

ORDINANCE 82-1

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

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

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

ARTICLE 1 - DEFINITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE 2 - GENERAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE 3 - WATER DEPARTMENT

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE 4 - NOTICES

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

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

ARTICLE 5 - STANDARD DISTRICT SPECIFICATIONS

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

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

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

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

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

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

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

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

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

ARTICLE 7 - GENERAL USE REGULATIONS

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

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

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

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

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

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

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

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

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

Sec. 7-8. Damage to Water System Facilities. The customer shall be liable for any damage to the District-owned customer water service facilities when such damage is from causes originating on the premises by an act of the customer or his tenants, agents, employees, contractors, licensees, or permittees, including the breaking or destruction of locks by the customer or others on or near a meter, and any damage to a meter that may result from hot water or steam from a boiler or heater on the customer's premises. The District shall be reimbursed by the customer for any such damage promptly on presentation of a bill.

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

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

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

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

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

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

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

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

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

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

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

ARTICLE 8 - METERS AND METERED SERVICE CONNECTIONS

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

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

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

Sec. 8-3. Meter Installations. Meters will be installed at the curb or within the easement, and shall be owned by the District and installed and removed at its expense after payment of the charges established therefor. No rent or other charge will be paid by the District for a meter or other facilities, including housing and connections, located on a customer's premises. All meters will be sealed by the District at the time of installation, and no seal shall be altered or broken except by one of its authorized employees.

Sec. 8-4. Change in Location of Meters. Meters may be re-located only if approved by the Board upon application. All cost of relocation shall be borne by the applicant.

Sec. 8-5. Location of Meters. The District reserves the right to determine the location of meters with respect to the boundaries of the premises to be served. The installation including the meter, shall be the property of the District. The service between the meter and the building served by the installation shall be the property of the customer and shall be maintained by the customer at his expense.

Sec. 8-6. Size of Meter. The size of the meter shall be determined by the size of the service connection requested by the applicant. These sizes shall be as follows: 5/8 x 3/4-inch, 25 GPM; 1 inch, 50 GPM; 1-1/2 inch, 100 GPM; 2 inch, 160 GPM; 3 inch, 350 GPM. GPM means gallons per minute.

Sec. 8-7. Curb Cock. Every service connection installed by the District shall be equipped with a curb cock or wheel valve. On metered services, the valve is to be on the customer's side of the service installation, as close as is practicable to the meter location. Such valve or curb cock is intended for the exclusive use of the District in controlling the water supply through the service connection pipe. If the curb cock or wheel valve is damaged by the consumer's use to an extent requiring replacement, such replacement shall be at the consumer's expense.

Sec. 8-8. Meter Tests - Deposit. If a customer desires to have the meter serving his premises tested, he shall first deposit Ten Dollars (\$10.00). Should the meter register more than two percent (2%) fast, the deposit will be refunded, but should the meter register less than two percent (2%) fast, the deposit will be retained by the Water Department.

Sec. 8-9. Adjustment for Meter Errors - Fast Meters. If a meter, tested at the request of a customer pursuant to Sec. 8-8, is found to be more than two percent (2%) fast, the excess charges for the time service was rendered the customer requesting the test, or for a period of six months, whichever shall be the lesser, shall be refunded to the customer.

Sec. 8-10. Adjustment for Meter Errors - Slow Meters. If a meter, tested at the request of a customer pursuant to Sec. 8-8, is found to be more than twenty-five percent (25%) slow, in the case of domestic service, or more than five percent (5%) slow, for other than domestic services, the District may bill the customer for the amount of the undercharge based upon corrected meter readings for the period, not exceeding six months, that the meter was in use.

Sec. 8-11. Non-Registering Meters. If a meter is found to be not registering, the charges for service shall be at the minimum monthly rate or based on the estimated consumption, whichever is greater. Such estimates shall be made from previous consumption for a comparable period or by such other method as is determined by the Water Department and its decision shall be final.

ARTICLE 9 - BILLING

Sec. 9-1. Billing Period. The regular billing period will be monthly, bi-monthly, or quarterly at the option of the District. The District may bill such charges with other charges for services rendered by the District.

Sec. 9-2. Meter Reading. Meters will be read, as nearly

service will also be turned off for non-payment of bills rendered under Ordinance No. 71-3.

