

# **CARPINTERIA VALLEY WATER DISTRICT**

## ***RULES AND REGULATIONS***

Adopted by the Board of Directors

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# **CARPINTERIA VALLEY WATER DISTRICT**

## **RULES AND REGULATIONS**

**1. RULES AND REGULATIONS**

- a. These Rules and Regulations shall be known as “The Rules and Regulations of Carpinteria Valley Water District”.
- b. No officer, agent or employee of Carpinteria Valley Water District (District) shall have any authority to waive, alter or amend in part or in whole, these Rules and Regulations.
- c. These Rules and Regulations may be amended, added to or revoked in whole or in part, at any meeting, general or special, of the Board of Directors of Carpinteria Valley Water District, a quorum being present, by a majority vote of the Directors, provided that a written notice of any proposed amendment, addition or revocations shall have been delivered to each Director prior to any such meeting.
- d. The term “customer” as used in these Rules and Regulations, is defined to mean the person(s) served water as a result of having made an application for service as provided for in these Rules and Regulations. [Appendix E](#) identifies the various customer classes recognized by the District and the definition of independent water service entities.

**2. AREA SERVED AND CONDITIONS OF SERVICE**

Except as provided by law and in these Rules and Regulations, only those lands lying within of Carpinteria Valley Water District Boundary, and no other lands, with the exception of lands served by agreement with Casitas Municipal Water District in Ventura County will be served with water from the works of Carpinteria Valley Water District.

Service of water shall be subject to the terms and conditions of these Rules and Regulations and the terms and conditions of a certain contract dated April 15, 1995, Master

Contract Renewal #175R-1802R between Carpinteria Valley Water District and the United States Bureau of Reclamation.

### 3. APPLICATION FOR SERVICE

- a. **New or Enlarged Connections:** A written application for water service must be made for new or enlarged service connections. Said application shall be made to the District on a form provided by the District and available to the applicant at the District Office.
  
- b. **Form of Application:** Said application shall, in addition to any other requirements, provide for the giving of the following information by the applicant:
  - (1) Location of premises to be served.
  
  - (2) Date on which applicant desires service to commence.
  
  - (3) Whether or not the premises were previously supplied with service by Carpinteria Valley Water District.
  
  - (4) Purpose for which service is desired.
  
  - (5) Address, telephone number and name of person who will be responsible for bills and to whom bills shall be presented.
  
  - (6) Whether applicant is the owner, agent or tenant of the premises.
  
  - (7) Number of dwelling units / residences to be served by the meter.
  
  - (8) Driver's License number or other identifying information. For customer verification purposes.

All applications for new service connections must be accompanied by the Connection Fees as required in [Rule Number 9](#) of these Rules and Regulations, and in addition, the applicant must establish credit with the District as set forth in [Rule Number 4](#).

#### 4. CREDIT OF APPLICANT

a. **Establishment of Credit:** No later than 14 working days after the commencement of service, each applicant must establish credit with the District by any one of the following methods:

- (1) If the applicant provides sufficient evidence of creditworthiness established on another Carpinteria Valley Water District service account, as determined solely by the Manager or his designee, credit will be deemed established.
- (2) By a cash deposit with the District in the amount required by [Rule Number 6](#), hereof.
- (3) By receipt of a letter or e-mail from another public water agency with the following information confirming the customer's good credit account history for a current account with that agency:
  - i. Date account was open.
  - ii. Statement that there have been no shut offs for non-payment or door tags in the last 2 years.

A current account includes an account closed at the request of the customer within 60 days of the date of the new service request. The District must receive a customer's letter of credit prior to service start date.

**b. Re-Establishment of Credit:**

- (1) If a customer fails to pay a water bill within fifteen (15) days after presentation of said bill, as set forth in [Rule Number 5](#), then, even though the customer's service has not been disconnected as set forth in [Rule Number 13\(d\)](#) hereof, said customer may be required to re-establish credit with the District by making a cash deposit in the amount required by [Rule Number 6](#) of these Rules and Regulations.
- (2) If a customer fails to pay a water bill within fifteen (15) days after presentation of a second notice that the bill is due and owing, then whether or not service has been disconnected as provided in [Rule Number 13\(d\)](#), said customer may be required to re-establish credit with the District by making a cash deposit with the District in an amount equal to twice the estimated average of a bill for the type of service to be rendered.

**5. PRESENTATION AND PAYMENT OF BILLS**

Bills for services by the District will be presented by the District for payment at monthly intervals and all of said bills will be due and payable upon presentation of said bill to the customer.

Bills shall be considered presented when either delivered personally to the customer or when deposited in the United States mail, postage prepaid, and addressed to the customer at the address shown on the customer's application for service. The District offers a direct payment service whereby monthly water bills are automatically deducted from a customer's checking account. Forms for such service are available at the District office or the District's website.

Payments may be made at the District office. Credit card payments *must* be made in person at the District office, with proof of identity shown upon payment. Electronic payments may be made through the District's website ([www.cvwd.net](http://www.cvwd.net)) or

<https://cvwdca.municipalonlinepayments.com/site/Pages/>). A service fee for processing may be applied to the account as specified in the District's annual fee table in [Appendix C](#).

If the District receives a returned check from the bank for non-sufficient funds, the customer shall be charged a returned check fee as specified in the District's annual fee table in [Appendix C](#).

In the event that the District receives a second returned check from the bank for non-sufficient funds (either personal check or automatic clearing house check), a customer will be required to pay subsequent water bills in cash, credit card or cash equivalent (cashier's check, money order etc.) for twelve months. The customer will have 2 days to bring the account to good standing and pay all returned check fees and any penalties and charges for service termination.

## 6. DEPOSITS

- a. **Deposit Amount** The amount of cash deposit necessary to establish credit, as required by [Rule Number 4](#) for all classes of service, shall be a sum equal to twice the estimated average bill for the type of service rendered.
- b. **Refund of Deposit**: Where service has been ordered permanently discontinued by the customer, all money on deposit with the District for the purpose of establishing credit will be first applied to the payment of any bills due and owing the District, and the balance of said deposit, if any, will be refunded to the customer.

The District will review the account history of each customer after two years. If the account is in good standing after two years a refund of the amount of deposit for the purpose of establishing credit will be issued to the customer of record. Good standing requires no door tags within the two-year period. If a customer has their deposit refunded after the two-year period and they receive in excess of one door tag within any following two-year period they may be required to pay a deposit amount (see 6a for amount) to return their account to good standing. Said deposit must be paid prior to reconnecting service after their second shut off notice.

- c. **Failure to Pay**: The District must receive said deposit within 14 working days of the service start date or shut off procedures will begin immediately.
- d. **Lifeline Program**: The District will apply a 20% credit to the total Monthly Service Charge every month for qualified residential customers. To become a qualified customer verification of customer participation in Southern California Edison's CARE Program must be provided.

Verification is deemed complete upon District customer submitting a current Edison bill confirming their participation in the CARE Program. Master metered customers will also receive a credit of 20% of the per dwelling unit Monthly Service Charge for each verified CARE participant served by the master meter account holder.

