

ORDINANCE NO. 73

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT,
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
ADOPTING RULES AND REGULATIONS FOR WATER AND WASTEWATER
SERVICE AND RESCINDING ORDINANCE NO. 50**

WHEREAS, the Lake Arrowhead Community Services District Board of Directors desire to update and revise the District's Rules and Regulations for Water and Wastewater Service as set forth in the attachment; and

WHEREAS, the District by the adoption of Ordinance No. 50 established the current Rules and Regulations for Water and Wastewater Service which include the establishment and adoption of certain service-related fees and charges which are revised pursuant to the attachment; and

WHEREAS, the first reading of this Ordinance occurred at the Regular Meeting of the Board of Directors on January 13, 2009, notice of the time and date of said Regular Meeting was given in accordance with the requirements of California law for the posting of the notice and agenda for such a Regular Meeting, at which time the Board of Directors provided the public with an opportunity to provide comments and testimony.

THE BOARD OF DIRECTORS OF THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

1. Incorporation of Recitals The Recitals set forth above are incorporated herein and made an operative part of this Ordinance;
2. Adoption of Rules & Regulations for Water and Wastewater Service Ordinance No. 50 is hereby rescinded and the Rules and Regulations for Water and Wastewater Service are adopted as set forth in the attachment;
3. Effective Date This Ordinance shall be effective 30 days after adoption.

The foregoing Ordinance **ADOPTED** by the Board of Directors of the Lake Arrowhead Community Services District at a Regular Meeting held on January 27, 2009 by the following votes:

AYES: Ben-Hur, Goss, Sievers, and Wagner

NOES: None

ABSTENTIONS: None

ABSENT: Carver

Geoffrey K. Goss President of the Board
of Directors of the Lake Arrowhead
Community Services District

ATTEST:

Kathleen Fankhauser, Secretary of the Lake
Arrowhead Community Services District and
of the Board of Directors

(SEAL)

**LAKE ARROWHEAD
COMMUNITY SERVICES
DISTRICT**

**RULES AND REGULATIONS
FOR
WATER AND WASTEWATER
SERVICE**

**FINAL VERSION
FEBRUARY 27, 2009**

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	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT RULES AND REGULATIONS FOR WATER AND WASTEWATER SERVICE	Section 1.0
INTRODUCTION		Revision Date 01/27/09

The Rules and Regulations for Water and Wastewater Service set forth herein identify the terms and conditions under which the Lake Arrowhead Community Services District will provide Water and Wastewater service to its Customers. By accepting service, Customers and Owners explicitly and implicitly agree to be bound by these Rules and Regulations for Water and Wastewater Service and to hold harmless the District, its employees, Board Members, agents and representatives from any liability associated with the implementation of these Rules and Regulations for Water and Wastewater service or for service provided hereunder.

Definitions, general provisions, application for service, connection, use of facilities, system fees and penalties for violations are identified.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT RULES AND REGULATIONS FOR WATER AND WASTEWATER SERVICE	Section 2.0
DEFINITIONS		Revision Date 01/27/09

Whenever the following terms are used in these Rules and Regulations or in contract documents, specifications and designs relating to water and Wastewater facilities of the District, such terms may be defined as stated below:

- 2.1 **Acceptance.** That action by the Board, or its designee, acknowledging that all provisions of an agreement or Permit between the District and the Applicant or Owner have been fulfilled in all respects.
- 2.2 **Applicant.** Any Owner who makes application to the District for services or who seeks to enter into an agreement with the District.
- 2.3 **Appurtenances.** Meters, valves, stops, bends, elbows, reducers, services, backflow preventers, bushings, plugs, caps, blocks, jackets, wyes, cleanouts, manholes, frames and covers, lateral markers and all other fittings or work required to make a complete installation.
- 2.4 **Authorized Representative.** A Person authorized, in writing, to act on behalf of the Owner, or a plumber or a Contractor acting at the discretion of the Owner and licensed as such by the State of California.
- 2.5 **Board.** The Board of the Lake Arrowhead Community Services District, acting in its capacity as the governing body of the District.
- 2.6 **Commercial Customer.** A Customer connected to the water and/or Wastewater System that is primarily engaged in a business enterprise.
- 2.7 **Contractor.** An individual, firm, corporation, partnership or association duly licensed by the State of California to perform work specified in said license.
- 2.8 **Customer.** Any Person responsible for payment of water and/or Wastewater service fees as the Customer of record on a service account.
- 2.9 **Disconnection of Service.** The District removes the water meter from the District's meter box.

- 2.10 District.** The Lake Arrowhead Community Services District formed in 1978 pursuant to the California Community Services District Law (California Government Code 61000 et seq.).
- 2.11 District Engineer.** An Engineer licensed in the State of California, employed or otherwise retained by the District to perform specified technical and non-technical duties on behalf of the District.
- 2.12 General Manager.** The Person who is appointed and authorized by the Board to perform overall managerial duties and functions at the direction and support of the District.
- 2.13 Domestic Wastewater.** Wastewater with characteristics typical of that received from residential dischargers, not including Wastewater from an industrial or commercial activity.
- 2.14 Dwelling Unit.** A self-contained living area with a separate kitchen and bathroom.
- 2.15 Elevation.** All Elevations appearing on plans or other technical documents which are to be based upon the U.S.C. & G.S. datum and/or Arrowhead Lake Association (ALA) datum.
- 2.16 Engineer.** A registered civil Engineer or civil Engineering firm licensed in the State of California who provides services directly to the District, an Owner, or an Owner's Authorized Representative.
- 2.17 Equivalent Dwelling Unit or EDU.** A technical parameter that is a unit measure of water and Wastewater quantity attributed to an Owner, defined further in Section 6.2 of these Rules and Regulations.
- 2.18 Exceptional Water Use.** The use of water by a Contractor on a temporary basis, utilizing a District provided meter hooked up to a fire hydrant to obtain water for construction purposes.
- 2.19 Fixture Unit.** A technical value identified in the Uniform Plumbing Code that is given to a plumbing fixture as a unit of measure of water and Wastewater quantity attributed to that plumbing fixture.
- 2.20 Guest House.** A self-contained separate living area.
- 2.21 Industrial Customer.** A Customer connected to the water and/or Wastewater System that is primarily engaged in an industrial enterprise.

- 2.22 Inspector.** A District representative acting through the District Engineer or General Manager, who inspects the installation of facilities to be found acceptable to the District and/or owned and operated by the District.
- 2.23 Institutional Customer.** A Customer connected to the water and/or Wastewater System that is institutional in nature, such as a school, church, hospital or fire station.
- 2.24 Liquid Waste.** Liquid Wastes resulting from domestic, commercial, industrial or public agency activities with a moisture content of fifty percent (50%) or greater.
- 2.25 Multiple Use Facility Customer.** A Customer connected to the water and/or Wastewater System that has a mixture of uses, and which may include various residential, commercial and/or industrial uses.
- 2.26 Non-Domestic Wastewater.** Wastewater from industrial, commercial or institutional activities not including Domestic Wastewater.
- 2.27 Owner.** The Person or Persons in whose name the legal title to the property appears by deed duly recorded in the County Recorder's Office. Also, a Person holding property pursuant to a term special use or other Permit issued by a government entity.
- 2.28 Permit.** Any written authorization required pursuant to these Rules and Regulations, the District Ordinance or any other rule or regulation of the District.
- 2.29 Person.** Any natural Person, firm, joint venture, joint stock company, partnership, public or private association, club, company, corporation, business trust, organization, public or private agency, government agency or institution, school District, college, university, any other User of water provided by the District or the Wastewater System, or the manager, lessee, agent, servant, officer or employee of any of them or any other entity which is recognized by law as the subject of rights or duties.
- 2.30 Recycled Water.** Water which, as a result of treatment of Wastewater, is suitable for a beneficial use or a controlled use that otherwise would not occur, as defined in Title 22, Division 4 of the California Code of Regulations. Specifically excluded from this definition is gray water (California Code of Regulations Title 24, Part 5, Section 1602.0).
- 2.31 Residential Customer – Single Family Dwelling.** A Customer connected to the water and/or Wastewater System that is residential in nature, with only a single independent Dwelling Unit, which does not have an industrial, commercial or institutional use.

- 2.32 Residential Customer – Other Than Single Family Dwelling.** A Customer connected to the water and/or Wastewater System that is residential in nature, with greater than a single independent Dwelling Unit, which does not have an industrial, commercial or institutional use.
- 2.33 Standards.** The most recent General Specification and Standard Drawings for Water and Wastewater Construction approved and used by the District.
- 2.34 SubContractor.** Any Person who has a contract with the General or Prime Contractor to perform any of the work for which the General or Prime Contractor is responsible.
- 2.35 Sewer.** A pipeline or conduit for transporting Wastewater and for which there are the following categories:
- 2.35.1 Building Lateral** means the extension from the building drain to the Service Lateral at the property line, or other District approved location, if a clean out and any other District required facility is properly installed at the proper location.
- 2.35.2 Service Lateral** means the Sewer pipeline from the Building Lateral at the property line, or other District approved location, to a District owned Collection Line within public right-of-way or District Sewer easement if a clean out and any other District required facility is properly installed at the proper location.
- 2.35.3 Collection Line** means the District's Sewer pipeline to which the Service Laterals are connected.
- 2.35.4 Trunk Line** means the District's Sewer pipeline to which the Service Laterals or Collection Lines are connected and for which the primary purpose is transporting sewage from Collection Lines to the treatment plant.
- 2.35.5 Private Wastewater Facilities** means Building Laterals located on private property, or other facilities not constructed to District Standards or for which easements are not provided and which are owned and maintained by a Owner.
- 2.35.6 Public Wastewater Facilities** means Service Laterals, collection and Trunk Lines that are located within public right-of-ways or dedicated easements and which are owned and operated by the District.


- 2.36 Solid Waste.** Organic and inorganic solid objects or materials discarded as a result of domestic, commercial, industrial or public agency activities with a moisture content of less than fifty percent (50%).
- 2.37 Turn-Off of Service.** The District turns-off and/or locks the valve on the District side of the water meter.
- 2.38 Uniform Plumbing Code.** The Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials and as adopted by the County of San Bernardino as its plumbing code.
- 2.39 User.** The individual or other entity utilizing the District water and/or Wastewater System, typically the Owner or Customer.
- 2.40 Wastewater.** Water and water-borne waste containing biological chemical and/or solid contaminants, normally resulting from domestic, commercial and industrial activities.
- 2.41 Wastewater System.** The functional system owned, operated and maintained by the District for the collection, treatment and disposal of Wastewater coming from public and private dischargers and including all Sewers, manholes, pumping stations, treatment and disposal facilities, Appurtenances, lands, right-of-ways and easements.
- 2.42 Water System.** The functional system owned, operated and maintained by the District for the supply, treatment, storage and distribution of potable water for public and private uses and including all raw water pumping, facilities, Transmission Mains, treatment plants, storage reservoirs, distribution pipelines, fire hydrants and Appurtenances, lands, right-of-ways and easements.
- 2.43 Water Use Efficiency Program.** The water conservation program established by the District.
- 2.44 Waterline.** Pipeline or conduit for distributing domestic water and for which there are the following categories:
- 2.44.1 Building Line** means the extension from the building connection to the water meter.
- 2.44.2 Service Line** means the water line from the water meter, including the meter, to a Water Main to which the Service Line is connected. The Service Line and water meter are, in most cases, located in a public right-of-way or dedicated easement.

2.44.3 Water Main means a District water line to which a service line is connected and is in a public right-of-way or dedicated easement.

2.44.4 Transmission Main means a District water line whose prime purpose is to convey water from the source of supply to reservoirs or to the distribution Water Mains to which service connections are made.

2.44.5 Private Water Facilities means Building Lines located on private property, or other facilities that may not be constructed to District Standards or for which easements are not provided, and which are owned and maintained by an Owner.

2.44.6 Public Water Facilities means Service Lines, water and Transmission Mains that are located within public right-of-ways or dedicated easements and which are owned and operated by the District.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT RULES AND REGULATIONS FOR WATER AND WASTEWATER SERVICE	Section 3.0
		Revision Date 01/27/09
GENERAL PROVISIONS		

3.1 Authority.

3.1.1 The Lake Arrowhead Community Services District (the “District”) was formed in 1978 in conformance with the California Community Services District Law (California Governmental Code Section 61000 et seq.).

3.1.2 Through application of law, the District is authorized to adopt ordinances, resolutions and to otherwise adopt rules and regulations in order to control, administer, finance, operate and maintain Water and Wastewater Systems within its jurisdictional area.

3.1.3 These Rules and Regulations and associated technical Standards and any amendments thereto may be considered in effect upon approval by the Board.

3.2 Short Title.

Per Ordinance 73, this document may be known and may be cited as ***Rules and Regulations for Water and Wastewater Service.***

3.3 Words and Phrases.

For the purpose of these Rules and Regulations, all words used herein in the present tense may include the future; all words in the plural number may include the singular number; and all words in the singular number may include the plural number.

3.4 Discontinuation of Service.

Water and/or Wastewater service may be refused or discontinued by the District as provided by Section 9.0 of these Rules and Regulations, for any one or more of the following reasons:

- 3.4.1 Unauthorized use of apparatuses or appliances that might endanger or disturb the service of other Users.
- 3.4.2 Non-compliance with these Rules and Regulations or any other resolutions, ordinances, rules or regulations relating to Water and Wastewater service including water use efficiency and/or water conservation.
- 3.4.3 Termination is necessary in order to protect District facilities.
- 3.4.4 Termination is necessary in order to protect public health, safety, property and/or environments.
- 3.4.5 Delinquency of any fee due the District.
- 3.4.6 In addition to discontinuation of service, violation of District resolutions or ordinances may be a misdemeanor, as detailed in Section 9.0 of these Rules and Regulations.

3.5 District Standards.

- 3.5.1 The District has adopted standard documents for the design, specification and construction of water and Wastewater System facilities.
- 3.5.2 These Standards are incorporated into the most recent “General Specifications and Standard Drawing for Water and Wastewater Construction” approved and used by the District.
- 3.5.3 These Standards govern the configuration, sizing and the quality of materials associated with new and upgraded facilities to be owned and operated by the District.
- 3.5.4 These Standards may be updated and/or modified from time to time by action of the Board.

3.6 Application, Permits and Fees.

The following identifies the general requirements regarding application, Permits and fees:

- 3.6.1 No Owner may construct, extend or connect to the public water and/or Wastewater system without first obtaining a written Permit from the District and paying all fees and connection fees and furnishing all required bonds.

3.6.2 No Owner may construct a remodel/addition to a property connected to the public water and/or Wastewater system, which includes additional Fixture Units, without complying with all District requirements including obtaining a Permit from the District and paying all fees and connection fees.

3.6.3 A Permit may not be granted until after all required fees are paid and required bonds are furnished.

3.7 Notices to Owner or User.

3.7.1 Unless otherwise required by law or these Rules and Regulations, notices from the District to an Owner, Customer or User will normally be given in writing, delivered (i.e. door tag) or mailed to the Owner's last known address. If the Owner, Customer or User has provided the District with an email address, the District will also attempt to provide email notification.

3.7.2 Where conditions warrant, and in emergency situations, such notice may be given orally by telephone, by fax and/or messenger.

3.8 Notices from Owner or User.

Notice from the Owner, Customer or User to the District may be given personally and in writing to the District's business office during normal business hours.

3.9 Installation Cost.

3.9.1 All costs and expenses incident to the design, Permitting and construction of building Sewers, water laterals and public water and Wastewater Systems to be dedicated to the District may be the responsibility of the Owner, unless otherwise agreed to by the District and the Owner, in accordance with these Rules and Regulations.

3.9.2 The Owner may indemnify the District against any liability resulting from the design, Permitting, construction and installation of the above described facilities.

3.10 Limits of Responsibility.

The following identifies the limits of District responsibility regarding facilities:

3.10.1 The District is responsible for the maintenance and operation of all public water and Wastewater system facilities that have been designed and constructed to District Standards, have been dedicated to and accepted by the District and are located in public right-of-ways or legally established easements.

3.10.2 The District is not responsible for the maintenance and operation of private water and Wastewater facilities that have not been dedicated to or accepted by the District, such as Building Lines, Building Laterals, on-site hydrants, septic tanks, sprinkler systems and water and sewer Building Laterals serving more than one service unit.

3.10.3 Private Sewers and water lines are the responsibility of the individual Owner.

3.10.4 The cost of repairs or maintenance on non-District owned facilities that are done by the District with or without request of the Owner may be charged to the Owner.

3.10.5 Repairs or maintenance on non-District owned facilities may be performed by the District if the District determines that the continued unrepaired or unmaintained operation of these facilities constitutes a health and safety hazard, is unduly wasteful of water, or creates a physical threat to surrounding properties.

3.10.6 The District cannot guarantee service availability, pressure or volume under any circumstances. If Customers require uninterrupted service, they must make their own arrangements for times when District service is unavailable or unsuitable.

3.10.7 The District is not liable for any results or conditions that occur if service is not available.

3.11 Protection from Damage.

All District property comes within the operation of Penal Code Section 594 and other applicable provisions of California Law which provide in general that every Person who willfully or maliciously injures or destroys any real or Personal property, not his own, is guilty of a misdemeanor. Protection from damage is further discussed in Section 9.3 of these Rules and Regulations.