Sec. 10-2. Charges a Debt. Failure to receive a bill does not relieve an owner or consumer of liability. Any amount due shall be deemed a debt to the District, and any person, firm, or corporation failing, neglecting or refusing to pay said indebtedness shall be liable to an action in the name of the District in any court of competent jurisdiction for the amount thereof.

Sec. 10-3. Reconnection Charge. A reconnection charge of Ten Dollars (\$10.00) plus penalties as provided in Sec. 11-1 will be made and collected prior to renewing service following a discontinuance.

Sec. 10-4. Unsafe Apparatus. Water service may be refused or discontinued to any premises where apparatus or appliances are in use which might endanger or disturb the service to other customers.

Sec. 10-5. Cross-Connections. Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of state or federal laws or this Ordinance.

Sec. 10-6. Fraud or Abuse. Service may be discontinued, if necessary, to protect the District against fraud or abuse.

Sec. 10-7. Non-compliance with Regulations. Service may be discontinued for non-compliance with this or any other ordinance or regulation relating to the water service to customer by District.

Sec. 10-8. Continuing Liability. The customer shall be liable for minimum use charges whether or not any water is used. The property remains liable for water standby or facilities charges in any event.

ARTICLE 11 - COLLECTION BY SUIT

Sec. 11-1. Penalty. Rates and charges which are not paid on or before the day of delinquency shall be subject to a penalty of ten percent (10%) and thereafter shall be subject to a further penalty of one-half of one percent (1/2 of 1%) per month on the first day of each month following.

as possible, on the same day of each billing period. Bills for periods containing less than ninety percent (90%) of a full billing period will be prorated.

Sec. 9-3. Opening and Closing Bills. Opening and closing bills for less than the normal billing period shall be prorated both as to minimum charges and quantity blocks. If the total period for which service is rendered is less than one month, the bill shall not be less than the monthly minimum charge applicable. Closing bills may be estimated by the Water Department for the final period as an expediency to permit the customer to pay the closing bill at the time service is discontinued.

Sec. 9-4. Charges. All charges are due and payable at the office of the District on the date of mailing the bill to the property owner or his agent as designated in the application or otherwise, and delinquent 30 days after the Post Office cancellation date. Service may be discontinued without further notice if payment is not made by the delinquent date.

Sec. 9-5. Payment of Bills. Bills for metered water service shall be rendered at the end of each billing period. Flat rate service and all standby or facilities charges shall be billed in advance. Bills shall be payable on presentation. On each bill rendered by the District shall be printed substantially the following: "If this bill is not paid within thirty (30) days after the Post Office cancellation date, service may be discontinued. A reconnection charge and penalties will be made and collected prior to renewing service following a discontinuance. Delinquent standby or facilities charges can become a lien on your property and may be collected on the county tax rolls."

Sec. 9-6. Water Used Without Regular Application Being Made. A person taking possession of premises and using water from an active service connection, without having made application to the District for water service, shall be held liable for the water delivered from the date

of the last recorded meter reading, and if the meter is found inoperative, the quantity consumed will be estimated. If proper application for water service is not made upon notification to do so by the District, and if accumulated bills for service are not paid immediately, the service may be discontinued by the District without further notice.

Sec. 9-7. Damages Through Leaking Pipes and Fixtures. When turning on the water supply as requested and the house or property is vacant, the District will endeavor to ascertain if water is running on the inside of the building. If such is found to be the case, the water will be left shut off at the curb cock on the inlet side of the meter. The Board's jurisdiction and responsibility ends at the meter and the Board will, in no case, be liable for damages occasioned by water running from open or faulty fixtures, or from broken or damaged pipes beyond the meter.

Sec. 9-8. Damage to Meters. The Board reserves the right to set and maintain a meter on any service connection. The water consumer shall be held liable, however, for any damage to the meter due to his negligence or carelessness and, in particular, for damage caused by hot water or steam from the premises.

ARTICLE 10 - DISCONTINUANCE OF SERVICE

Sec. 10-1. Disconnection for Non-payment. Service may be discontinued for non-payment of bills on or after the thirtieth day following the date of Post Office cancellation. At least five (5) days prior to such discontinuance, the customer will be sent a final notice informing him that discontinuance will be enforced if payment is not made within the time specified in said notice. The failure of the District to send, or any such person to receive, said notice shall not affect the District's power hereunder. A customer's water service may be discontinued if water service furnished at a previous location is not paid for within the time herein fixed for the payment of bills. If a customer receives water service at more than one location and the bill for service at any one location is not paid within the time provided for payment, water service at all locations may be turned off. Water

Sec. 11-2. Suit. All unpaid rates and charges and penalties herein provided may be collected by suit.