## 7. **INSTALLATION, DOWNSIZING, AND REMOVAL OF WATER SERVICE CONNECTION**

- a. Upon approval by the District of an application for water service connection and the receipt of any deposits or fees required to be deposited or paid by these Rules and Regulations, the District will furnish and install service pipe of suitable capacity from its water mains to the curb line of property abutting upon a public street, highway, lane, alley or road along which the District has, or will install, water mains.
- b. All piping and appurtenances inside the curb or property line shall be installed by the customer and at the customer's sole cost and expense. Said piping and appurtenances so installed by the customer must conform to the California Plumbing Code; Local Building codes and District specifications.
  - (1) For convenience at the time of installation and as a courtesy to the customer, the District may install gaskets, and other items on the customer side of the water meter. Despite these possible installations, everything after the meter on the customer side of the service is deemed to be the customer's property and responsibility (see section c. below).

- c. All piping and appurtenances so installed by the customer (or the District pursuant to section b. (1) above) shall be and shall remain the sole property of the customer and said customer shall be responsible for the maintenance and repair of said piping and appurtenances.
  
- d. If a customer owns more than one property within the District and conditions or water requirements for one property has changed a customer may request for a service connection to be moved. Under such a request the following shall apply:
  - (1) Provided suitable outlets exist, a service may be moved from one property to another on a cost plus 30% basis for materials, and cost plus 55% for labor. Valves, check valves, and meter shall be installed in the new location and such pipe and fittings as are suitable for re-use shall be used. The District shall be the sole judge of suitability of pipe and fittings for re-use.
  
  - (2) A service vacated in section (1) above, may be replaced with a new service of a size mutually satisfactory to District and customer, on a cost plus 30% basis for materials, and cost plus 55% for labor. Such a service will require the customer to pay the appropriate. Capital Cost Recovery Fees for the new meter.
  
- e. Downsizing may be done upon receipt of a completed application by the customer, subject to the following:
  - (1) A favorable engineering feasibility and water needs analysis performed by the District; and
  
  - (2) Payment for District expenses, based on meter size as specified in the District's annual fee table in [Appendix C](#).

When downsizing a service, the District will install and connect all devices and appurtenances on the District side of the meter. The customer shall contract with an appropriate vendor to connect the new meter to the existing water service on the customer side of the meter (see section b.(1) above).

No adjustment of the Capital Cost Recovery Fees will be considered for meter downsizing. Any subsequent replacement with the original or larger meter service will be subject to the then prevailing Capital Cost Recovery fee schedule and regulations (see [Appendix B](#) for current fees and [Appendix D](#) for CCRF methodology).

- f. A customer may request the removal of a redundant or unwanted meter, for which approval is subject to the following:
- (1) A favorable engineering feasibility and water needs analysis performed by the District; and
  - (2) Payment for District expenses, based on meter size as specified in the District's annual fee table in [Appendix C](#).

The District reserves the right to remove all service lines and appurtenances to the distribution main at the customer's expense. The cost for such a removal will be done on a cost plus 30% basis for materials and a cost plus 55% basis for labor and equipment. There will be no refund of Capital Cost Recovery Fees in accordance to District Resolution 870 (Appendix D). Deposits will be required as in [Rule 9\(a\)](#).

A meter approved by the District for removal or removed after customer request or failure to pay may be re-installed upon request of a customer, and will be done on a cost plus 30% basis for materials and a cost plus 55% basis for labor and equipment. Capital Cost Recovery Fees based on the size of the meter must be paid in accordance to District Resolution 870 ([Appendix D](#)). Deposits will be required as in [Rule 9\(a\)](#).

## **8. WATER MAIN EXTENSIONS**

- a. The District may, upon written application, extend its water distribution system inside the District to serve a new customer or group of customers. New customers shall be those who make application for service from such extensions, in accordance with District Rules and Regulations, prior to the time construction work

is started on said extension, and who agree to pay minimum charges and regular rates for water service from the date of completion of the extension, or as service is available to each parcel, as the work progresses. All water main extensions will be subject to a "Facilities Extension Agreement" between the District and the customer(s) applying for the main extension.

Should an extension require construction of water facilities, the District shall decide if the extension will be constructed by District personnel or an District approved contractor. In the event that the District undertakes the extension, the applicant(s) shall deposit with the District, in advance and before construction is started, an amount which shall be the District's estimate of the entire cost of the extension. "Cost of Installation" includes all labor, material, equipment, engineering and miscellaneous items furnished or used in making such extension, and 30% on material, 55% on labor shall be the amount for overhead. Upon completion of the extension, the actual cost thereof shall be retained by the District and the balance, if any returned to the applicant(s). In the event the amount deposited does not cover the cost of the extension, the applicant(s) shall pay the balance due, upon demand.

- b. Upon completion and acceptance of the extension, the applicant(s) shall dedicate the water facilities and appurtenances to the District.
- c. In the event that the District requires an extension with a pipe size larger than necessary to serve the property of the applicant(s), the additional cost on account of installing a larger than necessary pipe, shall be borne by the applicant(s). Such costs will be included in the actual costs of said extension, but may be subject to refund as in Section 8(d) below.
- d. For a period of ten (10) years, commencing with the date of acceptance of the extension by the District, the District will refund to the applicant a pro rata share of moneys which the District may collect on account of a "Benefited Property Charge" for such extension, as said charge is hereinafter defined. The District shall be under no obligation, however, to take legal action to enforce collection of said "Benefited Property Charges", and does not hereby create or establish any rights of the applicant as a third party beneficiary to any agreement or action by the District.

- (i) Upon completion and acceptance of an extension, the actual costs of said extension, exclusive of public fire hydrants and services which are attributable to the applicant(s) as determined by the District, shall be prorated to all parcels, including the applicants, which in the sole opinion of the District, will be, or in the future may be, benefited by water service connections from said extension.
  - (ii) Applicant shall be given a description of the parcels, which will be subject to the benefited property charge. The costs so pro-rated as to parcels of real property not owned by the applicant, or any of them if there be more than one, as of the date of acceptance of the extension, shall be known as the "Benefited Property Charge". Prior to the service of water to any parcel of real property, for which parcel there has been allocated a Benefited Property Charge, the applicant(s) for water service to said parcel shall pay to the District, said charge, which payment shall be in addition to any other required by these Rules and Regulations on account of water service connections.
  - (iii) In no event shall the total amount refundable to any applicant(s) exceed the total cost of the extension attributable to the applicant(s) and no refund shall be made after said ten (10) year period, even though the District for its own benefit may still continue to collect all charges allocated to each party benefited.
- e. The District shall hold title to all accepted pipe line extensions. The District reserves the right at all times, to add any extension or additional metered customers to an extension, without procuring the consent of any party or parties contributing to the cost of the original or subsequent extension.
- f. Where possible, water main extensions and any related facilities shall be installed in streets or roads formally dedicated to public use. In the event that private land must be traversed, a legal easement shall be established and dedicated to the Carpinteria Valley Water District.