3.12 Penalty for Violation.

If any Person fails to comply with all or any part of these Rules and Regulations, or a District resolution, ordinance or order fixing rates and fees, the District may pursue any remedy provided to it by law. Violations and penalties are further considered in Section 9.0 of these Rules and Regulations.

3.13 Severability.

If any section, subsection, sentence, clause or phrase of these Rules and Regulations is, for any reason, judged to be invalid, such decision may not affect the validity of the remaining portions of these Rules and Regulations.

3.14 Tampering with District System.

No one, except an authorized employee or representative of the District may, at any time and in any manner, operate, interfere, disrupt or tamper with the District's system or any related equipment. This includes turning on or off a District water meter.

3.15 Variance Exemption.

3.15.1 When any Person claims special circumstances and is of the opinion that a variance exemption is necessary, or that any provision of these Rules and Regulations is unjust or inequitable as applied to his/her facilities or property, that Person may make written request to the District for a review of his/her alleged special circumstances.

3.15.2 A variance exemption can only be granted by action of the Board or its designee.

3.15.3 Variance exemptions are further considered in Section 9.11 of these Rules and Regulations.

3.16 Water Quality Requirements.

3.16.1 As an agency authorized to operate a public Water System, the District is subject to all Federal, State and County laws governing the supply and distribution of safe potable water.

3.16.2 As a part of this regulatory control, the District treats and monitors the biological, chemical and physical characteristics of its water supply as well as the distribution of its potable water conforming to provisions of the latest "Safe Drinking Water Standards" set by the California Department of Public Health.

3.17 Wastewater Quality Requirements.

3.17.1 Wastewater discharged by private or public Owners is subject to the limitations set forth in these Rules and Regulations.

3.17.2 The collection, treatment and disposal of all Wastewater discharged to the District's Wastewater System is the District's responsibility.

3.17.3 As an agency authorized to operate a Wastewater system, the District is subject to all Federal, State and County regulations governing the maintenance and operations of publicly owned Wastewater Systems including, but not limited to, the Federal Clean Water Act and State of California Division of Water Quality Regulations.

3.18 Water Use Efficiency.

3.18.1 All Customers are required to follow the District's Water Use Efficiency Program.

3.18.2 The District may adopt fees and quantity limitations pursuant to its Water Use Efficiency Program regulating water use to implement its conservation program.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT RULES AND REGULATIONS FOR WATER AND WASTEWATER SERVICE	Section 4.0
		Revision Date 01/27/09
USE OF THE PUBLIC WASTEWATER SYSTEM		

4.1 Permit and Fees.

4.1.1 No Owner may discharge or cause to be discharged any Wastewater into the District’s Wastewater system unless he/she obtains a Permit, pays all fees and otherwise becomes a Wastewater Customer.

4.1.2 A discharger may be subject to additional fees and penalties in the event an improper discharge occurs.

4.2 Drainage into Sewers Prohibited.

4.2.1 No roof drains nor surface drains for rainwater or snowmelt runoff may be connected to any sanitary Sewer.

4.2.2 No surface or subsurface drainage or rainwater, seepage, cooling water or unpolluted industrial process water may be permitted to enter any sanitary Sewer.

4.3 Types of Waste Prohibited.

Except as hereinafter provided, no Owner may discharge or cause to be discharged into the District’s Wastewater System any of the following described waste or Wastewater:

4.3.1 Non-Domestic Wastewater – General.

No Non-Domestic Wastewater may be discharged into the Wastewater system that would have the potential to:

4.3.1.1 Cause the effluent discharged from the sewage treatment facilities to violate any discharge requirements including, but not limited to, those set by the California Regional Water Quality Control Board.

4.3.1.2 Cause a violation of applicable industrial general pretreatment regulations for existing and new sources of pollution as set forth in 40 CFR, part 403, adopted by the United States Environmental Protection Agency.

4.3.2 Non-Domestic Wastewater – Specific.

No Non-Domestic Wastewater may be discharged to the Wastewater system that will cause the sewage treatment facilities to violate any discharge requirements for the following specific chemical, physical and/or bacteriological constituents:

- 4.3.2.1** Biochemical Oxygen Demand (BOD),
- 4.3.2.2** Boron,
- 4.3.2.3** Chemical Oxygen Demand (COD),
- 4.3.2.4** Chloride,
- 4.3.2.5** Fluoride,
- 4.3.2.6** Gross Alpha and Beta Particle Activity,
- 4.3.2.7** Methylene Blue Active Substance (MBAS),
- 4.3.2.8** Nitrate Nitrogen as N,
- 4.3.2.9** Purgeable Aromatics,
- 4.3.2.10** Purgeable Halocarbons,
- 4.3.2.11** Sodium,
- 4.3.2.12** Sulfate,
- 4.3.2.13** Total Dissolved Solids,
- 4.3.2.14** Total Organic Carbon,
- 4.3.2.15** Total Suspended Solids,

4.3.3 Sludge Contaminate Regulated Substances.

Substances in sufficient concentrations to cause Sewer sludge to exceed acceptable contaminate levels, as identified in Section

66699 (b) and (c) of Chapter 30, Division 4, Title 22 of the California Code of Regulations, as may be amended from time to time.

4.3.4 Flammable or Explosive Substances.

Any gasoline, benzene, naphtha, fuel oil, or other liquids, solids or gases with the potential to burn or create explosive or flammable conditions within any part of the Wastewater system.

4.3.5 Toxic or Poisonous Substances.

Any toxic or poisonous solids, liquids or gases in sufficient quantity either singly or by interaction with any other wastes, so as to:

4.3.5.1 Injure or interfere with any sewage treatment process.

4.3.5.2 Constitute or create any hazard to the receiving waters of the sewage treatment plant, including but not limited to cyanide in excess of two (2) mg/L as CN in the wastes as discharged to the Wastewater system.

4.3.5.3 Constitute a hazard to humans or animals.

4.3.5.4 Create a public nuisance.

4.3.6 pH Range and Corrosive Properties.

Any liquid or other wastes having pH lower than 5.5 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to Person or to property.

4.3.7 Garbage.

4.3.7.1 Any garbage that has not been shredded.

4.3.7.2 Properly shredded garbage may mean the wastes from the preparation, cooking and dispensing of food with no particle greater than one-half (1/2) inch in dimension.

4.3.8 Solid or Viscous Substances.

4.3.8.1 Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow within

the Wastewater system or other interference with the proper operation of the Wastewater system facilities.

- 4.3.8.2** Such substances include, but are not limited to, ashes, cinders, sand, mud, straw, metal shavings, glass, rags, feathers, tar, plastics, wood, ungrounded garbage, whole blood, manure, hair and fleshing, entrails, and paper dishes, cups, milk containers, or other material, either whole or ground by garbage grinders.

4.3.9 High Temperature Limit.

Any liquid or vapor having a temperature higher than one hundred and fifty degrees F (150°F) or sixty-five degrees C (65°C) at the building Sewer.

4.3.10 Fats, Waxes, Greases or Oils.

Any liquid or other waste:

- 4.3.10.1** Containing fats, wax, grease, or oils in excess of one hundred (100) mg/L, whether emulsified or not.
- 4.3.10.2** Containing substances that may solidify or become viscous at temperatures between thirty-two degrees F (32°F) and fifty degrees F (50°F) (sixty-five degrees C (65°C) and ninety degrees C (90°)) at the building Sewer.

4.3.11 Heavy Metals or Excessive Chlorine Demand.

Any liquid or other wastes:

- 4.3.11.1** Containing priority pollutant metals and similar objectionable or toxic substances.
- 4.3.11.2** Exerting an excessive chlorine requirement to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by Local, State or Federal agencies for such material.

4.3.12 Phenols, Odor or Taste Producing Substances.

Any liquid or other waste containing phenols or other taste or odor producing substances in concentrations exceeding limits which may

be established by the District to meet applicable requirements of the Local, State or Federal regulations.

4.3.13 Suspended or Dissolved Solids.

Materials which exist or cause unusual concentrations of suspended or dissolved solids which interfere with the treatment plant process or cause violations of applicable waste discharge requirements.

4.3.14 Radioactive Waste.

Any radioactive material or substance which exceeds the half life or concentration limits set by applicable State or Federal regulations.

4.3.15 Waste from Septic Tanks, Cesspools, Leach Pits, Holding Tanks, Recreation Vehicles and Chemical Toilets.

Waste from septic tanks, cesspools, leach pits, holding tanks, recreational vehicles and chemical toilets, except in accordance with the terms and conditions set forth in written permission granted by the District.

4.3.16 Water Softening Unit Wastes.

Any waste discharge resulting from charging, regeneration or operation of water softening equipment due to the high salt and total dissolved solids content in such waste.

4.3.17 Damaging Substances.

Any material or concentration of material that will cause damage, abnormal maintenance or operation in respect to any part of the Wastewater system.

4.4 Control of Prohibited Wastes.

4.4.1 General.

If any liquid or other waste is discharged or is proposed to be discharged to the Wastewater system which contains the substances or possesses the characteristics enumerated in Section 4.3 of these Rules and Regulations or, which in the judgment of the General Manager or his/her designee, may have a deleterious effect upon the Wastewater system or the processes, equipment or receiving waters connected therewith or which otherwise create a

hazard to life or constitute a public nuisance, the District may pursue all available legal and regulatory remedies as well as invoke applicable provisions of Section 9.0 of these Rules and Regulations, in addition to any of the following actions:

4.4.2 Pretreatment.

4.4.2.1 Require pretreatment by the Owner to an acceptable condition for discharge to the Wastewater system.

4.4.2.2 The design and installation of the plants and equipment may be subject to the review and approval of the District and subject to the requirements of all applicable codes, ordinances, laws and regulations.

4.4.3 Quantities and Rates.

Require the Owner exercise specific control over the quantities and rates of discharge.

4.4.4 Grease and Sand Interceptors and Separators.

4.4.4.1 Require the waste discharged from fixtures and equipment in establishments which contain grease, including but not limited to scullery sinks, pot and pan sinks, dishwasher machines, soup kettles and floor drains located in areas where grease containing materials may exist, be drained into the sanitary waste through a grease interceptor.

4.4.4.2 Location and size is determined by the District and may be installed and maintained at the expense of the Owner and/or Applicant in accordance with the requirements of the County of San Bernardino Building and Safety and the Environmental Health Services.

4.4.4.3 Failure to comply will result in disconnection from the Wastewater system.

4.4.4.4 Such waste discharged must also be in compliance with requirements set forth in the District's Fats, Oils & Grease Program currently in effect.

4.4.5 Costs.

Require payment from the Owner to cover all costs and expenses incurred by the District in connection with handling and treating the

wastes including review and inspection of plans and the proposed site of discharge for compliance with District requirements.

4.5 Maintenance of Flow Equalizing System.

Where any fluid or other waste is undergoing preliminary treatment or flow equalizing, the facilities for such process shall be continuously maintained in satisfactory and effective operation by the Owner at his expense.

4.6 Tests and Measurements.

4.6.1 All measurements, tests and analyses of the characteristics of liquid and other wastes to which reference is made in these Rules and Regulations may be conducted in accordance with the latest adopted edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association.

4.6.2 The Applicant may be responsible for all costs incurred for such measurements, tests and analysis.

4.7 Swimming Pools.

4.7.1 It is unlawful for any Person to discharge the contents of a swimming pool into the Wastewater system except in the manner specified herein.

4.7.2 The rate of out flow (i.e. introduction to the Wastewater system) shall not exceed one hundred (100) gallons per minute and be limited to the off-peak period between 3:00 p.m. and 9:00 a.m., excluding holiday and holiday weekend periods.

4.7.3 Discharge may also be prohibited during periods of high sewage flows due to rain related inflow/infiltration.

4.7.4 Each swimming pool discharging into the Wastewater system shall be equipped with the fixed air gap approved by the San Bernardino County Department of Building and Safety and Department of Environmental Health Services to preclude any possibility of a backflow of sewage into the swimming pool or piping system.

4.7.5 Spas or hot tubs containing 600 gallons or more shall be classified as swimming pools.

4.8 Pumped Waste Discharges.

Pumped waste discharges into the Wastewater system may be subject to the following rules and regulations:

4.8.1 Discharge Location and Time.

4.8.1.1 Discharge shall be made at the specific location and the time designated by the General Manager.

4.8.1.2 The District may require the discharge be under continuous supervision of a District employee.

4.8.1.3 The discharge to the Wastewater system shall not exceed a flow of twenty-five (25) gallons per minutes, unless otherwise approved in writing by the General Manager.

4.8.1.4 The discharge to the Wastewater system may be subject to a Pump Waste Fee as identified in Section 6.16 of these Rules and Regulations.

4.8.2 Discharge Amount.

4.8.2.1 The total amount of septic tank, cesspool, chemical toilet, holding tank, interceptor and leech pit discharged to the Wastewater system under all Permits in any twenty-four (24) hour period shall not exceed 4,000 gallons unless approved by the General Manager.

4.8.2.2 Notice of at least two business days to the General Manager, or the General Manager's designee, is required prior to any discharge of pumped waste into the District's Wastewater system.


4.8.3 Holding Tanks.

Construction and operation of holding tanks within the District boundaries and sphere of influence are subject to the provisions of Article 4 – Sewage Holding Tanks of the Environmental Health Code and enforcement by the County of San Bernardino Environmental Health Services.

4.9 Septic Tank System Use.

4.9.1 Use of a septic tank system within the District is generally prohibited.

- 4.9.2** The District may grant an exemption to this prohibition if the property using a septic tank is two hundred (200) feet or more from the nearest District Sewer line and the septic tank system is fully approved, permitted and operational in accordance with the regulations of the San Bernardino County Department of Building and Safety and Department of Environmental Health Services.
- 4.9.3** The District will not grant such an exemption if an assessment District or other regulation prohibits use of a septic tank system in a particular area.
- 4.9.4** If a property is already using a septic tank and the septic tank is not failing and the property is outside an assessment District boundary and the property is not otherwise required to connect to the Wastewater system, then the District may allow the property to continue using a septic tank so long as the requirements of Section 4.9.2 are met.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT RULES AND REGULATIONS FOR WATER AND WASTEWATER SERVICE	Section 5.0
APPLICATION FOR WASTEWATER SERVICE AND CONNECTION TO THE WASTEWATER SYSTEM		Revision Date 01/27/09

5.1 Application for Wastewater Service.

- 5.1.1 Application for Wastewater service from the District may be made by an Owner.
- 5.1.2 The application may be completed by the Owner and application documents requiring signature may be executed by the Owner.
- 5.1.3 All correspondence regarding the application for service shall be addressed to the Owner.
- 5.1.4 The Owner may designate, in writing on a prepared District form, an Authorized Representative who may be copied on correspondence. The Authorized Representative may also be authorized to execute any application documents if the Owner designates on said form. The Owner will receive copies of any documents executed by an Authorized Representative. As appropriate, the District may require a notarized signature.
- 5.1.5 Proof of Ownership shall be required by the District.

5.2 Compliance-Intent of Applicant.

All applications signify the Applicant’s willingness and intention to comply with these Rules and Regulations and any other Ordinances, Resolutions or Regulations relating to the District’s Wastewater system and to make required payment for Sewer service.

5.3 New Connection Service Availability Letter.

The requirements for obtaining a new connection service availability letter are as follows:

- 5.3.1** Prior to applying for connection to the Wastewater system by way of the above mentioned application, an Applicant must apply for and receive a service availability letter from the District.
- 5.3.2** The Applicant will provide pertinent information regarding the proposed connection, including the type of development, the planned number of Fixture Units and the composition of sewage to be discharged if other than domestic sewage.
- 5.3.3** A title report, plot plan, grant deed and other pertinent information will be required at the time of application for a service availability letter.
- 5.3.4** Said title report, plot plan, grant deed and other pertinent information may be obtained at the sole cost and expense of the Applicant. New documents will not be necessary if copies of existing documents are acceptable to the District.
- 5.3.5** If necessary, the District will request that the title company plot easements for said property in order to define such easements.
- 5.3.6** Prior to issuance of a service availability letter, a field investigation will be conducted by the District to ascertain other needed information.
- 5.3.7** The service availability letter application information and the field inspection information will be analyzed by administrative staff and, if necessary, District engineering staff, in accordance with the District's Policy and Procedures, Construction of and Payment for Facility Improvements.
- 5.3.8** Such analysis may result in the need for Facility Expansion and/or sewer Building and Service lateral line improvements, consistent with the above policy and procedures document.
- 5.3.9** The service availability letter will state any limitations regarding the availability of service, the location for connections, right-of-way issues that need to be resolved and specify general and special conditions that must be met prior to connection.
- 5.3.10** A fee will be charged for the service availability letter as set forth in Section 6.0 of these Rules and Regulations.
- 5.3.11** If extraordinary work is required in the preparation of the service availability letter, additional fees may be required.

5.3.12 Fee payment must be by cash, check, money order or any other form of payment acceptable to the District.

5.3.13 See Sections 5.22 of these Rules and Regulations for details regulating new development.

5.4 Service Availability Letter Limitations.

5.4.1 A service availability letter does not constitute a Permit to connect, but only identifies the conditional availability of permitted service.

