 1/2" & up	\$200

#### FIRE STANDBY CHARGES

All Meters	\$ 53.22/month
------------	----------------

#### LOCK CUTTING FEE \$125

*(If a customer service is locked off and the lock is cut)*

#### FIRE HYDRANT FLOW TEST FEE \$200

#### FAILURE TO TEST BACKFLOW DEVICE \$100

*(After 3rd request to have test performed.)*

#### TEMPORARY HYDRANT:

**METER INSTALLATION & REMOVAL** \$50 plus \$9.00 per 100 cubic feet (1 unit)  
*All water rate charges will begin with the first unit used for all types of water service.*

#### PENALTIES

<b>DELINQUENT</b> (> 40 days after bill date, waived with sign up for auto pay)	\$35
<b>FIELD SERVICE CHARGE</b> (On/Off)	\$50
<b>NON-SUFFICIENT FUNDS</b>	\$12
<b>ABUSIVE WATER WASTE PENALTY</b> – Use Above Budget	\$ 5 per unit
<b>WILL SERVE LETTER</b>	\$50
<b>FIRE FLOW VERIFICATION</b>	\$50



**WATER VOLUME RATES**

<b>Tier</b>	<b>Units</b>	<b>Single-Family Residential</b>	<b>Multi-Family Residential</b>	<b>Commercial</b>
<b>1</b>	<b>1 to 5 (5 Units)</b>	<b>\$5.59 / unit</b>	<b>6.98 / unit</b>	<b>6.81 / unit</b>
<b>2</b>	<b>6 to 12 (7 Units)</b>	<b>7.25 / unit</b>		
<b>3</b>	<b>13 to 33 (21 Units)</b>	<b>9.64 / unit</b>		
<b>4</b>	<b>Above 33 Units</b>	<b>13.44 / unit</b>		

*\*One unit = 748 gallons = 1 Hundred Cubic Feet (HCF)*

**PASS-THROUGH FOR WHOLESALE WATER RATE INCREASES**

Any increases in the District’s wholesale cost of water fees and charges from Casitas Municipal Water District may be passed through on the District’s water volume rates. Under no circumstance will the District’s water rates exceed the cost of service.

### PURCHASED WATER SURCHARGE POLICY

When supplemental Lake Casitas water is purchased by VRWD in an amount that exceeds 1,000 hundred cubic feet (HCF) in any monthly billing period, a Purchased Water Surcharge (PWS) is billed to customers. The PWS will only be charged to customers served well water as follows: The PWS will be assigned to upper Tiers beginning with the usage in Tier 4 and then proceeding down to the lower Tiers until the quantity of water in the Tiers is greater than the quantity of water purchased. See the example below. The cost of electricity and disinfection will be deducted from the PWS cost.

#### PURCHASED WATER SURCHARGE (PWS) EXAMPLE

Quantity of Water Purchased:	2,500 Units
Casitas Cost per Unit:	\$2.31 / Unit
Credit: Baldwin Electricity, Disinfection & UVRGA	\$0.63 / Unit
Cost per unit:	\$1.68 / Unit
<b>Total Casitas Water Cost:</b>	<b>\$4,200</b>

Tier	Total Usage (Pumped + Purchased) [Units]	Purchase Water Surcharge Allocation [Units]	PWS Allocation per Unit [\$]	Total PWS Charge [\$]
<b>Tier 1 (1-5)</b> 5 Units	9,700	0	\$0	\$0
<b>Tier 2 (6-12)</b> 7 Units	9,500	0	\$0	\$0
<b>Tier 3 (13-33)</b> 21 Units	11,000	200	\$1.68	\$336
<b>Tier 4 (33+)</b>	2,300	2,300	\$1.68	\$3,864
<b>Total</b>	<b>32,500</b>	<b>2,500</b>		<b>\$4,200</b>

## APPENDIX II

### CAPACITY CHARGE\* SCHEDULE

<u>Meter Size</u>	<u>Maximum GPM</u>	<u>Multiplier</u>	<u>Capacity Charge</u>	<u>Additional Dwelling</u>
3/4"	30	1.0	\$4,365	\$0.00
1" *	50	1.7	\$7,406	
2"	160	5.3	\$23,168	
3"	320	10.7	\$64,718	
4"	1,000	33.3	\$145,470	

\*Properties that need a 3/4" meter for normal service but a 1" meter only for fire sprinklers shall pay the Capacity Charge for the 3/4" meter. The minimum meter size in VRWD shall be 3/4". Larger sizes shall be reviewed individually by the Board, and subject to available water supply, the Capacity Charge will be determined on the same basis.

Capacity Charge Costs were established in 1989 with an Engineering News Record Los Angeles Construction Cost index of 5,789.77 and adjusted to 2015 costs using the March 2015 index of 10,995.27.

#### **ADDITIONAL DWELLING UNITS**

Additional dwellings typically replace landscaping and result in reduced overall water use so no Capacity Charge is assessed.