- g. All extensions of water mains shall be made in accordance with the plans and specifications as approved by the District Manager, who will determine the size of facilities required and will estimate the cost of all work to be done.
- h. If pumping is required on any extension, to provide adequate service pressure above 350 feet elevation, (Pumping Level I) and above 650 feet elevation (Pumping Level II) surcharges per 100 cubic feet shall apply. These surcharges are described in the District's annual fee table in [Appendix C](#).
- i. If pumping plants, storage facilities or any other related facilities are required in order to provide water service, including fire services, such facilities shall be included in the costs of the extension. The District shall determine the number and size of pumping plants, storage facilities or any other related facilities, which shall be constructed as a part of the distribution system extension, at the sole cost of the applicant(s).
- j. The applicant(s) shall provide the District, without cost to the District, all necessary reservoir sites, easements and rights-of-way for said storage facilities, pumping plants or related facilities, including rights-of-way for necessary roads, power and communication. In the event that necessary sites, rights-of-way or easements are on property other than that owned by the applicant(s) and the applicant(s) is unable to acquire said sites, rights-of-way or easements, by negotiation, the District may, but shall be under no obligation to, use its power of eminent domain to acquire said sites, rights-of-way or easements, after the applicant(s) has first deposited with the District, the total estimated cost of said acquisition. Any difference between the amount deposited and the actual total cost of acquisition, shall be adjusted by a refund or additional payment, as the case may be.
- k. All of the foregoing provisions of this Rule, which are applicable to main extensions, shall also apply to reservoirs, pumping plants, or other related facilities, except that in no event shall the District be obligated to pay any costs on account of installing a reservoir, pumping plant or other related facilities larger than necessary to serve the property of the applicant.

## 9. CONNECTION FEES

- a. The fees for making new service connections, re-installations, or for enlarging service connections already in existence, shall be at District's cost plus overhead of 30% on materials and 55% on labor. Deposits in the amounts as shown in the District's annual fee table in [Appendix C](#). will be required based on meter size. If the amount of the deposit is less than the actual costs, the customer will be billed for the balance. If the amount of the deposit is more than the actual costs, the balance will be refunded to the customer. An itemized billing will be given for all installations.
- b. Service piping shall be no less than one pipe diameter size larger than the meter size for meters  $\frac{3}{4}$ " –  $1\frac{1}{2}$ " minimum service piping shall be 1" size for  $\frac{3}{4}$ " meter,  $1\frac{1}{2}$ " size for 1" meter and 2" size for  $1\frac{1}{2}$ " meters.
- c. If the division of a parcel of land or change in land use has resulted in a larger service than that required by [Rule Number 12](#), for the remaining area, the District shall, at the request of the customer and upon payment of all necessary costs and fees, remove the existing service and replace same with an appropriately sized service to satisfy the remaining area. No refund is to be made by the District for the existing connection or meter (See [Appendix D](#)).
- d. Subject to [Rule 7b\(1\)](#) above, all service connections and meters with appurtenances installed, regardless of size, shall remain the property of the District.
- e. In addition to the standard connection fees in [Rule 9\(a\)](#), the District will comply with the requirements of the Regulations of the California Administrative Code, Title 17, known as "Cross Connection" regulations (see [Rule 35](#)).

## 10. CAPITAL COST RECOVERY FEES

- a. Rates for the Capital Cost Recovery Fees shall be determined in the annual schedule of rates and charges as adopted by the Board of Directors as attached in [Appendix B](#).
- b. The Capital Cost Recovery Fee for new service connections shall be charged based on the size of the new meter required for the property as calculated by the District and shall be charged at the time of issuance of such new meter. New water service connections or changes to existing services shall follow the methodology described in Resolution 870 (see [Appendix D](#)) and adhere to the annual Capital Cost Recovery Fee table provided in [Appendix B](#).
- c. The Capital Cost Recovery Fee for larger meters which replace an existing active meter shall be equal to the difference between the current Capital Cost Recovery Fee for the new meter required, and the Capital Cost Recovery Fee for the previously installed meter service. Examples for such changes are specified in Resolution 870 (see [Appendix D](#)).
- d. Separate water service connections for fire sprinklers are required for certain structures and uses within the District. These meters are sized based upon the need for maximum short duration flow capacities rather than on the District's standard meter size requirements for estimated water use for the building, property size or use proposed. New fire service connections or changes to existing services shall follow the methodology described in Resolution 870 (see [Appendix D](#)) and adhere to the annual Capital Cost Recovery Fee table provided in [Appendix B](#).
- e. Connection Fees for installing new water and fire services and meters will continue to be charged in addition to the Capital Cost Recovery Fee, based on actual costs plus overhead and equipment charges as determined by the District. The District will continue to require a deposit to cover the estimated District costs related to such service installation.
- f. The District shall not impose Capital Cost Recovery Fees on new service connections deemed to be "public authority" accounts, as defined in [Appendix E](#).

- g. All deposits and fees for service installation must be made in full prior to the District's approval of a construction agreement. All Capital Cost Recovery Fees must be paid in full prior to the installation of a meter. The District encourages new customers to work with District staff to properly time the installation of new meters and services. The District will not provide final project approval (including but not limited to Certification of Occupancy) until all fees, charges and deposits have been paid in full.

## 11. WATER RATES AND CHARGES

In applying water rates and charges, account shall be taken of type of service, size of service and surcharge for pumping.

- a. **Type of Service**: For rate purposes, water service shall be divided into two types as follows:
  - (1) Type 1 service shall apply to services supplied for municipal and industrial use. Type 1 service shall be further divided into subtypes as follows:
    - (i) **“Domestic Residential Service A”** shall apply to all services supplied exclusively for domestic residential use excluding multi-family (two or more) residential units served by a single District master meter.
    - (ii) **“Domestic Residential Service B”** shall apply to all services supplied exclusively for domestic multi-family (two or more) residential use served by a single District master meter.
    - (iii) **“Commercial, Industrial and Public Authority Service”** shall apply to services supplied in whole or in part for commercial, industrial or public authority use. For purposes of the monthly Capital Improvement Program Service Charge, this portion of the monthly service charge for “Hotels / Motels” customers shall be imposed in the same manner as Domestic Residential Service B customers.

- (iv) “Private Fire Service” shall apply to any water service entity designated as a closed water distribution system or network with the sole purpose or function of fire suppression.
  - (v) “Temporary Meter” service shall apply to services to circuses, bazaars, fairs, temporary restaurants, construction works, or temporary emergency services for residents, etc., of a temporary nature
- (2) Type 2 service shall apply to all services qualifying as “Irrigation” services as defined below:
- (i) “Irrigation” service is defined as the use of water for agricultural purposes, delivered through a 1 ½” (or larger) meter to irrigate not less than 2 acres for commercial agricultural purposes. Existing ¾”, 1”, and 1 ½” meter services, serving 2 acres or more of commercial agriculture, shall be considered irrigation services. Use of water in connection with the operations of a chicken ranch or for stock watering, or any other similar uses shall be considered an irrigation use, if the service meets requirements respecting the size of the meter and the area served. All services that do not qualify as Irrigation service shall be considered Type 1 service.
  - (ii) If a service is located on less than 2 acres, a customer may request the District’s General Manager to review the location and size of service in order to determine if such service is “Municipal and Industrial” or “Irrigation”. The General Manager’s determination shall be final, unless an appeal by the customer within thirty (30) days of receipt of written notice of such determination is made to the District’s Board, in which case the determination of the Board made at a public meeting with notice to the customer shall be final. Any determination by the District, however, shall be subject to change based upon Contract #175R-1802R as referenced in [Rule 2](#) above.

- (iii) All Irrigation accounts with one or more residential units that are not independently metered, shall be subject to a monthly residential equivalency charge (REQ) for each residential unit as shown in the District's annual fee table in [Appendix A](#). This charge is the difference between the cost of water of the average monthly use by single-family residential accounts and the cost of the same volume of water at the irrigation rate. The REQ is adjusted every year based on a rolling 5 year average
  
- b. **Size of Service:** (See [Rule No. 12](#)).
  
- c. **Monthly Service:** The minimum monthly service charge for Type 1 and Type 2 metered services, regardless of the amount of water used by a customer during any given month or fraction thereof, shall be in accordance with the schedule of rates and charges as adopted by the Board of Directors as attached in [Appendix A](#).
  