5.4.2 If the actual service needs at the time a connection Permit is requested are significantly different than the proposed service needs identified in the service availability letter, a connection Permit may not be issued.

5.4.3 In addition, if general and special conditions identified in the service availability letter are not met at the time a connection Permit is requested, a Permit will not be granted.

5.5 Duration of Service Availability Letter.

5.5.1 A service availability letter will expire one (1) year after the date of issuance.

5.5.2 If a service availability letter expires, a new service availability letter will be required prior to applying for connection to the Wastewater system.

5.5.3 Reapplication will require that an Applicant submit any needed additional or updated information requested for a service availability letter and that a service availability letter reapplication fee be paid.

5.5.4 If the additional or updated information is substantial, reapplication based on the terms and conditions of the previous service availability letter may not be allowed for and a new service availability letter and fee may be required.

5.6 Payment for Previous Service.

An application for Sewer service or connection Permit will not be granted unless all accounts and/or outstanding invoices due to the District by the Applicant have been paid in full.

5.7 Application for Connection to Wastewater System.

- 5.7.1 Subsequent to the issuance of the service availability letter, an Applicant may make application for connection to the Wastewater system at the District business office.
- 5.7.2 The Applicant shall bring, to the District office, a copy of the approved set of building plans that includes a plumbing schedule, identifies the water and building and service lateral locations and bear San Bernardino County Department of Building and Safety's stamp on each page.
- 5.7.3 The Applicant may also bring to the District office a copy of the service availability letter issued to the Owner by the District.
- 5.7.4 A fee will be charged for connection to the Wastewater system, as set in Section 6.0 of these Rules and Regulations.
- 5.7.5 A Permit to connect will not be issued until the required fee is paid.
- 5.7.6 The fee must be paid by cash, check, money order, voucher or any other form of payment acceptable to the District.
- 5.7.7 If a check or voucher is used, funds must clear prior to Permit issuance.
- 5.7.8 If facility expansion is also required, in addition to the new capacity EDU Fee, such expansion may be subject to a separate Facility Expansion Fee as identified in Section 6.12 of these Rules and Regulations.
- 5.7.9 A Permit will only be issued to property that is actually developed or for which development is imminent. Undeveloped properties will not be issued a Permit.

5.8 Service Lateral.

The Service Lateral may be installed according to District specifications, as identified in Section 3.5 of these Rules and Regulations.

5.9 Service Lateral Clean Out.

A clean-out will be required for all Service Laterals to be located at the property line or other District approved location. The Service Lateral clean-out shall be installed according to District standard specifications, as identified in Section 3.5 of these Rules and Regulations.

5.10 Anti-Flooding Device.

5.10.1 Whenever, in the opinion of the District, there exists the possibility of sewage from a District Wastewater main flooding a private property as a result of a stoppage, an anti-flooding device shall be required.

5.10.2 Such an anti-flooding device, constructed according to District standard specifications as identified in Section 3.5 of these Rules and Regulations and approved by the District, shall be incorporated in the building lateral.

5.10.3 Such an anti-flooding device shall be installed and maintained at the Owner's expense.

5.11 Gray Water System.

If a gray Water System is to be installed, notice of such installation must be identified in the Service availability letter application and the gray Water System must be fully approved by the County.

5.12 Duration of Permit.

5.12.1 Permits issued pursuant to these Rules and Regulations shall expire six (6) months from date of purchase.

5.12.2 If a Sewer main connection is not completed within the six (6) month period, an extension may be granted for an additional six (6) months upon submittal of request and payment to the District of the difference between the Permit connection fees that have already been paid and the current prevailing fees.

5.12.3 Said payment must be made within thirty (30) days of the original expiration date.

5.12.4 If a connection is not made within one (1) year from the original Permit date, the Permit will be voided and the Connection Permit – Connection Inspection fee will be forfeited.

5.12.5 The Connection Permit – Administrative and Capacity fee will be reimbursed if Section 5.12.4 is invoked.

5.12.6 The Applicant will be required to resubmit the approved set of plans from San Bernardino County Building and Safety Department and be subject to all Service availability letter, special study and plan check costs as if the original Permit request had never been submitted.

5.13 Compliance with Permit.

After approval of the application, evidenced by the issuance of a Permit, no change may be made in the location of any Building Lateral, clean out or Service Lateral or from the grade, materials, time limit or other details described in the Permit that was issued, except with written permission from an Authorized Representative of the District.

5.14 Agreement.

5.14.1 The Applicant's signature on a Permit shall constitute an agreement between the Owner and the District, in which the Owner agrees to comply with all applicable laws, Rules and Regulations, Ordinances and Resolutions and with the plans and specifications, if any, filed with the application, together with such modifications thereto as may be made, permitted by the District.

5.14.2 Such agreement shall be binding upon the Applicant and/or the Owner and may be altered only by the District upon the Applicant's and/or Owner's written request for the alteration. The agreement shall bind any subsequent Owners or successors in interest upon their application for service.

5.15 Inspection.

5.15.1 All facilities proposed for Acceptance into any part of the Wastewater system must be exposed at the time of connection and inspected by the District or by an Inspector acting for the District to ensure compliance with all requirements of the District.

5.15.2 Unless an emergency situation exists, at least forty-eight (48) hours notice of readiness for inspection shall be given for the required inspection.

5.15.3 Proper shoring and other safety requirements will be provided to facilitate such inspection. The District may require that such shoring and other safety requirements be provided at the Owner's expense.

5.16 Sewer Lateral Location, Size and Type.

5.16.1 The District reserves the right to determine the location, number, size and type of service laterals with respect to any premises to be served.

5.16.2 A Building Lateral may not be extended to a proposed point of District connection until the point of connection has been determined, approved and possibly established by the District.

5.16.3 The Applicant is responsible for any surveying or uncovering of property markers to facilitate possible clean-out location and Service Lateral installation by the District.

5.16.4 The District is not responsible, financially or otherwise, for the routing of the Building Lateral from the improvement to the point of District connection.

5.16.5 The Applicant will provide the District with any easements required for service lateral placement.

5.17 Separate Connections Required.

5.17.1 Each building shall be connected to the Wastewater system through a separate connection where there are two (2) or more dwellings, office units, etc.

5.17.2 A connection can only be made utilizing a Building Lateral and Service Lateral that are not less than six (6) inches in diameter.

5.17.3 The District, after reviewing the conditions, shall specify the size of the Building Lateral and Service Lateral connection.

5.18 Residential, Commercial and Industrial Wastewater Service Connection.

5.18.1 It shall be unlawful to maintain a connection to the Wastewater system except in conformity with the Uniform Plumbing Code and the District's standard specifications as identified in Section 3.5 of these Rules and Regulations.

5.18.2 When property provided with one (1) or more Sewer connections is divided, each existing Sewer connection shall be considered as belonging to the created lot or parcel of land that contains the building or improvement connected to the Sewer.

5.18.3 If any Building Lateral is not completely within the parcel it serves, the Owner must obtain and record any and all necessary easements for said Building Lateral and connection.

5.18.4 If any Service Lateral is not completely within a prescribed easement, the Owner must obtain and record any and all necessary easements for said Service Lateral and connection.

5.19 Condemned Work.

5.19.1 When any work subject to a Permit has been inspected and the work disapproved or condemned, and no certification of satisfactory completion has been given, a written notice to that effect will be given to the Applicant instructing him to repair or remedy such work in accordance with the applicable District rules, regulations or Standards.

5.19.2 When any work is disapproved or condemned, a re-inspection fee shall be applicable.

5.20 Liability for Costs.

5.20.1 Both the Owner and the Person making the connection shall be liable to the District for all fees, costs and expenses incident to the installation and connection of any Sewer service or other work for which a Permit must be issued.

5.20.2 The Owner and the Person making the connection may indemnify and hold harmless the District for any loss or damage that may directly or indirectly be occasioned by their work.

5.21 Sewers Outside the District.

5.21.1 Permission will not be granted to connect any lot or parcel of land outside the District boundaries to any District Wastewater system except pursuant to written agreement with the District.

5.21.2 An Applicant requesting service to such a location may covenant in such agreement to bind himself/herself, his/her heirs, successors and assigns to abide by all District rules and regulations in regard to the manner in which such Sewer may be used, the manner of connecting therewith and the plumbing drainage appurtenant thereto, and shall also agree to pay all fees required for the Permit and all applicable standby and User Fee established by the District.

5.21.3 Any future connection(s) to the Applicant's Wastewater system shall also be subject to inspection by the District; shall comply with all District rules, regulations, Resolutions, Ordinances and Standards and shall be subject to any and all District fees in effect at the time of the additional connections(s).

5.22 Feasibility of New Development.

5.22.1 In addition to complying with all Service availability letter and Connection Permit requirements identified above, an Applicant wishing to develop a project that may require construction of a Collection Line to serve a proposed subdivision of lots, extension of a Collection Line to serve an existing property, or construction of other District facility improvements needed for the development project, shall first make a written request to the District for Engineering or a study review.

5.22.2 Upon payment of a specified fee, the District will prepare a feasibility report that will set forth the technical, financial and administrative procedures to be implemented by the Applicant.

5.22.3 The Applicant may furnish the District with tentative maps showing lot sizes, street layouts, Elevations (Based upon USGS datum), proposed points of connection to the District's Wastewater system and other information regarding the project that may be needed to conduct the feasibility report.

5.22.4 The District Engineer and the General Manager will review the map and other information and inform the Applicant or developer by letter if Sewer service is available and feasible and under what conditions such as over-sizing, facility expansion costs, or, if other modifications of District facilities are required.

5.22.5 The cost of Engineering, permitting fees, construction and inspection of Sewer mains will be borne by the Applicant, subject to possible reimbursement consideration of certain costs for facility expansions that benefit properties outside the development.

5.22.6 Refer to Section 5.23 of these Rules and Regulations and the District *Policy and Procedure, Construction of and Payment for Facility Improvements* for more specific information regarding possible reimbursement consideration for facility expansions.

5.22.7 As an alternate to having the District prepare the feasibility report, the Applicant may, upon specific written approval of the District, have a qualified Engineer acceptable to the District, prepare the feasibility report, consistent with the above requirements and subject to District review and approval of the report.

5.23 Main Line Extensions and Other System Expansions.

- 5.23.1** Where main line Sewers or other Wastewater System expansions (Wastewater facility expansions) are wholly constructed and financed by an Applicant, the Applicant will be required to provide a performance bond, and other bonds, sureties and securities as may be required by the District.
- 5.23.2** In addition, an Applicant may be eligible for a Wastewater facility expansion refund/reimbursement agreement (facility expansion agreement) with the District subject to certain conditions, including, but not necessarily limited to, the following:
- 5.23.2.1** The Wastewater facility expansion constructed by the Applicant abuts properties not participating in the development project and is of sufficient size and depth to allow direct building service connections thereto.
 - 5.23.2.2** The Wastewater facility expansion materials and constructions conform to District standard specifications as identified in Section 3.5 of these Rules and Regulations.
 - 5.23.2.3** A facility expansion agreement may be initiated to reimburse the Applicant for the eligible costs of improvements actually paid for by the Applicant, including (by way of example, and not limited to) studies, Engineering, surveys, inspections and construction costs. Eligible costs will be identified in the specific facility expansion agreement.
 - 5.23.2.4** The facility expansion agreement shall expire ten (10) years from the date of said agreement or when a developer has been repaid the eligible costs of said improvement by other benefitting lands, properties or Owners, whichever may occur first.
 - 5.23.2.5** The District shall collect a Wastewater facility expansion fee from properties impacted and/or benefitting from a Wastewater facility expansion agreement.
 - 5.23.2.6** Such a Wastewater facility expansion fee will be charged to new connection Applicants who did not participate in the cost of a Wastewater facility expansion that either fronts or abuts their property and has been designed to serve them.

- 5.23.2.7** The amount of the Wastewater facility expansion fee shall be as specified in the applicable Wastewater facility expansion agreement and shall be in addition to any Connection Fees regularly collected by the District for connection to the Wastewater system.
- 5.23.2.8** The Applicant shall only receive a refund in accordance with the facility expansion agreement and only from monies collected as part of the facilities expansion agreement from other benefitting lands, properties and/or Owners.
- 5.23.2.9** The District may enter into other agreements regarding facility expansion refund/reimbursement agreements.
- 5.23.2.10** Refer to the *District Policy and Procedure, Construction of and Payment for Facility Improvements* for more specific information regarding mainline extensions and other system expansion.

5.24 Abandoned Connections.

- 5.24.1** Owners who are legally connected to the District's Wastewater System may wish to abandon their existing connection and thereby discontinue their normal Wastewater User fees (See section 6.1.2).
- 5.24.2** Reasons for abandoning the existing Sewer connection may include, but are not limited to, condemnation, demolition, removal or destruction by natural causes such as fire, earthquake or earth failure.
- 5.24.3** A Sewer connection may be considered abandoned if the following conditions are met:
 - 5.24.3.1** The Owner may make a written request to the District for approval of the proposed abandonment and will meet or agree to all the requirements listed below.
 - 5.24.3.2** The Owner will be responsible for all the cost associated with capping the existing Building Lateral at the property line, including the cost of inspection of the capped Building Lateral by District staff.
 - 5.24.3.3** The Owner may provide the District with written documentation stating the facilities to which there is an

existing connection have been condemned, removed or otherwise rendered unusable.

- 5.24.3.4** The Owner may provide evidence that the abandonment and the loss of Sewer service rights, as stated in Section 5.24.3 of these Rules and Regulations are recorded with the County Recorder for the benefit and information of future Owners.
- 5.24.3.5** After a Sewer connection has been abandoned, the Owner is subject to normal standby fees and any other applicable assessments, fees that are imposed upon Owners and vacant properties in the District.
- 5.24.3.6** In the future, if the property is reconstructed, the Owner will be subject to connection fees as identified in Section 5.25.8 of these Rules and Regulations.
- 5.24.3.7** The District will notify the appropriate County agencies that the Sewer connection has been abandoned.

5.25 Reconstructed Property.

When structures or other facilities that are connected to the Wastewater system are destroyed, removed or condemned and are subsequently replaced with new construction, the District may waive additional Sewer connection fees subject to the following conditions:

- 5.25.1** The Owner, or subsequent purchaser/Owner, must obtain a building Permit within one (1) year of the destruction or removal of the existing structure.
- 5.25.2** The new construction must be completed within the time frame stated in the Permit.
- 5.25.3** The number of Fixture Units may not be more than that of the destroyed structure.
- 5.25.4** If the number of Fixture Units is greater, the Owner may pay the difference in cost between the original number of Fixture Units and the new number of Fixture Units at the then applicable rate.
- 5.25.5** During the period of time that the structure or facility was Permitted and available for use, the current Owner may pay the normal User fees and will be required to observe all Wastewater rules and regulations.

5.25.6 During the period of time that the structure or facility was not permitted and not available for use, due to a County determination that the building is uninhabitable, the current Owner may not be required to pay the normal Wastewater User fees (See Section 6.1.2).

5.25.7 If the Owner, or subsequent purchaser/Owner, does not obtain a building Permit within one (1) year of the destruction or removal of the existing structure, such Owner or subsequent purchaser may be required to obtain a new connection Permit for any construction of the property if it requires wastewater service.

5.25.8 The cost for such a new connection Permit will be the difference in cost between that for the original Permit obtained and that for a Permit at the time the new Permit is required.

5.25.9 On a case-by-case basis, the District shall evaluate, after a one (1) year period, whether or not the building remains uninhabitable, and, if so, the District may extend the period during which connection can be made without having to obtain a new connection Permit.

5.25.10 If a structure or facility remains uninhabitable for one (1) year or more, and is removed from normal User fees, the property may be assessed any applicable Sewer Standby fees.

5.26 Remodels, Additions or Change of Use.

Any Owner already connected to the Wastewater system planning to remodel, add an addition or change the use of a property which will alter the number of property Fixture Units, or change the characteristic use of the existing Fixture Units, must obtain a remodel, addition or change of use Permit from the District as follows:

5.26.1 Remodel, Addition or Change of Use Service Availability Letter.

5.26.1.1 The Owner must first apply for a remodel, addition or change of use service availability letter.

5.26.1.2 The Applicant will provide pertinent information regarding the proposed remodel, addition or change of use, including the type development, the planned number of Fixture Units to be added, anticipated Wastewater flows and the composition of Wastewater to be discharged if other than Domestic Wastewater.

- 5.26.1.3** An available title report, plot plan, grant deed, preliminary Fixture Unit count and other pertinent information will be required at the time of application for a remodel, addition or change of use service availability letter.
- 5.26.1.4** Said title report, plot plan, grant deed and other pertinent information may be obtained at the sole cost and expense of the Applicant. New documents will not be necessary if copies of existing documents are acceptable to the District.
- 5.26.1.5** If necessary, the District will request that the title company plot easements for said property in order to define such easements.
- 5.26.1.6** Prior to issuance of a remodel, addition or change of use service availability letter, a field investigation will be conducted by the District to ascertain other required information.
- 5.26.1.7** The remodel, addition or change of use service availability letter Application information and the field inspection information will be analyzed by administrative staff and, if necessary, by Engineering, in accordance with the District's *Policy and Procedures, Construction of and Payment for Facility Improvements*.
- 5.26.1.8** Such analysis may result in the need for facility expansion or Wastewater Lateral Line improvement consistent with the above policy and procedures documents.
- 5.26.1.9** The remodel, addition or change of use service availability letter will state any limitations regarding the availability of service and specify general and special conditions that must be met prior to the remodel, addition or change of use.
- 5.26.1.10** A fee will be charged for a remodel, addition or change of use service availability letter as set in Section 6.7 of these Rules and Regulations.
- 5.26.1.11** If extraordinary work is required in the preparation of the service availability letter, additional fees may be required.