Sec. 11-3. Costs. Defendant shall pay all costs of suit, including reasonable attorney fees, in any judgment rendered in favor of District.

ARTICLE 12 - PUBLIC FIRE PROTECTION

Sec. 12-1. Use of Fire Hydrants. Fire hydrants are for use by the District or by organized fire protection agencies pursuant to contract with the District. Other parties desiring to use fire hydrants for any purpose must first obtain written permission from the Water Department prior to use and shall operate the hydrant in accordance with instructions issued by the Water Department. Unauthorized use of hydrants will be prosecuted according to law.

Sec. 12-2. Moving of Fire Hydrants. When a fire hydrant has been installed in the location specified by the proper authority, the District has fulfilled its obligation. If a property owner or other party desires a change in the size, type, or location of the hydrant, he shall bear all costs of such changes, without refund. Any change in the location of a fire hydrant must be approved by the proper authority.

Sec. 12-3. Water Pressure and Supply. The District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and merely agrees to furnish such quantities and pressures as are available in its general distribution system. The service is subject to shutdowns and variations required by the operation of the system.

ARTICLE 13 - SPECIAL PROVISIONS

Sec. 13-1. Pools and Tanks. When an abnormally large quantity of water is desired for filling a swimming pool or for other purposes, arrangements must be made with the District prior to taking such water. Water to be used for other than domestic purposes, such as

swimming pools and tanks, will be supplied only through a meter and filter system approved by the State Board of Health. All meters, lines, checks, filters, and appurtenances are to be furnished and installed by customer, under the supervision of the Water Superintendent. The system is to be open for inspection by the Water Superintendent at all times.

Permission to take water in unusual quantities will be given only if it can be safely delivered through the District's facilities and if other consumers are not inconvenienced thereby.

Sec. 13-2. Responsibility for Equipment. The customer shall, at his own risk and expense, furnish, install, and keep in good and safe condition all equipment that may be required for receiving, controlling, applying, and utilizing water, and the District shall not be responsible for any loss or damage caused by the improper installation of such equipment or the negligence or wrongful act of the customer or of any of his tenants, agents, employees, contractors, licensees, or permittees in installing, maintaining, operating, or interfering with property caused by faucets, valves, and other equipment that are open when water is turned on at the meter, either originally or when turned on after a temporary shutdown.

Sec. 13-3. Service Connections. The service connections, extending from the water main to the boundary of the road or public easement right of way in which the water main is situate, and the meter, meter box, and curb cock or wheel valve, shall be maintained by the District. All pipes and fixtures extending or lying beyond the boundary of said road or easement right of way shall be installed and maintained by the owner of the property.

ARTICLE 14 - RATES

Sec. 14-1. Rate Resolution. Charges for the use of water within Improvement District shall be prescribed by the Board by resolution, which may be amended from time to time within the limits established by any bond proceedings. Such resolution shall be on file in the

Office of the Secretary and copies thereof shall be available on request.

Sec. 14-2. Special Charges. At the time of making a new service connection to the District water system from any parcel of land and/or an increase in the size of an existing service connection to said water system from any parcel of land the special charges which are applicable thereto pursuant to the provisions of Articles 15, 16 and 17 of this Ordinance shall be paid prior to the making thereof. Payment of such charges shall entitle such parcel only to the limited benefits covered by the charges paid, and thereafter water service to such parcel shall remain subject to all of the provisions of said Articles 15, 16 and 17. The portions of such charges which represent treatment plant benefit charges and pipeline and storage benefit charges, respectively, shall be placed in the special funds, respectively, and used only for the special purposes, respectively, provided in said Articles 15 and 16.

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Sec. 14-3. Payment of Special Charges By Special Assessments.

In the event the Board has heretofore included or hereafter includes any parcels of land within the boundaries of an improvement district formed for the purpose of acquiring, constructing and financing by special assessments, in whole or in part, water facilities to serve such parcels, the confirmation and levy by the Board of an assessment in the proceedings to form such improvement district shall constitute payment of the special charges applicable to such parcels, respectively, pursuant to the provisions of Articles 15, 16 and 17 of this Ordinance insofar as and to the extent that the individual assessments levied on such parcels, respectively, include amounts for the special charges provided for in said Articles 15, 16 and 17.