- d. **Water Measurements:** Except as these Rules and Regulations otherwise provide, all water supplied by the District shall be measured by standard water meters, and a hundred cubic feet shall be the standard unit of measurement.
  
- e. **Meter Water Rates:** The rates charged by the District for water furnished through meter service, shall be in accordance with the annual schedule of rates and charges as adopted by the Board of Directors as attached in [Appendix A](#).
  
- f. **Surcharge for Pumping:** Customers receiving water through connection at certain elevations may require the District to pump or re-pump water a greater number of times than at lower elevations. To provide proper service, the District may install a connection at said higher elevation, and will apply the following surcharge:
  - Level I - 350 feet above sea level (See [Appendix A](#) for current surcharge)
  - Level II - 650 feet above sea level (See [Appendix A](#) for current surcharge)

**12. MAXIMUM FLOW**

Nothing herein contained shall be construed as, nor shall it constitute a representation by the District that said maximum rate of flow will be available to any customer at any specified time or times.

Maximum flow allowed through meters of various sizes shall be as follows:

3/4" meter	30 gallons per minute
1" meter	50 gallons per minute
1 1/2 " meter	100 gallons per minute
2" meter	160 gallons per minute
3" meter	375 gallons per minute
4" meter	700 gallons per minute

Customer shall be responsible for rate of flow through meter and violation of this rule shall be grounds for discontinuance of service.

**Acreage and Meter Size for Irrigation:**

2 – 3 acres	1 ½” meter
3 – 36 acres	2” meter
36 – 105 acres	3” meter
105 acres – up	4” meter

**13. DISCONTINUATION OF SERVICE**

- a. **Request for Discontinuation:** A customer may at any time request discontinuation of service by written request or by telephone. Said request must be received by the District office at least one (1) business day prior to the date on which discontinuation is desired. Such request for discontinuation may include a request for service removal, in which case the District, upon notice to the record property owner, may remove the installed meter service.
  
- b. **Vacating of Premises:** A customer who vacates a premises for which he has been served water and who fails to request discontinuation in the manner provided in Section (a) of this Rules and Regulations, shall be held responsible for all water consumed on said premises up until the time that the District has actual notice that said customer has vacated said premises.
  
- c. **Continuation of Monthly Service Charge:** Customers and/or property owners with an installed meter service, whether the meter is on or off are required to pay a monthly service charge. If the monthly service charge is not paid according to these Rules and Regulations, the record customer will be notified by mail, with a copy to the address shown on the Santa Barbara County tax rolls if the record customer is different from the record owner. Failure to pay the monthly service charge within 30 days of the date of such notice could result in the removal of the meter. If the meter is removed for non-payment, or at the request of the customer or property owner, payment of a fee for the reinstallation of the meter as well as the applicable Capital Cost Recovery Fees as outlined in [Appendix D](#) (see also [Rule 10](#)).

d. **Nonpayment of Bills:**

- (1) The District may discontinue water service without further notice to any customer who fails or refuses to pay any bill presented within fifteen (15) days after said bill has been presented to him. The sending of any further notice to a customer prior to such discontinuation by the District shall not constitute a waiver of the District's right to discontinue said service for nonpayment within said fifteen (15) day period (see [Rule 13\(j\)](#)).
- (2) The District may discontinue or refuse to provide service to a customer at any new location who fails or refuses to pay any bill for service rendered at any former location within thirty (30) days after said bill for service at a former location has been presented at the address given by said customer on the application for service at said new location.

- e.
- Unsafe Apparatus or Appliances:**
- The District shall have the right to refuse or discontinue service of water to a customer if said customer's service apparatus or appliances or any part thereof shall at any time be deemed by the District to be unsafe or unfit for the service of water. The District may also refuse or discontinue the service of water to a customer if the use of said customer's apparatus or appliances for the service of water is prohibited or forbidden under the authority of any State, City, County or Municipal law, statute or ordinance, now or hereafter in existence, and the customer shall not be entitled to service of water until such time as he or she has put the apparatus or appliances in a condition deemed safe by the District or has complied with all of the same laws, statutes or ordinances, as the case may be.

Each customer shall be responsible for keeping their service apparatus and appliances in a safe and sound condition and in compliance with all applicable laws, statutes and ordinances. There shall be no obligation or duty upon the District to inspect said apparatus and appliances and the action of the District in serving water to a customer does not constitute a representation by the District that the customer's apparatus or appliances are in a safe condition and comply with all of the applicable laws, statutes and ordinances.

The District may also deem conditions that limit access to District meters and appliances to be unsafe and, therefore, be grounds for discontinuance of service. (See Rules [17](#) and [24](#).)

- f. **Use of Service Apparatus or Appliances Detrimental to Other Customers:** The District may refuse or discontinue the service of water to any customer who has apparatus or appliances, the operation or utilization of which would be detrimental to or would interfere with the serving of water to other customers.
  
- g. **Violation of Rules and Regulations:** Violation of any of the Rules and Regulations of Carpinteria Valley Water District shall constitute grounds for the District to discontinue service of water to said customer.
  
- h. **Notice:** Except as otherwise herein provided, the District will not discontinue service to any customer without first giving said customer written notice of said discontinuation, including the reasons therefore and a reasonable time, as determined by the District, within which to remedy, cure or contest the facts upon which the discontinuation is based.
  
- i. **Door Tag Notice:**
  - (1) If an account is past due the District will not discontinue service without first hanging a door-tag at the service property. The door-tag will state the shut-off date and the amount that must be paid to avoid shut off. The District will charge for processing this door tag in the amount as shown in the District's annual fee table in [Appendix C](#). Said fee will be assessed on a customer's account as of the penalty date and time shown on the Disconnect Notice, regardless if payment is received prior to the door-tag being delivered to the customer's property.
  
  - (2) In the event that the District receives a Request for Discontinuance of Service and has not yet received a Request for Service the District will hang a door-tag

giving the new occupant 24-hours to contact the District before service is discontinued.

Notwithstanding Rule 13(i) above, the District may, without notice, discontinue the service of water to any customer in any case where the District determines, in its sole discretion, that continuation of service would result in a waste of water or would constitute or create an immediate danger or hazard to either the customer or the District, or both.

#### **14. RECONNECTION CHARGE**

In any case where the District has discontinued the service of water to a customer for nonpayment of bills or for other violation of these Rules and Regulations, said customer shall not receive such service until and unless, the customer satisfies all requirements of these Rules and Regulations, pays to the District a fee to cover the administrative costs for such reconnection (see [Appendix C](#)) and has brought their account to a zero balance. The customer will be required to pay the reconnection charge and bring their balance to zero if the past due amount is not paid by 9:00 a.m. on the shut off date.

#### **15. DISPUTED BILLS**

In the event that a customer disputes or denies the accuracy of any bill, or requests reduction in payment due to a leak or some other similar problem on the customer side of the meter, the following procedure shall be followed:

- a. The customer shall deposit with the District an amount as determined by the District based on the normal average amount of water metered for the period in question (and associated meter charges) within the time required by [Rule Number 13\(d\)](#) hereof and shall accompany said deposit with a written statement that said customer believes the bill to be in error or in excess of normal usage due to a leak or some other similar misfortune and briefly stating the reasons for believing said bill is in error or that due to circumstance beyond the customer's control some reduction should be provided.