5.26.1.12 Fee payment must be by cash, check, money order, or any other form of payment acceptable to the District.

5.26.1.13 A remodel, addition or change of use service availability letter will expire one (1) year after the date of issuance, subject to the provisions of Section 5.5 of these Rules and Regulations.

5.26.1.14 A remodel, addition or change of use service availability letter that is implemented without following the requirements of Section 5.26 is still required to submit the required information and fees retroactively subject to any applicable statute of limitations. Intentional failure to comply, may result in termination of all services at the particular property.

5.26.2 Remodel, Addition or Change of Use Permit.

5.26.2.1 An Applicant may make application for a remodel, addition or change of use Permit at the District business office.

5.26.2.2 The Applicant may bring to the District office a copy of the approved set of building plans that bear the San Bernardino County Department of Building and Safety's stamp on each page along with a copy of the remodel, addition or change of service availability letter issued to the Owner by the District.

5.26.2.3 A fee will be charged for a remodel, addition or change of use Permit as set in Section 6.0 of these Rules and Regulations.

5.26.2.4 Fee payment must be by cash, check, money order, or any other form of payment acceptable to the District.

5.26.2.5 A remodel, addition or change of use Permit will expire six (6) months after the date of issuance, subject to the provisions of Section 5.12 of these Rules and Regulations.

5.26.2.6 If facility expansion is also required, in addition to the new capacity EDU fee, such expansion may be subject to a separate facility expansion fee as identified in Section 6.12 of these Rules and Regulations.

5.27 Problem Laterals.

The District recognizes some building and Service Laterals serve more than one property and/or do not meet current District Standards, as identified in Section 3.5 of these Rules and Regulations, and may declare such multiple service connections and/or problem laterals unacceptable and in need of revision and reconstruction based on the following:

5.27.1 Criteria.

- 5.27.1.1** The District identifies that the building and/or Service Lateral does not meet District Standards during a field inspection initiated by an application for a service availability letter, a remodel, addition or change of use service availability letter or any other necessary field inspection.
- 5.27.1.2** The Owners of the properties being served request a change.
- 5.27.1.3** It can be proven that the existing installation allows an excessive amount of inflow or infiltration.
- 5.27.1.4** Repeated clogging of multiple connections that may result in spillage, broken pipes, dislodging of clean out caps, back-ups in buildings or other health and safety nuisance or violations of State Sanitary Sewer Overflow (SSO) regulations.
- 5.27.1.5** Repeated calls to the District office for corrections and/or repairs of Building Laterals that are not the responsibility of the District.
- 5.27.1.6** The lateral is dangerously shallow or exposed.

5.27.2 Remediation Procedures.

- 5.27.2.1** Any repair work needed will be done according to District Standards as identified in Section 3.5 of these Rules and Regulations.
- 5.27.2.2** The District will, generally, fund repair of damage to the public portion of the Wastewater system; however, necessary District facility expansions will be undertaken and paid for in accordance with the

District's Policy and Procedures, *Construction of and Payment for Facility Improvements*.

5.27.2.3 The Owner shall pay for the private lateral portion and for any improvements needed to bring any portion of the lateral up to District Standards as identified in Section 3.5 of these Rules and Regulations.

5.27.2.4 Any needed easements will be provided by impacted Owners.

5.27.2.5 Refer to the District Policy and Procedure, *Construction of and Payment for Facility Improvements* for more specific information regarding problem Wastewater Building and Service Lateral line improvements.

5.28 Maintenance Responsibilities.

Maintenance responsibilities for public and private Sewers, as identified in these Rules and Regulations, are defined as follows:

5.28.1 It is the District's responsibility to maintain Wastewater facilities only that include the Service Lateral, Collection Line and Trunk Lines as defined in Section 2.32 of these Rules and Regulations.

5.28.2 Maintenance of Building Lateral and private Sewers is the responsibility of the Owner.

5.28.3 The District will only reimburse the cost for work performed by others on Wastewater facilities if the District is notified in advance of the possible need to perform such work and authorizes such work.

5.28.4 No work will be performed on Wastewater facilities without the District's prior written consent.

5.28.5 The Owner must first properly install and then properly maintain the property line clean-out, anti-flooding device and any other District required lateral device for the District to assume responsibility for maintaining the Service Lateral.

5.29 Connection of Structures and Facilities Placed on Billing, But Never Connected to Wastewater System.

If the District discovers that a structure or facility was placed on billing, but never connected to the Wastewater system, the District will:

5.29.1 Require immediate connection.

5.29.2 Require payment of a connection fee and any other applicable fees, if such fees have not been paid.

5.29.3 Reimburse fees paid in accordance with the requirements of law if no connection fee is required.

5.29.4 Credit all fees paid, up to the amount of a new connection fee then in effect, if a connection fee must be paid.

5.30 Recording Connection of Structures and Facilities that are Physically Connected to the Wastewater System, but Have Never Paid a Connection Fee.

5.30.1 If the District discovers that a structure or facility is physically connected to the Wastewater system, but has never paid a connection fee, the facility or structure will be required to pay the connection fee in effect at the time of connection.

5.30.2 In addition, the District will take any action necessary to collect past due service fees for Sewer service provided to the structure or facility to the extent allowed by law.

5.31 Properties Which Have Been Properly Connected to the Wastewater System, but Have Never Been Placed on Billing.

If the District discovers that a structure or facility is properly connected to the Wastewater system, and the owner has paid the proper connection fee, but has never been placed on billing, the District will take the necessary action to collect past due service fees for Sewer service provided to the structure or facility to the extent permitted by law.

5.32 Reimbursement of Wastewater Service Fees Paid by an Undeveloped Property that was Never Connected to the Wastewater System.

If the District discovers that an undeveloped property was placed on Wastewater service fee billing, but never connected to the system, the District will:

5.32.1 Remove the property from billing and ensure it is placed on the tax rolls for the levy and collection of standby fees, if applicable.

5.32.2 Credit all Wastewater fees paid by the Owner requesting reimbursement.

5.32.3 Debit the reimbursement amount by the amount of any unpaid standby fees that would have been paid during that same period of time.


5.33 Properties on Septic Systems Connected to the Wastewater System.

If a property on a septic system within the District Sewer service area connects to the Wastewater system, all applicable Permits must be obtained and fees paid in accordance with these Rules and Regulations. In addition, the septic system must be abandoned and inspected in accordance with County requirements.

5.34 Collection of Unpaid Wastewater Connection Related Fees.

5.34.1 If the District determines that there are unpaid Wastewater connection fees or other applicable fees due and owing on a property and also determines that said delinquency is the result of action or inaction by the current Owner, the District will immediately require the payment of all unpaid fees and/or take any applicable actions to pursue collection of said fees.

5.34.2 If the District determines that there are unpaid Wastewater connection fees or other applicable fees due and owing on a property and also determines that said delinquency is not the result of action or inaction by the current Owner, the District may implement the applicable procedures for consideration of potentially waiving the fee amount owed.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT RULES AND REGULATIONS FOR WATER AND WASTEWATER SERVICE	Section 6.0
		Revision Date 01/27/09
WASTEWATER SYSTEM FEES		

6.1 General.

This Section contains the District’s schedule of fees to be assessed to Owners or their assignees or other Users for the use and availability of the District’s Wastewater system. The amount of the fees shall be established and modified from time to time by separate action of the Board. The types of fees include:

6.1.1 Connection Related Fees.

6.1.1.1 Service availability letter

- Connection
- Remodel, Addition or Change of Use
- Reapplication

6.1.1.2 Connection Permit

- Connection Inspection
- Physical Connection
- Administrative and Capacity

6.1.1.3 Remodel, Addition or Change of Use Permit

- Administrative and Capacity

6.1.1.4 Feasibility Study

6.1.1.5 General Inspection

6.1.1.6 Plan Check

6.1.1.7 Reconnection

6.1.1.8 Facility Expansion

6.1.1.9 Engineering Research

6.1.2 User Fees.

6.1.2.1 User Fees

6.1.3 Other Fees.

6.1.3.1 Standby Fees

6.1.3.2 Pumped Waste Fees

6.1.3.3 Late Payment Fees

6.1.3.4 Extra Fees

6.1.3.5 Credit Check – Bad Credit Deposit

6.1.3.6 Transfer of Ownership Inspection

6.1.3.7 NSF Fees

6.1.3.8 Owner Requested Sewer Connection Dye Test

6.1.3.9 Fees for District Provided Service

6.2 Equivalent Dwelling Unit.

The basis for assigning EDU's for various classifications is as follows:

6.2.1 Residential Single Family Dwelling.

For residential single family dwellings, the appropriate EDU value is 1.0. The number of plumbing Fixture Units in the dwelling will be tabulated and recorded on the property account for future information and use, as follows:

6.2.1.1 EDU Value Determination for User Fees

The Fixture Unit count basis for the EDU value is identified in Exhibit A, Section A.12

6.2.2 Residential – Other Than Single Family Dwelling.

6.2.2.1 Condominiums

1 EDU per Dwelling Unit, plus 1 EDU for clubhouse, plus fees for common facilities

6.2.2.2 Multi-Family

1 EDU per Dwelling Unit

6.2.2.3 Mobile Home Park

$\frac{3}{4}$ EDU per mobile space, plus 1 EDU for clubhouse, plus fees for common facilities

6.2.2.4 Home with Guest House

1 EDU plus 1 EDU per Guest House

6.2.3 Commercial

6.2.3.1 Hotels and Motels

$\frac{1}{2}$ EDU per rental unit plus allowance for other onsite facilities

6.2.3.2 Bed and Breakfast

1 EDU plus $\frac{1}{3}$ EDU per rental room

6.2.3.3 Restaurant

1 EDU plus $\frac{1}{10}$ EDU per Person of legal occupancy

6.2.3.4 Restaurant with Bar

2 EDU's plus $\frac{1}{10}$ EDU per Person unit of legal occupancy

6.2.3.5 Laundries

1 EDU per 750 lbs. of dry wash capacity per day

6.2.3.6 Recreation Vehicle Park without Hook-Ups

1 EDU plus fees for common facilities

6.2.3.7 Recreation Vehicle Park with Hook-Ups

1 EDU plus ½ EDU per RV space plus fees for common facilities

6.2.3.8 Taverns, Bars, Nightclubs

1 EDU plus 1/10 EDU per Person of legal occupancy

6.2.3.9 Conference Center

1 EDU per three (3) overnight rooms plus any other defined features

6.2.3.10 Meeting Halls, Theaters

1 EDU per 100 occupancy

6.2.3.11 Service Stations

1 EDU plus fees for additional facilities

6.2.3.12 Department, Dry Goods Store

½ EDU per 2,500 square feet, 1 EDU minimum

6.2.3.13 Business Offices

1 EDU per 2,000 square feet, 1 EDU minimum

6.2.3.14 Golf Course

1 EDU, plus any other defined features

6.2.3.15 Grocery Stores

2.4 EDUs plus applicable fees for additional facilities

6.2.3.16 Mini Markets

1 EDU plus applicable fees for additional facilities

6.2.3.17 Child Care Centers

¼ EDU per student, minimum 1 EDU

6.2.4 Institutional.

6.2.4.1 Schools

1 EDU per 25 occupants (students, teachers, administrative and employees)

6.2.4.2 Hospitals

1 EDU per two (2) bed spaces

6.2.4.3. Churches with Kitchen

2 EDUs plus any other defined features

6.2.4.4 Churches without Kitchen

1 EDU plus any other defined features

6.2.4.5 Fire Stations with Kitchen

2 EDUs

6.2.4.6 Fire Stations without Kitchen

1 EDU

6.2.4.7 Dormitories

1 EDU per six (6) beds

6.2.5 Multiple-Use Facilities

Multiple use facilities shall be assigned EDU units based on a combined value for the various facilities

6.2.6 Industrial

6.2.6.1 Industrial and combined industrial/commercial facilities shall be assigned EDU units based on 1 EDU per 200 gallons per day plus an adjustment for excessive Wastewater biological and suspended solids strength.

6.2.6.2 Normal biological oxygen demand (BOD) and suspended solids are assumed to be 200 mg/l each.

6.2.6.3 EDU assignments will be determined by the District Engineer using measurements and/or estimates provided

by the User and as verified or accepted by the District Engineer.

- 6.2.6.4 One-half (1/2) EDU will be added for each additional 0.33 lbs. of BOD and one-half (1/2) EDU for each additional 0.33 lbs. of suspended solids per day.

6.2.7 User Contesting Classifications.

- 6.2.7.1 Users who are placed within a classification pursuant to this Section and who would like to protest classification may request that flows of sewage and Wastewater from their establishment be metered and sampled.
- 6.2.7.2 The User may pay all costs and expenses in connection with such a usage study.
- 6.2.7.3 Upon completion of the study, EDUs will be assigned to the User on the basis of the criteria set forth above.
- 6.2.7.4 Users may request a change in EDU assignment if and when flow and sewage strength amounts change.

6.3 Service Availability Letter.

All Applicants for Wastewater connection, or remodel addition or change of use, must first obtain a service availability letter, pursuant to provisions of Section 5.0 and to the fees stated in Exhibit A, Section A.1 of these Rules and Regulations.

6.4 Connection – Connection Inspection.

In addition to the cost of the service availability letter and possible feasibility study, site reviews, engineering, plan check and field inspection, the Applicant must pay a connection inspection fee, as identified below:

- 6.4.1 The connection inspection will include inspection of the private Sewer which may consist of the Building Lateral and any other Owner constructed Sewer lateral facilities which may include property line clean out, anti-flooding device Service Lateral and mainline connection.
- 6.4.2 The connection inspection will also include a final Fixture Unit count inspection prior to occupancy.

6.4.3 Inspection for work on Saturday and holidays will be provided if Inspectors are available and a minimum of one-week advance notification is given to the District by the Owner and/or Authorized Representative.

6.4.4 All costs of Saturday, holiday and overtime shall be paid by the Owner and/or Authorized Representative in an amount equivalent to the actual cost incurred.

6.4.5 An advance deposit for the estimated cost may be required.

6.4.6 The connection inspection fee is subject to fees stated in Exhibit A, Section A-2 of these Rules and Regulations.

6.5 Connection – Physical Connection.

6.5.1 In addition to the cost of the service availability letter and possible feasibility study, site reviews, Engineering, plan check and field inspection, the Applicant will be required to pay a physical connection fee.

6.5.2 This fee offsets the District cost for installing a clean-out, possible anti-flooding device, Service Lateral and Collection Line connection.

6.5.3 The physical connection fee is subject to fees stated in Exhibit A, Section A.3 of these Rules and Regulations.

6.6 Connection – Administrative and Capacity.

6.6.1 All new connections to the District's Wastewater system will be charged a fee based upon the dollar amount most recently adopted by the Board and as stated in the most current amendment to Exhibit A, Section 1.4 of these Rules and Regulations.

6.6.2 This fee includes the Owner's pro rata share of the District's Wastewater collection, treatment and disposal facilities.

6.6.3 The fee does not include the cost of constructing the building and/or Service Lateral, the connection inspection fee, the physical connection fee, possible facility expansion costs, or a possible facility expansion fee pursuant to a refund agreement between the District and another Owner.

6.7 Remodel, Addition or Change of Use – Administrative and Capacity.

6.7.1 All properties connected to the District's Wastewater system which are remodeled, have an addition built, or undergo a change of use will be charged a fee based upon the dollar amount most recently adopted by the Board and as stated in the most current amendment to Exhibit A, Section A.5 of these Rules and Regulations.

6.7.2 This fee includes the Owner's share of the major Wastewater collection, treatment and disposal facilities.

6.8 Feasibility Study.

When requested by the District, an Applicant must have a feasibility study prepared pursuant to the provisions of Section 5.22 and to the fees stated in Exhibit A, Section A.6 of these Rules and Regulations.

6.9 General Inspection.

6.9.1 Any work associated with construction of or connection to the Wastewater system as defined in Section 2.40 of these Rules and Regulations are subject to a final field inspection pursuant to Section 5.15 of these Rules and Regulations and to fees stated in Exhibit A, Section A.7 of these Rules and Regulations.

6.9.2 Inspection for work on Saturday and holidays will be provided if Inspectors are available and a minimum of one (1) week advance notification is given to the District by the Owner and/or Authorized Representative.

6.9.3 All costs for Saturday, holiday and overtime inspection shall be paid by the Owner and/or Authorized Representative in an amount equivalent to the actual cost incurred.

6.9.4 An advance deposit for the estimated actual cost is required.

6.10 Plan Check.

When plans and specifications are required for construction of Sewer facilities, Applicants are subject to a plan check fee as stated in Exhibit A, Section A.8 of these Rules and Regulations.