\*Government Code Section 66013 (b)(3)

## APPENDIX III

### ANNEXATION FEE SCHEDULE

ADMINISTRATION FEE WITH CEQA REQUIREMENT	\$ 1,400
ADMINISTRATION FEE WITHOUT CEQA REQUIREMENT	\$ 550
LAFCO FEE	*(ESTIMATE DEPOSIT)
MAPPING FEE	*(ESTIMATE DEPOSIT)
STATE FEE	*(ESTIMATE DEPOSIT)
PLAN CHECKING FEE:	

Public Improvement Costs	Fee Deposit
\$0 - \$ 999	\$400
\$1,000 - \$ 9,999	\$400 + 15% of cost over \$1000
\$10,000 - \$49,999	\$1,750 + 10% of cost over \$10000
\$50,000 - \$99,999	\$5,750 + 5% of cost over \$50000
\$100,000 - \$999,999	\$8,250 + 2% of cost over \$100000
\$1,000,000 - and over	\$26,250 + 1% of cost over \$ 1,000,000

\* - ESTIMATED DEPOSIT SHALL BE BASED ON THE MOST CURRENT FEE SCHEDULE AS ADOPTED BY THE LOCAL AGENCY FORMATION COMMISSION.

#### SPECIAL BOARD OF DIRECTORS MEETING FEE SCHEDULE\*

BOARD MEMBER FEE'S	\$1,500
ATTORNEY FEE'S FOR ANY PART OF AN HOUR INCL. TRAVEL	\$1,200
STAFF & RECORDER	\$ 300
LEGAL NOTIFICATION	<u>\$ 100</u>
TOTAL:	\$3,100

*\*Fee schedule to be periodically updated as allowed under Resolution 2023-365*

## AMENDMENTS AND ADDITIONS

Section	Description	Date
Addendum I	Rate Increase for all Zones, approved June 8, 2005	6/8/05
Sec. 10.233	Restoration of Water Service – Payment for service reconnection must be made in cash or cashier’s check only	7/13/05
Addendum I	Rate Increase for all Zones, Approved June 14, 2006	6/14/06
Addendum I	Rate Increase for all Zones, Approved April 27, 2007	5/09/07
Addendum I	Increase Residential Deposit – Approved March 11, 2009	3/11/09
Addendum I	Rate Increase for all Zones, Approved August 11, 2010	8/11/10
N/A	Miscellaneous text revisions & Rate & CIP & Processing Fees	12/14/11
Appendix I	Casitas Rate Increase Pass Through Effective July 1, 2012	7/1/12
Appendix I	Miscellaneous text revisions & Rate & Processing Fees	12/15/12
Sec. 28-35	Added new sections on Financial Policies	2/13/13
Sec. 36	Added description on use of District Equipment	12/15/13
Appendix I	Rate increase, added lock cut & fire flow test fees	12/15/13
	Remove “County” from name of District	12/10/14
Sec. 3	Insert text from Sec. 8	12/10/14
Sec. 4	Add Provision to reduce meter size	12/10/14
Sec. 8	Add Water Waste Prohibitions	12/10/14
Sec. 9	Clarify Classes of Water Service	12/10/14
Sec. 11	Allow progress payments on disputed bills prior to Board Hearing	12/10/14
Sec. 20	Edit Will Serve definition for updated County Waterworks Manual	12/10/14
Sec. 32	Add description of Reserve Funds	12/10/14
Appendix I	Rate increase & Delete Relocation Fee	12/10/14
Appendix I	Temp. Drought Surcharge	5/13/15
Appendix II	Update Capital Improvement Fee & Rename to Capacity Charge	5/13/15
Sec. 2,4,20,21	Define a second unit as a “separate” structure & clarify that a separate meter is required for a second unit except apts.&MH pks	5/13/15
Appendix I	Rate Change to Cost-of-Service Rates	9/14/16
Sec 2	Add definition of “Commercial” & “Single Family Residential”	11/9/16

Ventura River Water District  
Rules and Regulations

Appendix I	Rate Change to Lower Water Use Fluctuation & Usage Reduction	3/15/17
Sec 4,10,20,30	Deposit Credit, Write off Bad Debt, Casitas water Allocations, Purchasing limits	2/15/18
Appendix I	Rate Change and Implement Water Budgets	2/15/18
Appendix I	Increase late Penalty	8/15/18
Sec. 10 & 11	Update to accommodate SB 998	3/18/20
Sec. 5,12,15,20,28	Miscellaneous edits	3/18/20
Sec. 28	Modified Purchase Order Requirements	8/18/21
Appendix I	Rate Change	4/15/22
8	Update Water Waste Provisions	6/15/22
Appendix I	Water Waste Penalty Increase	8/15/22
10.1.2, 32, 36, 39, 40, Appendix IV	Update renters' section, Update reserve policy, Insert Fixed Asset Policy, added Abusive Waste Water Penalty Relief, Insert Record Retention Policy with Appendix IV	1/18/23
Appendix I	Rate Change, Tier Width Change, and New Fees for Fire Standby Charges, Will Serve Letters, and Fire Flow Verification	5/10/23
Sec. 31	Created Investment Policy as a stand-alone document.	6/19/23
Sections 28 -38, 40, and Appendix IV	Sections related to financial policies were placed into a separate <i>Financial Policies &amp; Guidelines</i> document	10/18/23
Section 38	"Use of District Equipment" was added to the Personnel Policy Handbook as Section 3107	10/18/23
Section 39	"Leak Relief" was renumbered as Section 28 due to sections being removed	10/18/23
Appendix III	Update Special Board Meeting fees	11/15/23