- b. The District will, upon receipt of said deposit and statement, give written notice to said customer that his or her bill will be considered by the Board of Directors of the District at the next meeting of the Board of Directors which next meeting shall not be sooner than 7 days after the giving of said statement by the District to said customer.
- c. At said meeting of said Board, the customer may appear in person or by his representative, and present whatever evidence he or she may have concerning the alleged error in his or her bill or basis for requested relief and the Board shall give its decision not later than ten (10) days after the conclusion of said meeting.

Failure of a customer to give notice to the District of an error in or request for reduction of their bill within ten (10) days of receiving said bill,, shall constitute a waiver of any error or request for reduction by said customer and the bill shall be deemed correct and final as presented.

- d. A request for reduction in a bill due to a leak or some other similar problem occurring on the customer side of the meter, subject to fulfillment of all of the requirements of this rule, may, after Board of Directors review, and within the Board of Director's sole discretion, be favorably granted by the Board of Directors as follows:
  - (i) A credit of 25% of the charge for the amount of water metered in excess of the 4-year average amount of water metered for the month in question as determined by the District may be applied to the customer's account after a Water Audit is completed by the District.
  - (ii) A three-month period of time may be allowed for payment of the total amount of the bill, less the 25% adjustment.
- e. The Manager, at the Manager's discretion, may provide a credit of 25% to the customer's account, if calculated to be less than \$150, without forwarding the request for reduction to the Board of Directors, and after a Water Savings Survey is completed by the District.

## 16. RECORDS REPRODUCTION FEE

At the Manager's discretion, a per-page charge must be paid upon receipt of 10 or more copies of letter and/or legal size records made in-house as requested (see [Appendix C](#)). For requests in excess of 25 photocopies the District reserves the right to require, at the discretion of the Business Manager, that an outside service provider perform the requested copying at the expense of the person making the request. Reproduction of blueprints, maps and similar documents will be provided by the District as follows: Fees for blueprints, maps, etc. must be paid equal to the fee billed to the District for the service provided by an outside service provider upon receipt of the reproductions by the person requesting the copies.

## 17. METERS AND APPLIANCES

- a. **Meters and Appliances**: All meters and appliances installed by the District upon the customer's property for the purpose of delivering water to the customer shall be the property of the District, and may be repaired, replaced or removed by the District at any time.

Meters and appliances must be accessible to the District or its duly authorized agents at all times. Barriers to access – including but not limited to fences, gates, locks, vehicles, equipment, dogs or other animals or refuse will be reported to the customer and required to be corrected immediately. Should a condition limiting access remain, the District reserves the right to discontinue service after giving written notice to the customer via certified mail with return receipt. Service may be discontinued seven days after customer receipt of written notice and remain discontinued until such time as the condition limiting access has been modified or removed and access is deemed safe and acceptable by the District.

Except as herein otherwise provided, no rent or other charge shall be made by the customer against the District nor by the District against the customer for placing or maintaining said meters and appliances upon the customer's premises. The customer shall exercise reasonable care to prevent the District's meters and equipment from being injured or destroyed. In the event customer identifies any defect in the meter, customer shall notify the District thereof immediately.

The District shall have the right to remove any and all of its facilities installed on customer's premises at the termination of the service.

- b. **Meter Installation:** All meters shall be installed by the District. Meters, wherever practicable, shall be placed in suitable meter boxes located in the sidewalk adjacent to the curb line. When it is not practicable to place meters in the sidewalk, the meters shall be installed in some convenient place approved by the District upon the customer's premises, and in a location that is at all times accessible for inspection, reading and testing.
  
- c. **Meter Tampering:** The customer shall not make or maintain any by-pass or other connection between the meter and the District's main. The customer shall not tamper with the meter or interfere with the operation of the meter in any manner or for any purpose. Penalties for tampering with a meter or bypassing a meter may include, but are not limited to, tampering fines and penalties, fees for unmeasured water consumption, meter and appliance replacement costs and labor, criminal prosecution and disconnection of District water service (see [Appendix C](#)).
  
- d. **Number of Customers per Water Service Connection:** In all cases in which water is to be served to a building occupied by multiple customers, independent services to the curb line must be provided for each such independent customer (see [Appendix E](#)). For example, a development is proposed to include four residential condominiums and three commercial stores. The proposed development would require seven appropriately-sized service connections in addition to any fire service connections deemed necessary by the responsible agency.

Individual parcels with multiple residential dwelling units shall be served with a separate meter for each residential dwelling unit except on agricultural parcels. If a second residential dwelling unit is proposed on a parcel zoned for single-family residences, the new residential dwelling unit must be serviced by a separate meter.

## 18. METER TESTS

Any customer may request the District to test his or her water meter. A deposit to cover the reasonable cost of the test will be required of the customer, in accordance with the District's annual fee table in [Appendix C](#).

The amount so deposited will be returned to the customer if the meter is found, upon testing, to register more than one and one-half (1.5%) percent fast under conditions of normal operation; otherwise the deposit will be retained by the District.

A customer shall have the right to require the District to conduct the test in his or her presence, or if he or she so desires, in the presence of a representative appointed by him or her. The customer shall make this request in writing at the time the deposit is submitted. The customer will be notified in advance of the time and place the test will be made.

A report giving the name of the customer requesting a test, the date of the request, the location of the premises where the meter has been installed, the type, make, size and the result of the test, will be supplied to the customer within a reasonable time after completion of the test.

All new meters have been calibrated by the manufacturer , and no meter will be placed in service nor allowed to remain in service, which has an error in registration in excess of one and one-half (1.5%) percent, under conditions of normal operation.

## 19. ADJUSTMENT OF BILLS FOR METER ERROR

If as a result of the test pursuant to [Rule Number 18](#) a meter is found to be more than one and one-half (1.5%) percent fast in registration, the District shall refund to the customer the overcharge based on a corrected meter reading for the period in which it can be shown the meter was in error. If the period during which the meter was in error cannot be established to the satisfaction of the District, the period for which the refund shall be made shall be the period during which the meter was in use, or the period of three months immediately preceding the test, whichever is the shorter period.

If as a result of said meter test, a meter used for residential or domestic service is found to register less than seventy-five (75%) percent of actual consumption, the District shall present the customer with a bill for the amount of water actually consumed, but not covered by any bills previously presented to the customer for a period not to exceed three months immediately preceding the test.

If as a result of said test said domestic or residential meter is found not registering, the District shall present the customer with a bill equal in amount to an average bill of a like customer for the period during which it can be shown that although water was being used by the customer, the meter did not register, except that in no event shall said period be deemed to be longer than three months immediately preceding the test.

If as a result of a test on a meter used for commercial, public authority, industrial or irrigation purposes, said meter is found to register less than ninety-eight and one-half (98.5%) percent of the actual consumption, the District shall present the customer with a bill for the amount of water used but not covered by any previous bills for the period in which the meter was in error. In the event that said period of error cannot be established to the satisfaction of the District, it shall be assumed that said period was the three months period immediately preceding the test and the corrected bill shall be presented upon that basis.

## 20. NOTICES

Any notices given under these Rules and Regulations shall be given as follows:

- a. **From the District to the Customer:** By written notice delivered personally to the customer or placed in the United States Mail, postage prepaid, and addressed to the address given by the customer to the District on his or her application for service, or at such other address as the customer may, in writing, direct the District to send notices.
- b. **From the Customer to the District:** By written notice delivered to the District office, either by hand or by placing same in the United States Mail, postage prepaid, and addressed to the District office.