6.11 Reconnection.

6.11.1 Where a Sewer connection has been abandoned in compliance with Section 5.24 of these Rules and Regulations and the current Owner subsequently requests a reconnection to the Wastewater system, the Owner is subject to the current connection fees minus

any previous Sewer connection fees that have been paid as stated in Exhibit A, Section A.9 of these Rules and Regulations.

6.11.2 If no record of permitted connection can be found or produced, the Owner will pay the full current connection fees.

6.12 Facility Expansion Fee.

6.12.1 In addition to the connection related fees described in Sections 6.3 through 6.11 of these Rules and Regulations, an Owner may be charged a facility expansion fee to pay for Sewer facility improvements that benefit the property and were constructed by others, as stated in Exhibit A, Section A.10 of these Rules and Regulations.

6.12.2 For example, and not by way of limitation, facility improvements may have been constructed as part of an assessment District for which the property was not assessed, constructed by others subject to a reimbursement agreement, or a collection line that was constructed as part of a new development.

6.12.3 The fees may apply to properties within the District or to newly annexed areas. Refer to the District *Policy and Procedure, Construction of and Payment for Facility Improvements* for more specific information regarding mainline extensions and other system expansions.

6.13 Engineering Research.

When requested by the District, an Applicant must have engineering research or analysis performed by the District to ascertain needed information for a connection, remodel, addition or change of use, pursuant to the provisions of Section 5.0 of these Rules and Regulations and of the fees stated in Exhibit A, Section A.11 of these Rules and Regulations.

6.14 User Fee Billing.

6.14.1 Billing Period.

The User fee billing period shall be determined by the District by action of the Board from time to time.

6.14.2 Rendering of Bills.

Bills for User fees may be rendered in advance or arrears, at the determination of the District. Bills shall be payable upon presentation.

6.14.3 Payment.

- 6.14.3.1** User fees shall be due and payable at the business office of the District (in Person, through the District's website, phoned in or by mail). Payment shall be considered delinquent if not received by the District by the end of the business day on a specific due date as noted in the billing statement. This due date is 21 days after the bill date.
- 6.14.3.2** The bill shall be mailed to the Owner shown on the application, or, if requested, to the Owner in care of a tenant or Authorized Representative and shall be delinquent if not received as indicated above or if a check used to make payment is returned for non-sufficient funds and inadequate funding, including payment of any NSF fees is not made by the payment due date.
- 6.14.3.3** The Owner shall receive a copy of any delinquent payment notices associated with payments that are 22 days delinquent or more, even in those cases in which a *Tenant as Customer* has been authorized, since a delinquency in payment by the Tenant could ultimately result in a lien against the property, as identified in Section 6.14.3.11.
- 6.14.3.4** Bill payment must be by cash, check, money order or any other form of payment acceptable to the District.
- 6.14.3.5** Late payment fees and penalties will be imposed on delinquent User fees.
- 6.14.3.6** For combination water and sewer Customers, late fees will be imposed as identified for water Customers in Section 8.13.3 of these Rules and Regulations.
- 6.14.3.7** For Sewer only Customers, late payment fees will be imposed on delinquent User fees beginning the twenty-second (22nd) day after the bill date (one day after the due date) in accordance with Exhibit A, Section A.14 of these Rules and Regulations.

- 6.14.3.8** An initial late payment fee in the amount identified in Exhibit A., Section A.14.1 will be imposed on a late payment and a subsequent late payment penalty in the amount identified in Exhibit A, Section A.14.2 will be charged per month for nonpayment of the fees and nonpayment of the late payment fees.
- 6.14.3.9** Late payment fees and late payment penalties will be identified on all billing notices.
- 6.14.3.10** Services shall be discontinued if payment is not received within 42 days of the original billing.
- 6.14.3.11** Delinquent balances shall be placed on the regular San Bernardino County tax bill and shall become a lien on the property.
- 6.14.3.12** In addition, the Owner may be subject to enforcement and collection procedures for delinquent amounts including, without limitation, utilizing a collection agency and recoding the applicable lien. Such enforcement procedures are also outlined in Section 9.17. For example, Section 9.17.2 provides that a suit may be brought for collection of delinquent amounts.
- 6.14.3.13** In accordance with applicable law including, but not limited to, health and safety Standards, the property will remain subject to Sewer service billing, throughout any late payment collection process, and following disconnection.

6.14.4 Billing of User Fees.

Separate bills shall be rendered for each service connection unless specific guidelines are adopted by the Board to provide consolidated bills for multiple service Customers.

6.14.5 Owner's Guarantee.

- 6.14.5.1** The User fees begin when service is initiated and continues until the District discontinues service.
- 6.14.5.2** The Owner and/or Applicant will be held jointly and severally liable for User fees.

6.14.5.3 Service begins when a Building Lateral connection is made to the Wastewater system and connection Permit fees are paid.

6.14.6 Transfer of Ownership.

6.14.6.1 Prior to transfer of Ownership of property served by the District, the current Owner is responsible for the payment of all User fees due to the District prior to the effective date of the transfer.

6.14.6.2 The effective date of the transfer shall be deemed the date that the grant deed is recorded.

6.14.6.3 The new Owner is responsible for all the User fees accruing after the effective transfer of Ownership.

6.14.7 Tenant or Authorized Representative Billing.

6.14.7.1 While the Owner is responsible for paying all User fees, the District will provide for billing to the Owner in care of a tenant or Authorized Representative.

6.14.7.2 The Owner, however, will be responsible for paying all past due amounts, and will be subject to all late payment penalty provisions of these Rules and Regulations.

6.14.7.3 Duplicate payment notices will be mailed to the Owner and the tenant or Authorized Representative when a payment becomes twenty-two (22) days or more delinquent.

6.14.7.4 A fee will be imposed to cover the District's cost for providing the duplicate billing.

6.14.8 Tenant as Customer.

6.14.8.1 In the event that a tenant desires to become the Customer, the District may, within the requirements of law, allow the tenant to become the Customer so long as another tenant is not currently on the account, and the Owner is also named as a responsible party on the account.

6.14.8.2 Tenant Customers may be subject to a credit check prior to initiating service and may be required to provide a

deposit if necessary as identified in Section 6.20 of these Rules and Regulations. Said deposit shall be in a sum equivalent to the minimum Sewer billing for a single billing cycle.

6.14.8.3 Even in those circumstances in which the Tenant is the authorized Customer, the Owner shall remain the liable party in cases where the collection of delinquent fees necessitates a lien against the property.

6.15 User Fees.

6.15.1 The Owner of each house, building or facility within the District boundaries that is connected to the District's Wastewater system is deemed a User and is subject to an ongoing User fees.

6.15.2 The fees are based on assigned Equivalent Dwelling Units (EDU) as established in accordance with Section 6.2 of these Rules and Regulations the prevailing rate per EDU in and any commodity (flow) based fees in accordance with Exhibit A, Section A.12 of these Rules and Regulations.

6.15.3 Billing by the District for User fees will be mailed to the Owner or Owner designated User at the intervals fixed and established by the District.

6.16 Pumped Waste Fees.

6.16.1 Prior to discharging waste pumped from chemical toilets, septic tanks, holding tanks, cesspools or leech pits to the District Wastewater system, the discharger shall make application and pay the prevailing fee as set forth in Exhibit A, Section A.13 of these Rules and Regulations.

6.16.2 Only licensed Liquid Waste pumpers and haulers will be permitted to discharge pumped waste into the District Wastewater system.

6.17 Late Payment Fees.

All Customers failing to pay fees by a deadline identified in the initial billing statement will be subject to a late payment fee as stated in Exhibit A, Section A.14 of these Rules and Regulations.

6.18 Extra Fees.

All Customers shall be liable for reasonable fees covering any necessary additional services rendered for the protection of the Customer's property or other properties which may be endangered due to the failure of the Customer's Wastewater System, as stated in Exhibit A, Section A.15 of these Rules and Regulations.

6.19 Credit Check – Credit Deposit.

6.19.1 All new Customers may be subject to a credit check prior to initiating service. The decision to require a credit deposit prior to initiating service shall be based on the credit worthiness of the new Customer. Customers with a good payment history on other District accounts may not require a credit check.

6.19.2 The fee for the credit check and the amount of the credit deposit is identified in Exhibit A. Section A.16 of these Rules and Regulations.

6.20 Transfer of Ownership Inspection.

6.20.1 At the time of any transfer of Ownership, a property may be inspected for the purpose of:

6.20.1.1 Performing a Fixture Unit count to determine if the property is being assessed the proper EDU billing rate.

6.20.1.2 Determining if there is a change in use of the property.

6.20.1.3 Determining if there are any problems with the private lateral and/or private lateral Appurtenances that should be corrected.

6.20.1.4 Conducting a dye test in certain areas where septic tank use is suspect to determine whether or not a property is connected to the Wastewater system.

6.20.2 The items to be inspected may include Fixture Units, property use, the home lateral and lateral Appurtenances, and those other items necessary to insure the property Sewer connection meets District Standard Specifications as identified in Section 3.5 of these Rules and Regulations.

6.20.3 The fee for the transfer of Ownership inspection is identified in Exhibit A, Section A.17 of these Rules and Regulations.

6.20.4 If a transfer of Ownership inspection is to be made for both water and Wastewater services, only a singular inspection fee will be charged.

6.21 NSF Fees.

6.21.1 Whenever a payment of a District fee is returned due to non-sufficient funds (NSF), a fee will be added to the Customer's account.

6.21.2 The fee for such NSF fees is identified in Exhibit A, Section A.18 of these Rules and Regulations.

6.22 Owner Requested Sewer Connection Dye Test.

6.22.1 Owner requests for a Sewer connection dye test, other than for a reason initiated by the District, will be subject to a fee.

6.22.2 The fee for such a dye test is identified in Exhibit A, Section A.19 of these Rules and Regulations.

6.23 Fees for District Provided Service.

The District may provide additional services on an as-needed basis and as authorized in these Rules and Regulations. The fee for such services is identified in Exhibit A, Section A.20 in these Rules and Regulations.


6.24 Wastewater Service Schedule of Fees.

6.24.1 All Owners or other permitted dischargers who are Users of the District's Wastewater system, who are proposing to use the Wastewater system or who benefit from the Wastewater system, are subject to the applicable fees stated in Exhibit A to these Rules and Regulations.

6.24.2 All fees are subject to periodic review and possible revision by the Board.

6.24.3 When the Board revises Wastewater System fee, a revised Exhibit A to these Rules and Regulations will be adopted by Resolution.

6.24.4 The effective Exhibit A to these Rules and Regulations at any given time is that most recently adopted by a Resolution of the Board.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT RULES AND REGULATIONS FOR WATER AND WASTEWATER SERVICE	Section 7.0 Revision Date 01/27/09
USE OF THE PUBLIC WATER SYSTEM, APPLICATION FOR WATER SERVICE AND CONNECTION TO THE WATER SYSTEM		

7.1 Permit and Fees.

No Owner, individual, business or agency may take water from the District's water supply or distribution system without a Permit and without paying all fees.

7.2 Application for Regular Water Service.

7.2.1 Application for regular water service from the District may be made by an Owner.

7.2.2 The application may be completed by the Owner, and application documents requiring signature shall be executed by the Owner.

7.2.3 All correspondence regarding the application for service shall be addressed to the Owner.

7.2.4 The Owner may designate, in writing on a prepared District form, an Authorized Representative, who shall be copied on correspondence. The Authorized Representative shall also be authorized to execute any application documents, if the Owner so designates on said form. The Owner will receive copies of any documents executed by an Authorized Representative. As appropriate, the District may require a notarized signature.

7.2.5 Proof of ownership may be required by the District.

7.3 Application for Exceptional Water Service.

7.3.1 Application for exceptional water service may be made by responsible parties demonstrating the financial, managerial and technical capabilities to meet the District's Permit requirements.

- 7.3.2** Exceptional uses include, but are not limited to, construction water and untreated water deliveries.

7.4 Compliance-Intent of Applicant.

All applications signify the Applicant's willingness and intention to comply with these Rules and Regulations and any other Ordinances, Resolutions, and Regulations relating to the District's Water System in effect at the time of application or as subsequently modified by action of the Board and to make all required payments for water service.

7.5 New Connection Service Availability Letter.

The requirements for obtaining a new connection service availability letter are as follows:

- 7.5.1** Prior to applying for connection to the Water System by way of the above mentioned application, an Applicant must apply for and receive a service availability letter from the District.
- 7.5.2** The Applicant will provide pertinent information regarding the proposed connection, including the type of development and the planned water demand including fire flow requirements.
- 7.5.3** An available title report, plot plan, grant deed and other pertinent information will be required at the time of application for a service availability letter.
- 7.5.4** Said title report, plot plan, grant deed and other pertinent information may be obtained at the sole cost and expense of the Applicant. New documents will not be necessary if copies of existing documents are acceptable to the District.
- 7.5.5** If necessary, the District will request that the title company plot easements for said property, in order to define such easements. Any cost for this work will be borne solely by the Applicant.
- 7.5.6** Prior to issuance of a service availability letter, a field investigation will be conducted by the District to ascertain other needed information.
- 7.5.7** The service availability letter application information and the field inspection information will be analyzed by administrative staff and, if necessary, by engineering, in accordance with the

District's Policy and Procedures, Construction of and Payment for Facility Improvements.

- 7.5.8** Such analysis may result in the need for facility expansion and/or water lateral line improvements, consistent with the above policy and procedures document.
 - 7.5.9** The service availability letter will state any limitations regarding the availability of service, the location for connection, right-of-way issues that need to be resolved, and specify general and special conditions that must be met prior to connection.
 - 7.5.10** A fee will be charged for the service availability letter as set forth in Section 8.0 of these Rules and Regulations.
 - 7.5.11** If extraordinary work is required in the preparation of the service availability letter, additional fees may be required.
 - 7.5.12** Fee payment must be by cash, check, money order, or any other form of payment acceptable to the District.
 - 7.5.13** See Section 7.20 of these Rules and Regulations for details regulating new development.
- 7.6 Service Availability Letter Limitations.**
- 7.6.1** A service availability letter does not constitute a Permit to connect, but only identifies the conditional availability of permitted service.
 - 7.6.2** If the actual service needs at the time a connection Permit is requested are significantly different than the proposed service needs identified in the service availability letter, a connection Permit may not be issued.
 - 7.6.3** In addition, if general and special conditions identified in the service availability letter are not met at the time a connection Permit is requested, a Permit will not be granted.
- 7.7 Duration of Service Availability Letter.**
- 7.7.1** A service availability letter will expire one (1) year after the date of issuance.
 - 7.7.2** If a service availability letter expires, a new service availability letter will be required prior to applying for connection to the Water System.

7.7.3 Reapplication will require that an Applicant submit any needed additional or updated information requested for a service availability letter, and that a service availability letter reapplication fee be paid.

7.7.4 If the additional or updated information is substantial, reapplication based on the terms and conditions of the previous service availability letter may not be permitted, and a new service availability letter and new service availability letter fee may be required.

7.8 Payment for Previous Service.

An application for water service or connection Permit will not be granted unless all accounts and/or outstanding invoices due the District by the Applicant have been paid in full.

7.9 Application for Connection to Water System

7.9.1 Subsequent to the issuance of the service availability letter, an Applicant may make application for connection to the Water System at the District business office.

7.9.2 The Applicant may bring to the District office a copy of the approved set of building plans that includes a plumbing schedule, identifies the water and Sewer lateral locations, and that bear the San Bernardino County Department of Building and Safety's stamp on each page.

7.9.3 The Applicant may also bring to the District office a copy of the service availability letter issued to the Owner by the District.

7.9.4 A fee will be charged for connection to the Water System, as set in Section 8.0 of these Rules and Regulations.

7.9.5 A Permit to connect will not be issued until the required fee is paid.

7.9.6 The fee must be paid by cash, check, money order, voucher or any other form of payment acceptable to the District.

7.9.7 If a check or voucher is used, funds must clear prior to Permit issuance.

7.9.8 A Permit will only be issued to property that is actually developed or for which development is imminent. Undeveloped properties will not be issued a Permit.

7.10 Cross Connection Control.

7.10.1 All water service connections to the District's water distribution system must be free of any potential or actual cross-connections.

7.10.2 Where cross-connection conditions do exist, the User must comply with the District's Cross Connection Control Ordinance currently in effect and install and maintain an acceptable backflow or back siphonage control device.

7.10.3 The Applicant must state the absence or presence of cross-connection conditions and conform to the conditions of the District's Cross Connection Control Ordinance currently in effect.

7.11 Customer Shut Off Valve.

7.11.1 All new water service connections to the District's water distribution system shall have a shut off valve installed on the Customer side of the water meter, directly adjacent to the meter.

7.11.2 The shut off valve shall be installed by the District, in accordance with District standard specifications, as identified in Section 3.5 of these Rules and Regulations, in conjunction with installing the water meter.

7.11.3 After installation, the responsibility of operating and maintaining the shut off valve shall be that of the Owner.

7.11.4 At the discretion of the District, the District may provide a one-time only Customer shut off valve billing credit, related to a single incidence of high water consumption, as described in Section 8.27 of these Rules and Regulations.

7.12 Duration of Permit.

7.12.1 Permits issued pursuant to these Rules and Regulations shall expire six (6) months from date of purchase.

7.12.2 If a water main connection is not completed within the six-month period, an extension will be granted for an additional six (6) months upon payment to the District of the difference between the

Permit connection fees that have already been paid and the current prevailing fees.