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Sec. 14-4. Payment of special charges for parcels of land outside of improvement districts, as provided for and contemplated by Articles 15, 16 and 17 of this Ordinance, either by special assessments levied in other improvement districts or otherwise, shall confer on such

parcels only the limited rights of service and use in the facilities of the improvement district to which such charges relate as are covered by said special charges so paid.

ARTICLE 15 - TREATMENT PLANT BENEFIT CHARGES

Sec. 15-1. Georgetown-Buckeye Treatment Plant. Any parcel for which a treatment plant benefit charge has not been assessed or otherwise paid for in an amount sufficient (at the rate applicable thereto at the time of any assessment or payment for such benefit) to cover the single family unit capacity attributable to a new connection to the portion of the District water system regularly served by the treatment plant constructed in the proceedings for Georgetown-Buckeye Water Improvement District, Assessment District 1971-1, and/or an increase in the size of an existing connection to said portion of said water system shall pay, prior to receiving such new connection or such increase in size of an existing connection, the amount of \$250.00 for each unpaid for single family unit capacity attributable to such connection or increase in size of connection, on the basis of the following table:

<u>Size of Connection</u>	<u>Attributable Capacity</u>
5/8 x 3/4 inch	1 single family unit
1 inch	2 single family units
1-1/2 inch	5 single family units
2 inch	10 single family units
3 inch	20 single family units

All such treatment plant connection benefit charges collected pursuant to this Ordinance shall be placed in a special fund entitled "Treatment Plant Benefit Charges - Georgetown-Buckeye Treatment Plant". The proceeds of said fund shall be credited annually or at such other periods as the Board may prescribe by resolution upon the assessments levied upon all of the parcels of property within the boundaries of Georgetown-Buckeye Water Improvement District, Assessment District 1971-1, until the total amount of treatment plant benefit charges assessed and collected under this section of this Ordinance or Ordinance No. 75-2 (An

Ordinance Providing for Water Service by the Georgetown Divide Public Utility District to Parcels of Land Outside the Boundaries of Georgetown-Buckeye Water Improvement District, Assessment District 1971-1, and Establishing Rates, Rules and Regulations Therefore; and Amending Section 15-1 and Deleting Article 20 of Ordinance No. 72-4, An Ordinance Establishing Rates, Rules and Regulations for Water Service by the Georgetown Divide Public Utility District Within the Boundaries of Georgetown-Buckeye Water Improvement District, Assessment District 1971-1), or Ordinance No. 76-3 (An Ordinance Amending Section 15-1 of Ordinance No. 72-4 (As said Section Was Amended by Ordinance No. 75-2), Entitled An Ordinance Establishing Rates, Rules, and Regulations for Water Service by the Georgetown Divide Public Utility District Within the Boundaries of Georgetown-Buckeye Improvement District, Assessment District 1971-1) or Ordinance 77-10 (An Ordinance Establishing Rates, Rules and Regulations for Water Service by and Within the Georgetown Divide Public Utility District, and Repealing Ordinance Nos. 72-4, 74-7, 75-2, 75-4, 76-3, 77-4, 77-5, Relating to Such Rates, Rules and Regulations) shall equal \$43,569.26. Thereafter, the proceeds from treatment plant benefit charges assessed and collected under said ordinances (in excess of said \$43,569.26) shall be accumulated and used only for expansion and/or improvements of the treatment plant constructed in the proceedings for Georgetown-Buckeye Water Improvement District, Assessment District 1971-1.

Sec. 15-2. Auburn Lake Trails Treatment Plant. Any parcel of land for which a treatment plant benefit charge has not been assessed or otherwise paid for in an amount sufficient (at the rate applicable thereto at the time of any assessment or payment for such benefit) to cover the single family unit capacity attributable to a new connection to the portion of the District water system regularly served by the treatment plant constructed in the proceedings for Improvement District No. U-1, and/or an increase in the size of an existing connection to said portion

of said water system shall pay, prior to receiving such new connection or such increase in size of an existing connection, the amount of \$350.00 for each unpaid for single family unit capacity attributable to such connection or increase in size of connection, on the basis of the following table:

<u>Size of Connection</u>	<u>Attributable Capacity</u>
5/8 x 3/4 inch	1 single family unit
1 inch	2 single family units
1-1/2 inch	5 single family units
2 inch	10 single family units
3 inch	20 single family units