**21. TEMPORARY SERVICE**

Temporary service, as herein considered, refers to services to circuses, bazaars, fairs, temporary restaurants, construction works, or temporary emergency services for residents, etc., of a temporary nature.

If in the District’s opinion the furnishing of such service will not create an undue hardship upon the District or its customers, the District will furnish temporary water service under the following conditions:

- a. The applicant for such temporary service shall be required to pay to the District an advance, or otherwise as the District may elect, the total cost of installing and removing any facilities necessary in connection with furnishing of such service by the District.
- b. Each applicant for temporary service shall be required to deposit with the District a sum of money equal to the estimated amount of the District’s bill for such service, or to otherwise secure, in a manner satisfactory to the District, the payment of any bills which may accrue by reason of such service so furnished or supplied.
- c. Temporary Meter Connection Charge: A Monthly Service Charge (MSC) equivalent to that of a 3” meter MSC shall be required for all temporary meters (see [Appendix A](#)).
- d. Method of Billing: Quantity of water charged for at commercial rates will be equivalent to the use as recorded on a temporary meter. Water will be rendered following application. No load estimation will be permitted without District authorization.
- e. Use From Miscellaneous Outlets: The user shall be required to furnish and install fittings on the District’s outlet (exclusive of fire hydrants) together with an auxiliary control Gate Valve which must be in good working order, without leakage, and to be used for control of water deliveries. When water is taken from a miscellaneous

outlet (end drain), the user will be charged a deposit amount equal to the Monthly Service Charge of a 3" meter (see Appendix A), a portion of which is non-refundable as a service charge in connection with the use of the outlet. The non-refundable charge is provided in the District's annual fee table in [Appendix C](#). Water used will be billed at the commercial rate as specified in Appendix H.

- f. Use From Fire Hydrants: If water is to be taken from a fire hydrant, the user will be charged a deposit amount equal to the Monthly Service Charge of a 3" meter (see Appendix A), a portion of which is non-refundable as a service charge in connection with the use of the District's special fire hydrant take-off assembly. The non-refundable charge is provided in the District's annual fee table in Appendix C. User must obtain a permit from the Carpinteria – Summerland Fire Protection District prior to making an application with the District for use of a fire hydrant. Water used will be billed at the commercial rate as specified in Appendix H.
- g. There will be a charge levied by the District each time the meter with or without fire hydrant take-off assembly is moved to a new location. This charge is provided in the District's annual fee table in [Appendix C](#).
- h. Carpinteria Sanitary District (CSD) Hydrant Meter for On-Going Use: The Carpinteria Sanitary District uses a temporary hydrant meter for the purpose of filling its sewer hydro-cleaning equipment at remote locations within its service area on a routine basis. CSD equipment is made available to CVWD periodically on an as-needed mutual aid basis. No Monthly Service Charges (MSC), for the temporary hydrant meter, or deposit requirements will be assessed. Any and all water use shall be billed in accordance to the rates presented in Appendix A. There will be no charge for temporary hydrant meter relocation so long as CVWD has access to read the meter on a monthly basis, day to be specified by CVWD. The proposed addition would go into effect on the May 28, 2006 billing cycle.
- i. In some circumstances, the District may require the installation of a suitable backflow prevention device for temporary meters. (See [Rule 35](#) below.)

- j. Nothing in these Rules and Regulations shall be construed as limiting or in any way affecting the right of the District to collect from the customer any other or additional sum of money which may become due and payable to the District from the customer by reason of the temporary service furnished or to be furnished hereunder.

## **22. CONSUMPTION OF WATER AFTER DISCONNECTION**

If after a service connection has been disconnected by the District, the occupant of the premises continues to obtain water through said service connection without District approval pursuant to these Rules and Regulations, water shall not again be supplied to the premises and/or the person using such water, until payment has been made for all water consumed during the period and all other payments for fines and penalties imposed pursuant to these Rules and Regulations have been received by the District, including a reconnection fee and such other fines and penalties, as set forth in the District's annual fee table in [Appendix C](#). If any damage is done to the meter, lock or other equipment, the occupant may also be charged for replacement costs including materials and labor. The water user may also be subject to prosecution for theft of District water.

## **23. RESALE OF WATER**

A customer shall not resell or transfer any of the water received from the District to any other customer or person, or on other premises than specified in their application for service, without the prior written consent of the District. Any such District consent shall be subject to the requirement that the customer defend, indemnify and hold the District harmless against any claims arising from or related to such resale.

## **24. DISTRICT'S RIGHT OF INGRESS TO, AND EGRESS FROM CUSTOMER'S PREMISES**

The District or its duly authorized agents, shall at all times have the right of ingress to and egress from the customer's premises at all reasonable hours or during emergency situations for any purpose reasonably connected with the furnishing of District water and the exercise of any and all rights given the District by law, or these Rules and Regulations.

Meters and appliances must be accessible to the District or its duly authorized agents at all times. Barriers to access – including but not limited to fences, gates, locks, vehicles, equipment, dogs or other animals or refuse will be reported to the customer and required to be corrected immediately. Should a condition limiting access remain, the District reserves the right to discontinue service after giving written notice to the customer via certified mail with return receipt. Service may be discontinued seven days after customer receipt of written notice and remain discontinued until such time as the condition limiting access has been modified or removed and access is deemed safe and acceptable by the District.

The District shall have the right to remove any and all of the District's property and equipment installed on the customer's premises at the termination of service.

## **25. CUSTOMER RESPONSIBLE FOR EQUIPMENT FOR RECEIVING WATER**

The customer shall, at his or her own risk and expense, furnish, install and keep in good and safe condition, all apparatus and appliances which may be required for receiving, controlling, applying and utilizing District water, and the District shall not be responsible for any loss or damage caused by the improper installation of such apparatus and appliances, negligence, want of proper care, or wrongful act of the customer, or any of his or her agents, employees or licensees, in installing, maintaining, using or operating any such apparatus or appliances. The customer shall be responsible for regulating pressure on said appliances.

## **26. SERVICE CONNECTIONS MADE BY DISTRICT EMPLOYEES**

Only duly authorized employees of the District are allowed to connect to the customer's service or disconnect the same from the District's water mains.

## **27. DAMAGE TO DISTRICT PROPERTY**

Any damage occurring to a meter or other appliances or pipes owned by the District caused by an action or failure to act by any customer, or any agent, employee, contractor, tenant or guest thereof, or arising or resulting from any activity, device or occurrence on customer's premises, shall be paid for by the customer on presentation of a bill therefore.

**28. COMPENSATION TO DISTRICT EMPLOYEES**

All inspectors, agents and employees of the District are strictly forbidden to demand or accept any personal compensation for services rendered to a customer.

**29. WRONGFUL USE OR WASTE OF WATER**

No customer shall provide water to any person, company or corporation other than the occupant or occupants of the premises of said customer, nor shall any customer knowingly permit leaks or waste of water.

If any customer willfully or negligently wastes water, the water may be shut off and the connection sealed by the District, and the water shall not be turned on again until a reconnection fee is paid by said customer to the District, in addition to accrued monthly service charges and fees for metered water use. The reconnection fee is provided in the District's annual fee table in [Appendix C](#).

**30. NON-OBSTRUCTION OF FIRE HYDRANTS**

No person or persons shall place upon, or about, fire hydrants or other facilities of the District, any object, material, debris, or structure of any kind that shall prevent free access to the same at all times.