- 7.12.3 Said payment must be made within (30) days of the original expiration date.
- 7.12.4 If a connection is not made within one (1) year from the original Permit date, the Permit will be voided and the connection Permit - connection inspection fee will be forfeited.
- 7.12.5 The connection Permit - administrative and capacity fee will be reimbursed.
- 7.12.6 The Applicant will be required to resubmit the approved set of plans from San Bernardino County Building and Safety Department and be subject to all service availability letter, special study and plan check costs as if the original Permit request had never been submitted.

7.13 Compliance with Permit.

After approval of the application, evidenced by the issuance of a Permit, no change may be made in the location of any Building Line, meter, Service Line, or from the materials, time limit or other details described in the Permit that was issued, except with written permission from an Authorized Representative of the District.

7.14 Agreement.

- 7.14.1 The Applicant's signature on a Permit shall constitute an agreement between the Owner and the District, in which the Owner agrees to comply with all applicable laws, Rules and Regulations, Ordinances and Resolutions, and with the plans and specifications, if any, filed with the application, together with such modifications thereto as may be made, approved in writing by the District.
- 7.14.2 Such agreement shall be binding upon the Applicant and/or the Owner and shall be altered only by the District upon the Applicant's and/or Owner's written request for the alteration.

7.15 Inspection.

- 7.15.1 All facilities proposed for Acceptance into any part of the Water System must be exposed at the time of connection and inspected

by the District or by an Inspector acting for the District, to ensure compliance with all requirements of the District.

7.15.2 Unless an emergency situation exists, at least two working days notice of readiness for inspection shall be given for the required inspection.

7.15.3 Proper shoring and other safety requirements will be provided to facilitate such inspection. The District may require that such shoring and other safety requirements be provided at the Owner's expense.

7.16 Water Line Location, Size and Type.

7.16.1 The District reserves the right to determine the location, number, size and type of water lines and meters with respect to any premises to be served.

7.16.2 A Building Line may not be extended to a proposed point of District connection until the point of connection has been determined, approved and possibly established by the District.

7.16.3 The Applicant is responsible for any surveying or uncovering of property markers to facilitate meter location and installation by the District.

7.16.4 The District is not responsible, financially or otherwise, for the routing of the Building Line from the improvement to the point of District connection.

7.16.5 The Applicant, at its sole cost, will provide the District with any easements required for water line placement.

7.17 Condemned Work.

7.17.1 When any work subject to a Permit has been inspected and the work disapproved or condemned, and no certification of satisfactory completion given, a written notice to that effect will be given to the Applicant, instructing him to repair or remedy such work in accordance with the applicable District rules, regulations, or Standards.

7.17.2 When any work is disapproved or condemned, a re-inspection fee may be applicable.

7.18 Liability for Costs.

7.18.1 Both the Owner and the Person making the connection may be liable to the District for all fees, costs, and expenses incident to the installation and connection of any water service or other work for which a Permit must be issued.

7.18.2 The Owner and the Person making the connection may indemnify and hold harmless the District for any loss or damage that may directly or indirectly be occasioned by their work.

7.19 Water Service Outside the District Certificated Water Service Boundary.

Water service outside of the District certificated water service boundary is subject to the following:

7.19.1 The District shall not utilize the waters of Lake Arrowhead to provide water service to Customers outside the District certificated water service boundary.

7.19.2 Permission will not be granted to connect any lot or parcel of land outside the District certificated water service boundary to any public Water Main except pursuant to written agreement of the District, and unless an adequate water source of non-Lake Arrowhead origin is available.

7.19.3 An Applicant requesting service to such a location shall covenant in such agreement to bind himself, his heirs, successors, and assignees to abide by all District rules and regulations in regards to the manner in which such Water System may be used, the manner of connecting therewith, and the plumbing appurtenant thereto, and may also agree to pay all fees required for the Permit and all applicable standby and User fees established by the District.

7.19.4 Any future connection(s) to the Applicant's Water System shall also be subject to inspection by the District, shall comply with all District rules, regulations, Ordinances, Resolutions and Standards at the time of the future connection(s) and shall be subject to any and all District fees in effect at the time of the additional connection(s).

7.20 Feasibility of New Development.

7.20.1 In addition to complying with all service availability letter and connection Permit requirements identified above, an Applicant

wishing to develop a project that may require construction of a Water Main to serve a proposed subdivision of lots, extension of a Water Main to serve an existing property, or construction of other District facility improvements needed for the development project, shall first make a written request to the District for Engineering or a study review.

- 7.20.2** Upon payment of a specified fee, the District will prepare a feasibility report that will set forth the technical, financial and administrative procedures to be implemented by the Applicant.
- 7.20.3** The Applicant may furnish the District with tentative maps showing lot sizes, street layouts, Elevations (based upon USGS datum), proposed points of connection to the District's Water System and other information regarding the project that may be needed to conduct the feasibility report.
- 7.20.4** The District Engineer and the General Manager will review the map and other information and inform the Applicant or developer by letter if water service is available and feasible and under what conditions, such as over sizing, facility expansion costs, or, if other modifications of District facilities are required.
- 7.20.5** The cost of Engineering, permitting fees, construction and inspection of Water Mains will be borne by the Applicant subject to possible reimbursement consideration, of certain costs, for facility expansions that benefit properties outside the development.
- 7.20.6** Refer to Section 7.21 of these Rules and Regulations and the District *Policy and Procedure, Construction of and Payment for Facility Improvements* for more specific information regarding possible reimbursement consideration for facility expansions.
- 7.20.7** As an alternate to having the District prepare the feasibility report, the Applicant may have a qualified Engineer acceptable to the District prepare the feasibility report at the Applicant's sole cost, consistent with the above requirements and subject to District approval.

7.21 Main Line Extensions and Other System Expansions.

- 7.21.1** Where Water System main lines or other Water System expansions (water facility expansions) are wholly constructed and financed by an Applicant, the Applicant will be required to provide a performance bond, and other bonds, sureties, and securities as may be required by the District.

- 7.21.2** In addition, an Applicant may be eligible for a water facility expansion refund/reimbursement agreement (facility expansion agreement) with the District subject to certain conditions, including, but not necessarily limited to, the following:
- 7.21.2.1** The water facility expansion constructed by the Applicant abuts properties not participating in the development project and is of sufficient size to allow direct building service connections thereto.
 - 7.21.2.2** The water facility expansion materials and construction conform to District standard specifications, as identified in Section 3.5 of these Rules and Regulations.
 - 7.21.2.3** A facility expansion agreement shall be initiated to reimburse the Applicant for the eligible costs of improvements actually paid for by the Applicant, including (by way of example, and not limited to) studies, Engineering, surveying, inspection, and construction costs. Eligible costs will be identified in the specific facility expansion agreement.
 - 7.21.2.4** The facility expansion agreement shall expire fifteen (15) years from the date of said agreement or when an Applicant has been repaid the eligible costs of said improvement from impacted properties, whichever occurs first.
 - 7.21.2.5** The District shall collect a water facility expansion fee from properties impacted by a water facility expansion agreement.
 - 7.21.2.6** Such a water facility expansion fee will be charged to new connection Applicants who did not participate in the cost of a water facility expansion that either fronts or abuts their property and has been designed to serve them.
 - 7.21.2.7** The amount of the water facility expansion fee shall be as specified in the applicable water facility expansion agreement.
 - 7.21.2.8** The Applicant shall only receive a refund in accordance with the facility expansion agreement and the District shall have no financial responsibility to the Applicant if

all identified funds are not collected within the time frame of the agreement.

7.21.2.9 The District may enter into other arrangements regarding facility expansion refund / reimbursement agreements.

7.21.2.10 Refer to the District *Policy and Procedure, Construction of and Payment for Facility Improvements* for more specific information regarding mainline extensions and other system expansions.

7.22 Abandoned Connections.

7.22.1 Owners who are legally connected to the District's Water System may wish to abandon their existing connection and thereby discontinue their normal User fees.

7.22.2 Reasons for abandoning the existing water connection may include, but are not limited to, condemnation, demolition, removal or destruction by natural causes such as fire, earthquake, or earth failure.

7.22.3 A water connection shall be considered abandoned if the following conditions are met:

7.22.3.1 The Owner may make a written request to the District for approval of the proposed abandonment and will meet or agree to all the requirements listed below.

7.22.3.2 The Owner shall be responsible for all the costs associated with capping the existing Building Line at the property line including the cost of meter removal, and the inspection of the Building Line by District staff.

7.22.3.3 The Owner shall provide the District with written documentation stating the facilities to which there is an existing connection have been condemned, removed or otherwise rendered unusable.

7.22.3.4 The Owner shall provide evidence that the abandonment and the loss of water service rights, as stated in Section 7.22.2 of these Rules and Regulations, are recorded with the County Recorder for the benefit and information of future Owners.

7.22.3.5 After a water connection has been abandoned, the Owner shall be subject to normal standby fees and any other applicable assessments, fees that are imposed upon Owners and vacant properties in the District.

7.22.3.6 In the future, if the property is reconstructed the Owner shall be subject to connection fees as if the abandoned connection never existed, as identified in Section 7.23.8 of these Rules and Regulations.

7.22.3.7 The District will notify the appropriate County agencies that the water connection has been abandoned.

7.23 Reconstructed Property.

When structures or other facilities that are connected to the Water System are destroyed, removed, or condemned and are subsequently replaced with new construction, the District may waive additional water connection fees subject to the following conditions:

7.23.1 The Owner, or subsequent purchaser/Owner, obtained a building Permit within one (1) year of the destruction or removal of the existing structure.

7.23.2 The new construction is completed within the time frame stated in the Permit.

7.23.3 If the meter size is larger, the Owner shall pay the difference in cost between the original meter size and new meter size.

7.23.4 During the period of time that the structure or facility was permitted and available for use, the current Owner shall pay the normal minimum User fee and will be required to observe all water rules and regulations.

7.23.5 During the period of time that the structure or facility was not permitted and not available for use, due to a County determination that the building is uninhabitable, the current Owner shall not be required to pay the normal User fees.

7.23.6 If the Owner, or subsequent purchaser/Owner, does not obtain a building Permit within one (1) year of the destruction or removal of the existing structure, such Owner or subsequent purchaser shall be required to obtain a new connection Permit.

7.23.7 The cost for such a new connection Permit will be the difference in cost between that for the original Permit obtained and that for a Permit at the time the new Permit is required for any new construction of the property if it requires water service.

7.23.8 On a case-by-case basis, the District may evaluate, after a one (1) year period, whether or not the building remains uninhabitable, and if so, the District may extend the period during which connection can be made without having to obtain a new connection Permit.

7.24 Remodels, Additions or Change of Use.

Any Owner already connected to the Water System planning to remodel, add an addition or change the use of a property which will alter the number of property Fixture Units, or change the characteristic use of the existing Fixture Units, must obtain a remodel, addition or change of use Permit from the District as follows:

7.24.1 Remodel, Addition or Change of Use Service Availability Letter.

7.24.1.1 The Owner shall first apply for remodel, addition or change of use service availability letter.

7.24.1.2 The Applicant will provide pertinent information regarding the proposed remodel, addition, or change of use, including the type of development, and the planned water demand including fire flow requirements.

7.24.1.3 An available title report, plot plan, grant deed, preliminary Fixture Unit count and other pertinent information will be required at the time of application for a remodel, addition or change of use service availability letter.

7.24.1.4 Said title report, plot plan, grant deed and other pertinent information shall be obtained at the sole cost and expense of the Applicant. New documents will not be necessary if copies of existing documents are acceptable to the District.

7.24.1.5 If necessary, the District will request that the title company plot easements for said property, in order to define such easements. All costs and expenses of plotting said easements may be solely borne by the Applicant.

- 7.24.1.6** Prior to issuance of a remodel, addition or change of use service availability letter, a field investigation may be conducted by the District to ascertain other required information.
- 7.24.1.7** The remodel, addition or change of use service availability letter application information and the field inspection information will be analyzed by District administrative staff and, if necessary, by engineering, in accordance with the District's *Policy and Procedures, Construction of and Payment For Facility Improvements*.
- 7.24.1.8** Such analysis may result in the need for facility expansion and/or water lateral line improvements, consistent with the above policy and procedures documents.
- 7.24.1.9** The remodel, addition or change of use service availability letter will state any limitations regarding the availability of service, and specify general and special conditions that must be met prior to the remodel, addition or change of use.
- 7.24.1.10** A fee will be charged for a remodel, addition or change of use service availability letter as set in Section 8.0 of these Rules and Regulations.
- 7.24.1.11** If extraordinary work is required in the preparation of the service availability letter, additional fees may be required.
- 7.24.1.12** Fee payment must be by cash, check, money order, or any other form of payment acceptable to the District.
- 7.24.1.13** A remodel, addition or change of use service availability letter will expire one (1) year after the date of issuance, subject to the provisions of Section 7.7 of these Rules and Regulations.

7.24.2 Remodel, Addition or Change of Use Permit.

- 7.24.2.1** An Applicant shall make application for a remodel, addition or change of use Permit at the District business office.

- 7.24.2.2** The Applicant shall bring to the District office a copy of the approved set of building plans that bear the San Bernardino County Department of Building and Safety's stamp on each page along with a copy of the remodel, addition or change of use service availability letter issued to the Owner by the District.
- 7.24.2.3** A fee will be charged for a remodel, addition or change of use Permit as set in Section 8.0 of these Rules and Regulations.
- 7.24.2.4** Fee payment must be by cash, check, money order, or any other form of payment acceptable to the District.
- 7.24.2.5** A remodel, addition or change of use Permit will expire six (6) months after the date of issuance, subject to the provisions of Section 7.12 of these Rules and Regulations.

7.25 Problem Waterlines.

The District recognizes some building and Service Lines serve more than one property and/or do not meet current District Standards, as identified in Section 3.5 of these Rules and Regulations, and may declare such multiple service connections and/or problem lines unacceptable and in need of revision and/or reconstruction based on any of the following:

7.25.1 Criteria.

- 7.25.1.1** The District identifies that the building and/or Service Line does not meet District Standards during a field inspection initiated by an application for a service availability letter, a remodel, addition or change of use service availability letter, or any other necessary field inspection.
- 7.25.1.2** The Owners of the properties being served request a change.
- 7.25.1.3** It can be proven that the existing installation has an excessive amount of leakage.
- 7.25.1.4** It can be proven the existing installation does not provide sufficient water flow, resulting in health and safety problems.

7.25.1.5 Repeated calls to the District office for corrections and/or repairs of Building Lines that are not the responsibility of the District.

7.25.1.6 The line is dangerously shallow or exposed.

7.25.2 Remediation Procedures.

7.25.2.1 Any repair work needed will be done according to District Standards.

7.25.2.2 The District will generally fund repair of damage to the public portion of the system; however, necessary District facility expansions will be undertaken and paid for in accordance with the District's *Policy and Procedures, Construction of and Payment for Facility Improvements*.

7.25.2.3 The Owner will pay for the private line portion.

7.25.2.4 Any needed easements will be provided by impacted Owners.

7.25.2.5 Refer to the District *Policy and Procedure, Construction of and Payment for Facility Improvements* for more specific information regarding problem water building and Service Line improvements.

7.26 Maintenance Responsibility.

Maintenance responsibilities for public and private Waterlines, as identified in these Rules and Regulations, is defined as follows:

7.26.1 It is the District's responsibility to maintain public Waterlines only including the meter, Service Line, Water Mains and Transmission Mains as defined in Section 2.42 of these Rules and Regulations.

7.26.2 Maintenance of Building Lines and private water lines is the responsibility of the Owner.

7.26.3 The District will only reimburse the cost for work performed by others on public water lines if the District is notified in advance of the possible need to perform such work and authorizes such work.

7.26.4 No work may be performed on public water lines without the District's prior written consent.

7.27 Connection of Structures and Facilities Placed on Billing, But Never Connected to the Water System.

If the District discovers that a structure or facility was placed on billing, but never connected to the Water System, the District will:

7.27.1 Require immediate connection.

7.27.2 Require payment of a connection fee, and any other applicable fees, if such fees have not been paid.

7.27.3 Reimburse fees paid in accordance with the requirements or law if no connection fee is required.

7.27.4 Credit all fees paid, up to the amount of a new connection fee then in effect, if a connection fee must be paid.

7.28 Recording Connection of Structures and Facilities that are Physically Connected to the Water System, But Have Never Paid a Connection Fee.

7.28.1 If the District discovers that a structure or facility is physically connected to the Water System, but has never paid a connection fee, the facility or structure will be required to pay the connection fee in effect at the time of connection.

7.28.2 In addition, the District will take any action necessary to collect past due service fees for water service provided to the structure or facility, to the extent allowed by law.

7.29 Properties Which Have Been Properly Connected to the Water System, But Have Never Been Placed on Billing.

If the District discovers that a structure or facility is properly connected to the Water System, and has paid the proper connection fee, but has never been placed on billing, the District will take the necessary action to collect past due service fees for water service provided to the structure or facility to the full extent permitted by law.