All such treatment plant benefit charges collected pursuant to this section of this Ordinance or Ordinance No. 77-4 (An Ordinance Establishing Rates, Rules, and Regulations for Water Service by the Georgetown Divide Public Utility District Within the Boundaries of Greenwood Water Improvement District, Assessment District 1977-1) or Ordinance No. 77-10 (An Ordinance Establishing Rates, Rules and Regulations for Water Service By and Within the Georgetown Divide Public Utility District, and Repealing Ordinance Nos. 72-4, 74-7, 75-2, 75-4, 76-3, 77-4 and 77-5 Relating to Such Rates Rules and Regulations) shall be placed in a special fund entitled "Treatment Plant Benefit Charges - Auburn Lake Trails Treatment Plant" and used only for expansion and/or improvement to said treatment plant.

ARTICLE 16 - PIPELINE AND STORAGE BENEFIT CHARGES

Sec. 16-1. Amount. Prior to connection to the District water system of any building located within the District, except buildings within Improvement Districts U-1 or U-2, and for which pipeline and storage benefit charges were not assessed for such building in the proceedings for a water improvement district or otherwise paid for in the amount applicable thereto at the time of any assessment or payment for such benefit, said charges shall be paid in the amounts of: Pipeline - \$300.00 per building; Storage - \$350.00 per building. Notwithstanding the foregoing provisions of this section, said pipeline charge shall be deemed paid for the first such building connected or to be connected to the District water system for each separate parcel of land which existed at the time of construction of the water main to which such building is connected, if the owner of such parcel shared in the cost of said water main by

payment of all or a portion of the cost of said main.

Sec. 16-2. Special Funds. All pipeline and storage benefit charges collected pursuant to this Ordinance or Ordinance No. 72-4 (An Ordinance Establishing Rates, Rules, and Regulations for Water Service by the Georgetown Divide Public Utility District Within the Boundaries of Georgetown-Buckeye Water Improvement District, Assessment District 1971-1), 75-4 (An Ordinance Establishing Rates, Rules, and Regulations for Water Service by the Georgetown Divide Public Utility District Within the Boundaries of Garden Valley Water Improvement District, Assessment District 1975-1), 77-4 (An Ordinance Establishing Rates, Rules, and Regulations for Water Service by the Georgetown Divide Public Utility District Within the Boundaries of Greenwood Water Improvement District, Assessment District 1977-1), and Ordinance 77-10 (An Ordinance Establishing Rates, Rules, and Regulations for Water Service by and Within the Georgetown Divide Public Utility District, and Repealing Ordinance Nos. 72-4, 74-7, 75-2, 75-4, 76-3, 77-4, and 77-5. Relating to Such Rates, Rules, and Regulations) shall be placed in separate special funds, one such fund for each water improvement district or separate area within a water improvement district. The names of each of said funds shall include the designation "Pipeline Benefit Fund" and "Storage Benefit Fund" and the name of the water improvement district or separate area within a water improvement district. The "Pipeline Benefit Charge" and the "Storage Benefit Charge" collected for a building shall be placed in the fund for the water improvement district or the separate area within a water improvement district within which is the water main to which the building is connected.

Monies in each of said funds, respectively, shall be used only for maintenance and/or extension of water mains, and/or maintenance and/or expansion or construction of storage facilities of benefit to parcels of land served by the acquisitions and improvements made for the water improvement districts or separate areas within a water improvement district, the names of which are included in the names of such funds.

ARTICLE 17 - SERVICE CONNECTION CHARGES

Sec. 17-1. Amount. Prior to the making of a new connection or increasing the size of an existing connection to the District water system for which a service connection charge has not been paid, by special

assessment therefore in proceedings for a water improvement district, or otherwise, a service connection charge shall be paid. The amount thereof shall be (a) the actual costs of constructing a new or larger service line from the water distribution main to the boundary of the road easement in which such main is located, if same is required, or (b) the amount set forth in the following table for the size of the new connection or the size to which an existing connection is increased, to wit:

<u>Size of Service Connection.</u>	<u>Meter Capacity (GPM)</u>	<u>Amount of Charge</u>
5/8 x 3/4 inch	25	\$350.00
1 inch	50	\$365.00
1-1/2 inch	100	\$430.00
2 inch	160	\$480.00

whichever is larger.