**31. USE OF WATER DURING FIRE**

The District may require customers to shut off all irrigation or other regular flow of water in the event of a fire in said customer's section of the District. All customers in the District may be required to shut off their water in the event of a fire in the business area of the District.

**32. PRIVATE FIRE SPRINKLER OUTLETS**

Monthly stand-by charges are established for private fire sprinkler outlets as set forth in the annual schedule of rates and charges as adopted by the Board of Directors as attached in [Appendix A](#).

The applicant shall be responsible for the installation, repair and maintenance of said private fire sprinkler outlets and shall pay for any connection charge pertaining to said application.

Except as hereinafter provided, said private fire sprinkler outlet shall not be used for any purposes other than fire purposes and the use of said line for any other purpose shall constitute grounds for the discontinuance of said service by District.

**33. PUBLIC FIRE HYDRANTS**

The District may enter into contracts for the supplying of water for fire protection use to any other district, public agency or municipality located within the District, which district, public agency or municipality, has the power to levy or cause to be levied, taxes on property within its boundaries.

Said contract shall, among other things, provide that the district, municipality or agency desiring water for such purposes, shall install and pay for the entire fire protection system and shall be responsible for the maintenance and repair of said system.

No water may be used from said fire protection system for other than fire purposes without regular application having been made to the District and the District having approved said application. Said application for use other than fire use, if granted by the District, shall be upon such terms and conditions as to the use of water and the charge therefore as the District may deem proper.

**34. SERVICE CALLS**

Service calls made by the employees or representatives of the District during the regular office hours of the District shall be made with no charge to the customer except where it is necessary to make temporary repairs to the customer's installation, in order to prevent a break in the service to the customer.

**35. CROSS CONNECTIONS**

All customer water installations served with water by the District shall comply with the provisions of the Regulations of the State of California, Department of Public Health, Title 17, concerning cross-connections. The District has the responsibility of preventing water from unapproved sources, or any other substance, from entering the public water supply system. The District, after review of the conditions present or future, shall require an approved method of protecting the public water system by requiring the customer or customers to install at the customer's cost, or to reimburse the District for costs incurred by the District installing an approved device. The principle that the degree of protection shall be commensurate with the degree of hazard, will be applied by the District in determining the type of device, or method of protection.

All customers with said devices shall perform tests annually, with written confirmation of proper operation submitted to the District. Failure to test or repair defective devices may result in termination of water service, fines and reconnection charges, as specified in [Appendix C](#).

**36. INCLUSION OF UNPAID CHARGES AS TAX LIENS**

In addition to any other method for collection herein provided, the amount of any delinquent and unpaid charges for water and other services provided, including for monthly service charges, water rates and any damage to District property, may be collected as follows:

- a. Following 60 day notice to the property owner, they may be added to and become a part of the annual taxes next levied upon the property upon which the water for which charges are unpaid was used and upon the property subject to the charges

and shall constitute a lien on that property as of the same time and in the same manner as does the tax lien securing such annual taxes.

- b. The amount of any unpaid charges may, in the discretion of the District, be secured by filing for record in the office of the county recorder a certificate specifying the amount of such charges and the name and address of the person liable therefore, which together with interest and penalty constitute a lien upon all real property in the county owned or acquired by that person.

### **37. PRIVACY OF UTILITY ACCOUNT INFORMATION**

- a. Carpinteria Valley Water District customers supply personal information as a requirement of receiving water service. Government Code section 6254.16 specifically limits who has access to personal information gathered for utility billing purposes and under what circumstances that information may be released. Customer information is strictly confidential and may not be disclosed or accessed for purpose other than provision of, and billing for, utilities unless pursuant to one of the listed exceptions. For purposes of this Rule, "Utility Customer Information" is hereby defined as including, but not limited to, the name of the utility customer, credit history, utility usage data, home address, telephone number, social security number, and driver's license number.
- b. Exceptions: Disclosure of the name of a utility customer, the home address of a utility customer, and utility usage data only may be disclosed as follows:
  - (i) To an agent or authorized family member of the person to whom the information pertains, upon the written designation or authorization of such person, signed by the District customer.
  - (ii) To an officer or employee of the District or another governmental agency when necessary for the performance of his or her official duties.

- (iii) To a consultant, under contract with the District, when necessary for the performance of services under said contract; provided, that the Department head administering said contract approves such disclosure.
  - (iv) Upon a valid court order.
  - (v) Upon the request of an employee of the Santa Barbara County Sherriff's Department or City of Carpinteria or County of Santa Barbara Code Enforcement Department relative to an ongoing criminal or code enforcement investigation.
  - (vi) Upon determination by the District that the District customer who is the subject of the request has used District services in a manner inconsistent with the District's rules and regulations.
  - (vii) Upon determination by the District that the District customer who is the subject of the request is an elected or appointed official of the District with authority to determine the District's utility usage policies, provided that the home address of an appointed official shall not be disclosed without his or her consent.
  - (viii) Upon determination by the District that the public interest in disclosure of the information clearly outweighs the public interest in nondisclosure. Reliance on this exception requires the express approval of the District's General Counsel. Requests for approval from the District's General Counsel shall be submitted in writing. The General Manager shall receive a copy of all requests and responses.
- c. Utility Customer Information Not Covered by Exceptions: Disclosure of additional Utility Customer Information (i.e., including but not limited to, credit history, telephone number, social security number, and driver's license number) will only occur pursuant to a valid court order .

## Appendix A Water Rates and Charges

**TABLE I  
2011-12 WATER RATES**

M & I		BASIC	PUMPING	PUMPING
		UNIT	LEVEL I	LEVEL II
TYPE I (i) and (ii) RESIDENTIAL:	BASE <sup>1</sup>	\$3.00	\$3.23	\$3.45
	MID LEVEL	\$3.85	\$4.08	\$4.30
	PEAK	\$4.85	\$5.08	\$5.30
TYPE I (iii) COMMERCIAL INDUSTRIAL & PUBLIC AUTHORITY	BASE	\$3.00	\$3.23	\$3.45
	MID LEVEL	\$3.85	\$4.08	\$4.30
	PEAK	\$4.85	\$5.08	\$5.30
TYPE II IRRIGATION <sup>2</sup>		\$1.70	\$1.93	\$2.15
Residential Equivalency Charge		\$18.15	\$18.15	\$18.15

1 UNIT = 100 HUNDRED CUBIC FEET (HCF) = 748 GALLONS  
 AF (ACRE FOOT) = 43,560 CUBIC FEET  
 PUMPING LEVEL I = 350 FEET ABOVE SEA LEVEL  
 PUMPING LEVEL II = 650 FEET ABOVE SEA LEVEL

**TABLE II  
MONTHLY BASIC AND STATE WATER  
PROJECT (SWP) SERVICE CHARGES**

METER SIZE	SERVICE CHARGE BASIC	SERVICE CHARGE SWP <sup>3</sup>	TOTAL SERVICE CHARGE
5/8"	4.88	25.91	\$30.79
3/4"	4.88	25.91	\$30.79
1"	8.13	43.18	\$51.31
1 1/2"	16.25	86.35	\$102.60
2"	26.00	138.16	\$164.16
3"	52.00	276.32	\$328.32
4"	81.25	431.75	\$513.00
6"	162.50	863.50	\$1,026.00
8"	373.75	1,986.05	\$2,359.80