7.30 Reimbursement of Water Service Fees Paid by an Undeveloped Property that was Never Connected to the Water System.

If the District discovers that an undeveloped property was placed on water service charge billing, but never connected to the system, the District will:


- 7.30.1** Remove the property from billing and insure it is placed on the tax rolls for the levy and collection of standby fees, if applicable.
- 7.30.2** Credit all water service fees paid by the Owner requesting reimbursement.
- 7.30.3** Debit the reimbursement amount by the amount of any unpaid standby fees that would have been paid during that same period of time.

7.31 Fire Service Water Line and Meter Requirements

If the County Fire Department requires that a property is to install a fire protection sprinkler system, a meter or meters of appropriate size for both the fire protection service and potable Service Line will be required, as well as an appropriate cross connection control device. A connection – physical connection fee will be required, in addition to any other appropriate inspection or Engineering fees.

7.32 Collection of Unpaid Water Connection Related Fees.

- 7.32.1** If the District determines that there are unpaid water connection fees or other applicable fees due and owing on a property and also determines that said delinquency is the result of action or inaction by the current Owner, the District will immediately require the payment of all unpaid fees and /or take any and all applicable actions permitted by law to pursue collection of said fees.
- 7.32.2** If the District determines that there are unpaid water connection fees or other applicable fees due and owing on a property and also determines that said delinquency is not the result of action or inaction by the current Owner, the District will implement the applicable procedures for consideration of potentially waiving the fee amount owed.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT RULES AND REGULATIONS FOR WATER AND WASTEWATER SERVICE	Section 8.0
		Revision Date 01/27/09
WATER SYSTEM FEES		

8.1 General.

This section contains the District’s schedule of fees to be assessed to Owners, their assignees or other Users for delivered water and the use and availability of the District’s water supply, treatment and distribution system. The types of fees include:

8.1.1 Connection Related Fees

8.1.1.1 Service Availability Letter

- Connection
- Remodel, Addition or Change of Use
- Reapplication

8.1.1.2 Connection Permit

- Connection Inspection
- Physical Connection
- Administrative and Capacity

8.1.1.3 Remodel, Addition or Change of Use Permit

- Administrative and Capacity

8.1.1.4 Feasibility Study

8.1.1.5 General Inspection

8.1.1.6 Plan Check

8.1.1.7 Reconnection

8.1.1.8 Facility Expansion

8.1.1.9 Engineering Research

8.1.2 User Fees

8.1.2.1 User Fees – Residential

8.1.2.2 User Fees - Commercial

8.1.3 Other Fees

8.1.3.1 Standby Fees

8.1.3.2 Exceptional Use

8.1.3.3 Late Payment Fees

8.1.3.4 Door Tag Fees

8.1.3.5 Service Turn Off – Non Payment of Fees

8.1.3.6 Service Disconnection – Non-Payment of Fees

8.1.3.7 Service Turn On/Off – After Hours

8.1.3.8 Extra Fees

8.1.3.9 Credit Check - Bad Credit Deposit

8.1.3.10 Transfer of Ownership Inspection

8.1.3.11 NSF Fee

8.1.3.12 Owner Requested Water Meter Pull Test

8.1.3.13 Fees for District Provided Service

8.2 Service Availability Letter.

All Applicants for water connection, or remodel addition or change of use, must first obtain a service availability letter, and comply with the provisions of Section 7.0 and pay the fees stated in Exhibit B, Section B.1 of these Rules and Regulations.

8.3 Connection - Connection Inspection.

In addition to the cost of the service availability letter and possible feasibility study, site reviews, engineering, plan check and field inspection, the Applicant must pay a connection - connection inspection fee, as identified below:

- 8.3.1** The connection inspection will include inspection of the private water line which may consist of the Building Line, and any other Owner constructed water Service Line facilities which may include a shut-off valve, possible cross connection control device, and Building Line to meter or shut-off valve connection.
- 8.3.2** Inspection for work on Saturday and holidays may be provided if Inspectors are available and a minimum of one-week advance notification is given to the District by the Owner and/or Authorized Representative.
- 8.3.3** All costs for Saturday, holiday and overtime shall be paid by the Owner and/or Authorized Representative in an amount equivalent to the actual cost incurred including all overhead and equipment expenses.
- 8.3.4** An advance deposit for the estimated actual cost may be required.
- 8.3.5** The connection inspection fee is subject to fees stated in Exhibit B, Section B.2 of these Rules and Regulations

8.4 Connection - Physical Connection.

- 8.4.1** In addition to the cost of the service availability letter and possible feasibility study, site reviews, engineering, plan check and field inspection, the Applicant will be required to pay a connection - physical connection fee.
- 8.4.2** This fee offsets the District cost for installing a water meter, Customer shut-off valve, Service Line and Water Main connection.
- 8.4.3** The Physical Connection fee is subject to Fees stated in Exhibit B, Section B.3 of these Rules and Regulations.

8.5 Connection - Administrative and Capacity.

- 8.5.1** All new connections to the District's Water System will be charged a fee established by action of the Board and as stated in the most current amendment to Exhibit B, Section B.4 of these Rules and Regulations.

8.5.2 This fee includes the Owner's pro rata share of the District's water supply, treatment, storage and distribution facilities.

8.5.3 The fee does not include the cost of constructing the building and Service Line, the Connection Inspection fee, the Physical Connection fee, possible facility expansion costs or a possible facility expansion fee pursuant to a refund agreement between the District and another Owner.

8.6 Remodel, Addition or Change of Use - Administrative and Capacity.

8.6.1 All properties connected to the District's Water System which are remodeled, have an addition built, or undergo a change of use will be charged a fee established by action of the Board and as stated in the most current amendment to Exhibit B, Section B.5 of these Rules and Regulations.

8.6.2 This fee includes the Owner's share of the major water supply, treatment, storage, and distribution facilities.

8.7 Feasibility Study.

When requested by the District, an Applicant must have a feasibility study prepared pursuant to the provisions of Section 7.20 and to the fees stated in Exhibit B, Section B.6 of these Rules and Regulations.

8.8 General Inspection.

8.8.1 Any work associated with construction of or connection to the public Water System as defined in Section 2.41 of these Rules and Regulations are subject to a final field inspection pursuant to Section 7.15 of these Rules and Regulations and to fees stated in Exhibit B, Section B.7 of these Rules and Regulations.

8.8.2 Inspection for work on Saturday and holidays may be provided if Inspectors are available and a minimum of one-week advance notification is given to the District by the Owner and/or Authorized Representative.

8.8.3 All costs for Saturday, holiday and overtime inspection shall be paid by the Owner and/or Authorized Representative in an amount equivalent to the actual cost incurred including all overhead and equipment expenses.

8.8.4 An advance deposit for the estimated actual cost is required.

8.9 Plan Check.

When plans and specifications are required for construction of water facilities, Applicants are subject to a plan check fee as stated in Exhibit B, Section B.8 of these Rules and Regulations.

8.10 Reconnection.

8.10.1 Where a water connection has been abandoned in compliance with Section 7.22 of these Rules and Regulations and the current Owner subsequently requests a reconnection to the Water System, the Owner is subject to the current connection fees minus any previous water connection fees that have been paid, as stated in Exhibit B, Section B.9 of these Rules and Regulations.

8.10.2 If no record of permitted connection can be found, the Owner shall pay the full current connection fees.

8.11 Facility Expansion Fee.

8.11.1 In addition to the connection related fees described in Sections 8.2 through 8.10 of these Rules and Regulations, an Owner may be charged a facility expansion fee to pay for water facility improvements that benefit the property and were constructed by others, as stated in Exhibit B, Section B.10 of these Rules and Regulations.

8.11.2 For example, and not by way of limitation, facility improvements may have been constructed as part of an assessment District for which the property was not assessed, constructed by others subject to a reimbursement agreement, or a Water Main that was constructed as part of a new development.

8.11.3 The fees may apply to properties within the District or to newly annexed areas. Refer to the District *Policy and Procedure, Construction of and Payment for Facility Improvements* for more specific information regarding mainline extensions and other system expansions.

8.12 Engineering Research.

When requested by the District, an Applicant must have engineering research or analysis performed by the District to ascertain needed information for a connection, remodel, addition or change of use pursuant to the provisions of Section 7.0 of these Rules and Regulations and to the fees stated in Exhibit B, Section B.11 of these Rules and Regulations.

8.13 User Fee Billing.

8.13.1 Billing Period.

The User fee billing period shall be determined by the District.

8.13.2 Rendering of Bills.

Bills for User fees shall be rendered in advance or arrears, at the determination of the District. Bills shall be payable upon presentation.

8.13.3 Payment.

8.13.3.1 User fees shall be due and payable at the business office of the District. Payment may be made in Person, through the District website, via telephone or by third party delivery (USPS or other delivery service). Payment shall be considered delinquent if not received by the District by the end of the business day on a specific due date as noted in the billing statement.

8.13.3.2 The bill shall be mailed to the Owner shown on the application, or if requested, the Owner in care of a tenant or Authorized Representative, and shall be delinquent if not received as indicated above, or if a check used to make payment is returned for non-sufficient funds and adequate funding, including payment of any NSF fee, is not made by the payment due date.

8.13.3.3 The Owner shall be advised of any delinquent payment prior to Disconnection of Service, even in those cases in which a *Tenant as Customer* has been authorized, since a delinquency in payment by the Tenant could ultimately result in a lien against the property, as identified in Section 8.13.3.12.

8.13.3.4 Delinquent bill payment must be by cash, check, money order, or any other form of payment acceptable to the District, in the amount of the original bill plus an additional 10% of the original unpaid bill

8.13.3.5 A late payment fee will be imposed on delinquent User fees beginning the 22nd day after the bill date (one day

after the due date) in accordance with Section B.16 of these Rules and Regulations.

- 8.13.3.6** If possible, the late payment fees will be identified on the original billing notice.
- 8.13.3.7** If payment is not received by the due date, a late notice will be mailed on the first working day following the due date.
- 8.13.3.8** The late notice will identify that service will be turned off 42 days following the bill date (21 days after the due date) with the following conditions:
 - 8.13.3.8.1** 36 days following the bill date (15 days after the due date) if full payment is not received, a door tag identifying that service will be turned off will be issued.
 - 8.13.3.8.2** There will be a service turn-off door tag fee imposed at the time the service turn-off door tag is issued, in accordance with Section B.17 of these Rules and Regulations.
 - 8.13.3.8.3** 37 days following the bill date (16 days after the due date), if full payment is not received, an attempt will be made to phone the Customer and advise him/her of the delinquency and pending turnoff, using the phone number of record on the Customer account.
 - 8.13.3.8.4** 42 days following the bill date (21 days after the due date), if full payment is not received, service will be turned off.
 - 8.13.3.8.5** There will be a service turn-off fee imposed at the time service is turned off, in accordance with Section B.18 of these Rules and Regulations.
- 8.13.3.9** If a service is turned off, a turn-off confirmation notice (door-tag) will be hung at the property site on the same day the service is turned off.

8.13.3.10 There will be a service disconnection fee imposed at the time service is disconnected, in accordance with Section B.19 of these Rules and Regulations

8.13.3.11 In order for service to be re-established, payment in full must be received as follows:

8.13.3.11.1 Payment must be received at the business office of the District.

8.13.3.11.2 If payment is received Monday through Friday (excluding holidays and weekends) prior to noon, service will be re-established that day.

8.13.3.11.3 For payments received after noon, service will be re-established the next regular workday (Monday through Friday, excluding holidays and weekends).

8.13.3.12 Delinquent balances shall be placed on the regular San Bernardino County tax bill and shall become a lien on the property.

8.13.4 Billing of User Fees.

Separate bills shall be rendered for each service connection unless specific guidelines are adopted by the Board to provide consolidated bills for multiple service Customers.

8.13.5 Owner's Guarantee.

8.13.5.1 The User fees begin when a meter is turned on and continues until the District disconnects the meter.

8.13.5.2 The Owner and/or Applicant will be held jointly and severally liable for User fees.

8.13.5.3 Service begins when connection is made to the system and connection Permit fees are paid.

8.13.6 Transfer of Ownership.

8.13.6.1 Prior to transfer of Ownership of property served by the District, the current Owner is responsible for the

payment of all User fees due to the District prior to the effective date of the transfer.

8.13.6.2 The effective date of the transfer shall be deemed the date that the grant deed is recorded.

8.13.6.3 The new Owner is responsible for all the User fees accruing after the effective transfer of Ownership.

8.13.6.4 Foreclosed Properties.

Once the District becomes aware that a property is bank owned and as long as there is no Person legally residing on the property, i.e. a tenant, water will be shut off until the home is purchased or bank has authorized transfer of responsibility to a realtor. At this time, new Owner of record or authorized realty agent may request, in writing that water be turned back on.

8.13.7 Estimated Meter Fees.

If conditions do not allow regularly scheduled meter readings, an estimated bill will be charged and subsequent billings will be adjusted to reflect actual consumption recorded at the time of the next actual reading.

8.13.8 Tenant or Authorized Representative Billing.

8.13.8.1 While the legal Owner is responsible for paying all User fees, the District will provide for billing to the Owner in care of a tenant or Authorized Representative.

8.13.8.2 The legal Owner, however, will be responsible for paying all past due amounts, and will be subject to all late payment penalty provisions of these Rules & Regulations.

8.13.8.3 Duplicate payment notices will be mailed to the Owner and the tenant or in care of the Authorized Representative when a payment becomes 60 days or more delinquent.

8.13.8.4 A fee will be imposed to cover the District's cost for providing the duplicate billing.

8.13.9 Tenant as Customer.

- 8.13.9.1** In the event that a tenant desires to become the Customer, the District may, within the requirements of law, allow the tenant to become the Customer so long as another tenant is not currently on the account, and the Owner is also named as a responsible party on the account.
- 8.13.9.2** Tenant Customers shall be subject to a credit check prior to initiating service, and shall be required to make a credit deposit, as identified in Section 8.23 of these Rules and Regulations. Said deposit shall be in a sum equivalent to the average billing for a single billing cycle (including Wastewater and water fees as applicable to the specific account). The decision to require a credit deposit prior to initiating service shall be based upon the credit worthiness of the new Customer.
- 8.13.9.3** Even in those circumstances in which the tenant is the authorized Customer, the Owner may remain the liable party in cases where the collection of delinquent fees necessitates a lien against the property or the imposition of other collection procedures.

8.14 User Fees.

- 8.14.1** The Owner of each house, building, or facility within the District boundaries that has a metered connection to the District's Water System is deemed a User and is subject to an ongoing User fees.
- 8.14.2** Each metered connection to the Water System is subject to a monthly consumption fee based on the minimum and actual water usage rates set forth in Exhibit B, Section B.12 (Residential) and B.13 (Commercial) of these Rules and Regulations.
- 8.14.3** Billing by the District for User fees will be mailed to the Owner or Owner-designated User at the intervals fixed and established by the District.

8.15 Exceptional Use.

All Permitted Exceptional Water Users are subject to a periodic meter fee and consumption fee as set forth in Exhibit B, Section B.14 of these Rules and Regulations.

8.16 Late Payment Fees.

All Customers failing to pay fees by a deadline identified in the initial billing statement, and as identified in Section 8.15 of these Rules and Regulations will be subject to a late payment fees as stated in Exhibit B, Section B.15 of these Rules and Regulations.

8.17 Door Tag Fee.

All Customers receiving door tags for service turn-off or disconnection due to failing to pay fees by a deadline identified in the initial billing statement and subsequent notices, and as identified in Section 8.13 of these Rules and Regulations, will be subject to a door tag fee as stated in Exhibit B, Section B.16 of these Rules and Regulations.

8.18 Service Turn Off - Non-Payment of Fees.

8.18.1 When a service is turned off by District staff due to non-payment of fees by a deadline identified in the initial billing statement and subsequent notices, and as identified in Section 8.13 of these Rules and Regulations, in addition to a late payment fee, and door tag fee there will be a non-payment turn off fee as stated in Exhibit B, Section B.17 of these Rules and Regulations.

8.18.2 When service is turned off by District staff for non-payment twice in any twelve (12) month period, the District will require payment in full of all outstanding balances and fees and may require a deposit as stated in Exhibit B, Section B.22 of these Rules and Regulations

8.19 Service Disconnection – Non-Payment of Fees.

When a service is disconnected by District staff due to non-payment of fees by a deadline identified in the initial billing statement and subsequent notices, and as identified in Section 8.13 of these Rules and Regulations, in addition to a late payment fee, door tag fee and service turn-off fee, there will be a non-payment disconnection fee as stated in Exhibit B, Section B.18 of these Rules and Regulations.

8.20 Service Turn On /Off – After Hours.

When a meter is turned on or off outside of normal business hours at an Owner's request, including a request to restore service following a non-payment turn-off or disconnection, unless such turn on or off is necessary to avoid damage by a broken Building Line, sprinkler malfunction or other failure in the Owner's system, there will be a fee as stated in Exhibit B, Section B.19 of these Rules and Regulations.

8.21 Extra Fees.

All Customers shall be liable for reasonable fees covering any necessary additional services rendered for the protection of the Customer's property or other properties that may be endangered due to the failure of the Customer's Water System, as stated in Exhibit B, Section B.20 of these Rules and Regulations.

8.22 Credit Check - Credit Deposit.

8.22.1 All new Customers shall be subject to a credit check prior to initiating service, and may be required to make a credit deposit.