ARTICLE 18 - NON-ADJACENT PARCELS TO IMPROVEMENT DISTRICT PIPELINE

Sec. 18-1. The owners of all parcels of land included within a water improvement district which are not adjacent to a road or public easement in which a pipeline constructed pursuant to the proceedings for such district is situate will be responsible for providing, at the cost and expense of the owners of such parcels, the necessary water lines from their parcel to the service lines provided for their respective parcels at the limits of the road or public easement in which the pipeline which will serve said parcels is situate; provided, however, that if necessary and upon request, the District shall condemn at the cost and expense of the owner or owners requesting the same the requisite easements for such service lines.

ARTICLE 19 - APPORTIONMENT OF ASSESSMENT IN EVENT OF DIVISION OF LAND SUBJECT HERETO

Sec. 19-1. In the event any parcel of land assessed in improvement district proceedings conducted by the Board is thereafter divided into two or more separate parcels, the assessment on such parcel shall be assigned to the separate parcels as follows:

(a) Where there is one existing service connection to such parcel, to the separate parcel served by the existing service connection;

(b) Where there are two or more existing service connections to such parcel, to the separate parcel or parcels served by said existing connections; and

(c) Where there are no existing service connections to such parcel, to the separate parcel which is nearest the pipeline constructed in the proceedings.

Sec. 19-2. Notwithstanding the foregoing, the assessment can be made to a different one of the separate parcels than above specified where the choice is between one of two or more separate parcels all of which or none of which have existing connections therefrom, either as appropriate in the judgement of the Engineer or as agreed to be the owner or owners of the separate parcels involved in such choice.

Sec. 19-3. Engineering, administrative, legal and other costs of apportionment of assessments upon division of parcels of land shall be borne by the owner of the parcel before division or to the new parcel or parcels to which the assessment is assigned.

ARTICLE 20 - MODIFICATION OF CHARGES

Sec. 20-1. Where the division of parcels of land or use of land for industrial, commercial, subdivision or residential projects require more than an equivalent to single family unit (SFU) water capacity demand for service, the Georgetown Divide Public Utility District reserves the right to modify the foregoing charges to accurately reflect the financial implications of said parcel division or use, by reason of the potential for major influence on the capacity operation and service availability of any of the facilities serving any existing water improvement district. Said modification of charges shall be made by the District Board of Directors based upon information provided by the District Engineer and staff relative to all applicable water costs and present and future water service demands.

ARTICLE 21 - REPEAL

Sec. 21-1. Ordinance Nos. 77-10, 79-1 and 81-1, the full titles and dates of adoption of which are set forth in the preamble of this Ordinance, are hereby repealed and shall be of no further force and effect; provided only that the monies in the special funds designated in any of said ordinances shall be placed in the corresponding special funds provided for in the Ordinance.

ARTICLE 22 - EFFECTIVE DATE

Sec. 22-1. Adoption and Effective Date. This Ordinance shall take effect thirty (30) days after its passage. At least one week before the expiration of said thirty days, copies thereof shall be posted in three public places within the Improvement District, and it shall be published once in the Georgetown Gazette and Town Crier, a newspaper of general circulation published in the District.

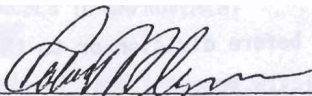
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PASSED AND ADOPTED at a regularly held regular meeting of the Board of Directors of GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT on this 14th day of April, 1982.

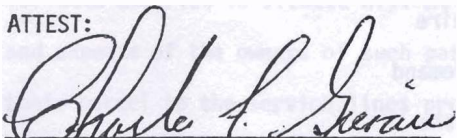
AYES: Directors Robert E. Flynn, John C. Lampson, Fred G. DeBerry, and Arthur E. Smoot.

NOES: None.

ABSENT: Director Lee J. Hoddy.

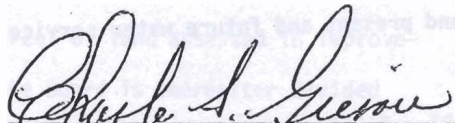

ROBERT E. FLYNN, President
Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

ATTEST:


CHARLES F. GIERAU, Clerk and ex officio Secretary of the Board of Directors thereof.

(SEAL)

I hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 82-1, duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, El Dorado County, California, on April 14, 1982, 1982.


CHARLES F. GIERAU, Clerk of the
GEORGETOWN DIVIDE PUBLIC
UTILITY DISTRICT

(SEAL)