8.22.2 The fee for the credit check and the amount for a bad credit deposit is identified in Exhibit B, Section B.21 of these Rules and Regulations.

8.23 Transfer of Ownership Inspection.

8.23.1 At the time of any transfer of Ownership, a property may be inspected for the purpose of:

8.23.1.1 Determining if there is a change in use of the property.

8.23.1.2 Determining if there are any problems with the building and/or Service Line and line Appurtenances that should be corrected.

8.23.1.3 Conducting a water awareness program transfer of Ownership and plumbing retrofit inspection in accordance with applicable provisions of the District's Use Efficiency Program currently in effect.

8.23.2 The items to be inspected will include Fixture Units, property use, the building line and line Appurtenances, and those other items necessary to insure the property water connection meets District Standard Specifications, as identified in Section 3.5 of these Rules and Regulations.

8.23.3 The fee for the transfer of Ownership inspection is identified in Exhibit B, Section B.22 of these Rules and Regulations.

8.23.4 If a transfer of Ownership inspection is to be made for both water and Wastewater service, only a single inspection fee will be charged.

8.24 NSF Fees.

8.24.1 Whenever a payment of a District fee is returned due to non-sufficient funds (NSF), a fee will be added to the Customer's account.

8.24.2 The NSF fee is identified in Exhibit B, Section B.23 of these Rules and Regulations.

8.25 Owner Requested Water Meter Pull Test.

8.25.1 An Owner who requests for a water meter pull test, other than for a reason initiated by the District, will be subject to a fee if the meter accuracy is within Industry criteria or the meter specifications. If the meter fails the test, the District shall bear the costs and no fee will be charged to the Owner.

8.25.2 The fee for such a water meter pull test is identified in Exhibit B, Section B.25 of these Rules and Regulations.

8.26 Customer Shut Off Valve Credit.

8.26.1 Under certain circumstances the District will reduce the consumption fees portion of a Customer's high-consumption water bill by 50%, on a one-time basis, if the Customer properly installs a Customer shut-off valve immediately on the Customer side of a water meter.

8.26.2 The policy is generally applied in cases where high consumption is caused by a Customer's water leak, and it is evident the excess consumption resulting could have been prevented if the Customer had properly utilized a properly installed Customer shut-off valve.

8.26.3 The District may provide a one-time only 50% reduction to the consumption Fees portion of a Customer's high-consumption water bill, to Customers that make the request and then provide evidence of a new, properly installed, Customer shut-off valve installation.

8.27 Fees for District Provided Service.


The District may provide additional services on an as needed basis, and as authorized in these Rules and Regulations. The fee for such services is identified in Exhibit B, Section B.26 of these Rules and Regulations.

8.28 Water Service Schedule of Fees.

- 8.28.1** All Owners, within the District's water service jurisdictional area, and permitted water Users are subject to the applicable fees as stated in Exhibit B to these Rules and Regulations.
- 8.28.2** All fees are subject to periodic review and possible revision by action of the Board.
- 8.28.3** When the Board revises Water System fees, a revised Exhibit B to these Rules and Regulations will be adopted by Resolution.
- 8.28.4** The effective Exhibit B to these Rules and Regulations at any given time is that most recently adopted by a Resolution of the Board.

8.29 Deer Lodge Park Water Schedule of Fees.

- 8.29.1** All Owners and permitted water Users within the District's Deer Lodge Park Water service jurisdictional area are subject to all the fees stated in Exhibit B to these Rules and Regulations, with the exception of the connection - administration and capacity fees; remodel, addition and change of use - administration and capacity fees; User fees and exceptional use fees.
- 8.29.2** All Owners and permitted water Users within the District's Deer Lodge Park Water service jurisdictional area are subject to the connection - administration and capacity fees; remodel, addition and change of use - administration and capacity fees; User fees and exceptional use fees as stated in Exhibit C to these Rules and Regulations.
- 8.29.3** When the Board revises Deer Lodge Park Water service connection fees and User fees, a revised Exhibit C to these Rules and Regulations will be adopted by Resolution.
- 8.29.4** The effective Exhibit C to these Rules and Regulations at any given time is that most recently adopted by a Resolution of the Board.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT RULES AND REGULATIONS FOR WATER AND WASTEWATER SERVICE	Section 9.0
		Revision Date 01/27/09
VIOLATION, ENFORCEMENT, AND PENALTIES		

9.1 Unlawful Wastewater Disposal.

- 9.1.1 It is unlawful for any Person to connect, construct, install, provide, maintain, or use any other means of sewage disposal from any building in the area served by Sewer of said District except as provided herein.
- 9.1.2 Septic tank use must be in accordance with Section 4.9 of these Rules and Regulations.
- 9.1.3 Any Person violating this provision may be subject to the penalties provided by law and these Rules and Regulations.

9.2 Unlawful Water Use.

- 9.2.1 It is unlawful for any Person to connect and otherwise extract water from the District's water supply and distribution system other than as stated in these Rules and Regulations.
- 9.2.2 Any Person violating this provision may be subject to penalties provided by law and these Rules and Regulations.

9.3 Protection from Damage.

- 9.3.1 No Person may willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, Appurtenance or equipment that is part of the District's Wastewater or Water Systems.
- 9.3.2 Any Person violating this provision may be subject to the penalties provided by law, as referenced in Section 3.12, and these Rules and Regulations.

9.4 Investigation Powers.

The investigation powers of the District are as follows:

- 9.4.1** Each duly authorized employee and representative of the District shall carry evidence establishing his position as such.
- 9.4.2** Upon exhibiting the proper credentials and identification, such an authorized employee or representative of the District shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purpose of inspection, re-inspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary to assure compliance with the provisions of these Rules and Regulations of the District.
- 9.4.3** If such entry is refused the District shall have recourse to every remedy provided by law to secure entry.
- 9.4.4** No Person may represent himself to be such an authorized employee or representative of the District except as designated by the General Manager.
- 9.4.5** Such an entry for inspection shall only be done upon two (2) days prior notice to the Owner/Customer of the subject property. Such notice may be given in writing or by phone or in Person.
- 9.4.6** The investigation shall be made with the consent of the Owner/Customer, or the tenant, of the subject property. If consent is refused, then the District may proceed to obtain a warrant, as provided by law.

9.5 Violation.

Violations of these Rules and Regulations may be addressed as follows:

- 9.5.1** Any Person found to be violating any provision these Rules and Regulations of the District shall be served by the District with a written correction notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof.
- 9.5.2** The offender shall within the period of time stated in such notice, permanently cease all violations.
- 9.5.3** Whenever a violation creates an emergency or hazard, the notice of violation may be oral, followed by a written notice as soon as reasonably possible and may require immediate correction.

- 9.5.4 Each Person may be held strictly responsible under the provisions of this or any other ordinance, resolution, rule or regulation of the District for his/her own acts and for any and all authorized acts of his/her Authorized Representatives or employees.
- 9.5.5 Upon being notified by the District or Authorized Representative of any violations of these Rules and Regulations, the Person having responsibility of the property, facility or work causing the violation shall immediately cease and desist from such violation and shall cause the commencement of such measures and procedures as may be necessary to correct the violation within the time specified by the District.
- 9.5.6 If the violation or hazard is not terminated and corrected during the length of time specified, the District shall cause the violation or hazard to be corrected and shall collect from the Owner the cost thereof.

9.6 Public Nuisance.

- 9.6.1 Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of these Rules and Regulations or any other ordinance, resolution, rule or regulation of the District shall constitute a public nuisance.
- 9.6.2 The District shall cause proceedings to be brought for the abatement of the occupancy of the building or industrial facility during the period of such violation.

9.7 Disconnection of Service.

Disconnection of Service from the Water and/or Wastewater systems may be addressed as follows:

- 9.7.1 If a Customer's account is delinquent, the District shall disconnect the subject property from the Water and Wastewater Systems.
- 9.7.2 The Customer may deposit funds with the District to cover the full amount of any delinquent fees related to the Disconnection of Service and the estimated costs to reconnect the services, before such Customer is reconnected to the District systems. This amount may be in addition to any outstanding fees owed by the Customer to the District.
- 9.7.3 The District shall refund or credit any part of such deposit remaining after payment of all costs of Disconnection of Service

and reconnection or shall bill the Customer for any related costs in excess of the deposit.

9.7.4 Except as set forth herein for disconnection due to a delinquent account, notice of intent to disconnect shall be provided pursuant to Section 9.5 hereof.

9.7.5 Neither the District nor any of its employees or agents may be held accountable for any damage which may occur to a Person or a property during or because of Disconnection of Service.

9.8 Abatement.

9.8.1 During any period of Disconnection of Service from an authorized Water System or sewage disposal system, habitation of affected premises by humans may constitute a public nuisance whereupon the District may cause proceedings to be brought for the abatement of such nuisance.

9.8.2 This provision shall not apply to any premises that are not required by these Rules and Regulations to be connected to a Water System or sewage disposal system.

9.9 Liability for Violation.

9.9.1 Any Person violating any of the provisions of any ordinance, resolution, rule or regulation of the District shall be liable to the District for all expense, loss and damage accruing to the District by reason of such violation.

9.9.2 This provision shall be enforced in addition to any other remedy provided by law to the District because of such violation.

9.10 Civil Enforcement.

The District hereby declares that the foregoing procedures are established as a means of civil enforcement of the terms and conditions of its ordinances, resolutions, rules or regulations, and not to affect forfeiture.

9.11 Variance and Appeals.

Variance and appeals to these Rules and Regulations may be addressed as follows:

9.11.1 When any Person claims special circumstances and is of the opinion that a variance is necessary or that any provision of any

ordinances, resolutions, rule or regulation of the District is unjust or inequitable as applied to his facilities or property, and that such special circumstances make his facilities or property different from any other properties which are subject to the provision disputed, that Person may file a written statement of appeal or request for variance with the District stating the special circumstances, citing the provision disputed and requesting suspension or modification of that provision as applied to his/her facilities or property.

9.11.2 If the General Manager, or his/her designee, agrees, in part or in whole with the allegations, the District may suspend or modify the provision disputed, as applied to such facilities or property, to be effective as of the date of the written statement and continuing to a specified date or during the period of the special circumstances, as limited by Section 9.13 of these Rules and Regulations.

9.11.3 Any affected Person may appeal the decision of the District General Manager, or his/her designee to the Board. The decision of the Board shall be final for all purposes.

9.11.4 If the District General Manager determines to impose a fine on a person ("violation") who has violated any provision of these Rules and Regulations, he/she shall cause a written notice of the violation to be sent to the violator. The notice shall provide, in sufficient detail, the violation(s), the amount of the penalty being imposed, and the date or times by which the penalty shall be paid to the District. Service of any notice required under this Section 9.11.4 shall be made by the following means:

9.11.4.1 personal service in the same manner as a summons in a civil action; or

9.11.4.2 registered United States mail, which service shall be completed at the time of deposit into the United States mail.

9.11.5 A violator may appeal the imposition of any penalty imposed pursuant to these Rules and Regulations as follows:

9.11.5.1 A violator may appeal the imposition of any penalty by completing and submitting in writing to the District secretary a form provided by the District for such purpose. All appeals shall be submitted to the District secretary within thirty (30) calendar days of the date of the notice of the imposition of the penalty.

9.11.5.2 The District General Manager, or his/her designee, shall review the appeal and any related information provided by the violator, and, if necessary, cause an investigation and report to be made concerning the imposition of any penalty. The District General Manager, or his/her designee, shall have twenty (20) calendar days from the submission of the appeal to render a decision on whether to grant the appeal and mail notice thereof to the violator. If the General Manager, or his/her designee, grants the appeal and determines that any penalty was imposed in error or should be reduced, within fifteen (15) calendar days of such determination, the District General Manager, or his/her designee, shall either

9.11.5.2.1 Refund the penalty or any portion thereof, if paid by the violator, for which the appeal was granted, including any additional penalties or interest related thereto and give written notice thereof.

9.11.5.2.2 Determine and correct the amount of the penalty for the violator, including any additional penalties or interest related thereto and give written notice thereof.

9.11.5.3 The decision of the District General Manager, or his/her designee, may be appealed by the violator to the Board. Such appeal must be submitted in writing and filed with the District secretary within fifteen (15) calendar days of the date of decision of the General Manager, or his/her designee. The Board shall conduct a hearing on such appeal at its next regularly scheduled Board meeting; provided, however, the Board shall have received the notice of appeal at least fifteen (15) calendar days prior to such meeting. If the appeal is not submitted within at least fifteen (15) calendar days prior to a regularly scheduled Board meeting, then the hearing shall be held at the next following regularly scheduled Board meeting. A notice of the hearing shall be mailed to the violator at least ten (10) calendar days before the date fixed for the hearing. The Board shall review the decision of the District General Manager, or his/her designee, de novo. The determination of the Board shall be conclusive and constitute a final order. Notice of the determination by the Board shall be mailed to the violator within ten (10) calendar days of such determination.

9.11.5.3.1 If the appeal is granted in whole or in part, within ten (10) calendar days from the date of the mailing of the notice of determination by the Board, the District shall either

9.11.5.3.1.1 Refund the penalty or any portion thereof if paid by the violator, including any other penalties or interest related thereto for which the appeal was granted.

9.11.5.3.1.2 Determine and impose the correct amount of the penalty for the violator, including any other penalties or interest related thereto.

9.11.5.2.2 If the appeal is denied or granted in part, the violator shall have twenty (20) calendar days from the date of the mailing of the notice of determination by the Board to pay the penalty, and any other penalties and interest fixed by the Board.

9.11.6 Until the conclusion of the appeal process, all provisions and decisions under appeal shall remain in full force and effect until the conclusion of the appeal process.

9.11.7 If a violator subject to the imposition of a penalty pursuant to these Rules and Regulations, after notice has been provided as set forth herein, fails to pay the penalty when due, the violator shall become liable to the District for interest at the rate of one percent (1%) per month on the delinquent penalty(ies) amount.

9.12 Determination by Board.

Subsequent to completion of the appeal procedures set forth in Section 9.11, and upon an appeal to the Board, the Board will determine whether a special circumstance(s) exists which warrants a suspension or modification of certain provisions of a District ordinance, resolution, rule or regulation for a specified period or during the period of special circumstances as limited by Section 9.13 hereof.

9.13 Variance Limitations.

A variance granted pursuant to this section of these Rules and Regulations shall be valid for a period of five (5) years or less from the date it is granted. Any such variance shall not modify a fee or fees established by the District.

9.14 Penalties for Violation.

9.14.1 As authorized by law, with regard to construction and use of water and Wastewater facilities, any Person violating any of the provisions of these Rules and Regulations and failing to correct such violation within the time allowed therefore, shall be guilty of a misdemeanor.

9.14.2 As authorized by law, any Person convicted of a violation of any provision of these Rules and Regulations, unless otherwise stated specifically provided in these Rules and Regulations, may be punishable by a fine of not more than one thousand dollars (\$1,000.00) and/or by imprisonment in the County jail for a period of not more than six (6) months or by both such fine and imprisonment.

9.15 Continuing Violations.

Each Person who violates any provision of these Rules and Regulations may be guilty of a separate offense for each and every day during any portion of which such violation is committed, continued, or permitted by such Person and may be punished accordingly.

9.16 Acts Including Causing, Aiding and Abetting.

Whenever in these Rules and Regulations any act or omission is made unlawful, it may also be punishable in the same manner as is the principal act or omission.

9.17 Penalties and Collection Policy for Unpaid Fees and User Fees.

9.17.1 Delinquent User Fees.

Accounts not paid on or before the date in which they become delinquent will be subject to a penalty, identified in Exhibit A, Section A.14.1, of the amount of the nonpayment and to other penalty fees identified in these Rules and Regulations. For example, a subsequent late payment penalty, in the amount identified in Exhibit A, Section A.14.2, will be charged per month for nonpayment of the fees and nonpayment of the initial late payment fee.

9.17.2 Suit Against Owner and Applicant.

All unpaid fees, and penalties herein provided may be collected by suit against the Owner and/or Applicant.

9.17.3 Costs of Suit.

Defendant shall pay all costs of suit and a reasonable amount for attorney fees as fixed by the Court in any judgment rendered in favor of the District.

9.17.4 Suit Against Property.

Any and all bills rendered for User fees, Permit fees, connection fees, costs of suits, or any other debts owed the District shall be deemed to run with the property in addition to being the Personal obligation of the Owner and/or Applicant and at the option of the District, legal action may be taken, making any such debt a lien against the property.

9.17.5 Collection on Tax Roll or Through Lien Procedure.

All User fees, Permit fees, standby fees, connection fees, and other fees payable to the District may, at the option of the District, be added to the County Tax Roll for collection in accordance with the procedures established by law and/or collected through lien procedures established by law.

9.17.6 Returned Checks.

A returned check fee will be assessed on all checks returned to the District by the bank and will be subject to a returned check fee as identified in Section A.19 of these Rules and Regulations.

9.17.7 Services of a Collection Agency.

The District may also utilize the services of a collection agency, or any other appropriate entity, to pursue the collection of delinquent amounts. As set forth in Exhibit A, the District has a right to impose a fee for the cost of services provided by the District. In connection therewith, the User will be responsible for costs incurred by the District in collecting delinquent amounts through a collection agency or any other appropriate entity.