**TABLE III  
MONTHLY CAPITAL IMPROVEMENT  
PROGRAM (CIP) CHARGES <sup>4</sup>**

Rate:	\$2.70	per HCF
Minimum	\$16.20	6 HCF
Maximum	\$270.00	100 HCF

**TABLE IV  
MONTHLY FIRE SERVICE CHARGES**

SERVICE SIZE	SERVICE CHARGE BASIC	SERVICE CHARGE SWP	TOTAL SERVICE CHARGE
2"	3.25	17.27	\$20.52
3"	7.31	38.86	\$46.17
4"	13.00	69.08	\$82.08
6"	29.25	155.43	\$184.68
8"	52.00	276.32	\$328.32
10"	81.25	431.75	\$513.00

SWP = STATE WATER PROJECT  
 CIP = CAPITAL IMPROVEMENT PROGRAM

<sup>1</sup> BASE = 5 year Dec. to Mar. water consumption by account / dwelling unit; 6 HCF minimum  
 MID LEVEL = 100% of BASE volume  
 PEAK = all consumption in excess of BASE + MID LEVEL

<sup>2</sup> All Type II Irrigation accounts with at least one dwelling unit will be assessed a monthly Residential Equivalency Charge (REQ) per dwelling unit.

<sup>3</sup> All Type I (ii) Master-metered Residential accounts will be assessed Dwelling Unit Equivalency Charges (DEQ) and Capital Improvement Program Charges (CIP) based on the number of dwelling units served by a single meter.

<sup>4</sup> The CIP rate is multiplied by the 5-year monthly average water consumption by account. The MINIMUM monthly charge is 6 HCF per dwelling unit or account. The MAXIMUM monthly charge is 100 HCF per dwelling unit or account.

Appendix B  
Capital Cost Recovery Fees

**EFFECTIVE SEPTEMBER 1, 2011**

**WATER SERVICE  
CAPITAL COST RECOVERY FEES 2011-12**

Meter Size					
5/8 inch	3/4 inch	1 inch	1 1/2 inch	2 inch	3 inch
\$8,187	\$9,673	\$14,606	\$27,001	\$41,887	\$81,532

**FIRE SERVICE  
CAPITAL COST RECOVERY FEES 2011-12**

Meter Size					
2 inch	3 inch	4 inch	6 inch	8 inch	10 inch
\$6,186	\$12,034	\$19,890	\$42,764	\$76,934	\$127,750

Appendix C  
**Miscellaneous Service Fees and Charges**  
**Carpinteria Valley Water District**  
**2011-12 Miscellaneous Service Fees and Charges**

<b>Electronic Payment Fee</b>	T.B.D.	Rule <a href="#">5</a>
<b>Returned Check Fee</b>	\$25.00	Rule <a href="#">5</a>
<b>Meter Downsizing Fee</b>		Rule <a href="#">7(e)</a>
For downsizing 2" to 1 ½":	\$743.00	
For downsizing 2" to 1":	\$543.00	
For downsizing 2" to ¾":	\$343.00	
For downsizing 1 ½" to 1":	\$294.00	
For downsizing 1 ½" to ¾":	\$244.00	
For downsizing 1" to ¾":	\$305.00	
For downsizing larger than 2":	As determined by Manager	
<b>Pumping Surcharge</b>		Rule <a href="#">8(g)</a>
Pumping Level I	above 350 feet elevation	\$0.23 per 100 cubic feet
Pumping Level II	above 650 feet elevation	\$0.45 per 100 cubic feet
<b>Meter Installation / Removal Deposits</b>		Rules <a href="#">7(f)</a> / <a href="#">9(a)</a>
Meter Size	Deposit	
3/4"	\$4,500.00	
1"	\$4,900.00	
1 1/2"	\$5,500.00	
2"	\$7,000.00	
greater than 2"	As determined by Manager	
<b>Fire Sprinkler Outlet Deposits</b>		Rule <a href="#">9(a)</a>
Outlet Size	Deposit	
4"	\$12,000.00	
6"	\$18,000.00	
8"	\$22,000.00	
greater than 8"	As determined by Manager	
<b>Residential Equivalency Fee (REQ)</b>	\$18.15 per month	Rule <a href="#">11(a)</a>
<b>Door Tag Fee</b>	\$25.00	Rule <a href="#">13(d)</a> / <a href="#">13(i)</a>
<b>Reconnection Fee</b>	\$35.00	Rules <a href="#">14</a> / <a href="#">22</a> / <a href="#">29</a>
<b>Records Reproduction Fee</b>	\$0.50 per page	Rule <a href="#">16</a>
<b>Meter Tests Deposit</b>		Rule <a href="#">18</a>
Meter Size	Deposit	
1" or less	\$95.00	
Over 1"	\$125.00	
<b>Temporary Service Connection Fee</b>	\$75.00	Rule <a href="#">21(e)</a>
<b>Temporary Service Relocation Fee</b>	\$35.00 per move	Rule <a href="#">21(g)</a>
<b>Tampering Fee</b>	\$500.00	Rules <a href="#">17(c)</a> / <a href="#">22</a>

Appendix D  
RESOLUTION NUMBER 927  
RESOLUTION OF THE BOARD OF DIRECTORS OF  
CARPINTERIA VALLEY WATER DISTRICT  
ADOPTING AND ESTABLISHING A METHODOLOGY  
FOR CALCULATION OF THE CAPITAL COST RECOVERY FEE

WHEREAS, District Ordinance No. 92-1 establishes and requires payment of the Capital Cost Recovery Fee for all new and expanded service connections to the District's system; and

WHEREAS, the purpose of this fee is to reimburse the District for capital cost for facilities in existence at the time the charge is imposed and to finance facilities to be constructed in the future within the District's existing service area which are of proportional benefit to the persons or property being charged; and

WHEREAS, Ordinance No. 92-1 provides that the amount or rate of such Capital Cost Recovery Fee shall be set by the Board by resolution; and

WHEREAS, the District has studied the impacts of new and enlarged service connections on the District's existing services and facilities along with an analysis of new, improved or expanded public facilities and improvements required to maintain service for new or enlarged service connections and prepared and presented data concerning the appropriate rates and methodology for calculating the Capital Cost Recovery Fee, including the following studies:

1. "Proposed Capital Cost Recovery Fee; Date Indicating Estimated Cost Required to Provide Service For Which a Fee Will be Levied and the Revenue Sources Anticipated to Provide Service" dated July 3, 1997 ("Study 1").
2. "Fire Meter Equivalents", dated May 13, 2004 ("Study 2"), which sets the relationship between new and enlarged connections and the estimated cost and value of District facilities and the relationship between water service charges and fire service charges.
3. "Capital Cost Recovery Fees", dated August 12, 2010 ("Study 3"), which describes the updated valuation of District assets; and

WHEREAS, Studies 1, 2 and 3 were available for public inspection and review ten days prior to this public hearing and notice was given in compliance with Government Code Section 66016(a); and

WHEREAS, a public hearing, noticed pursuant to Government Code Section 66016, was held at a regularly scheduled meeting of the Board; and

WHEREAS, the Board finds that the Capital Cost Recovery Fee based on rates pursuant to this Resolution shall be used to reimburse the District for construction of the public facilities and improvements described or identified in Exhibit A, attached to Studies 1 and 3, as well as the principal and interest debt service cost borne by the District to pay for the District's share of the construction of the Coastal branch of the State Water Project; and

WHEREAS, after considering Studies 1, 2 and 3, the analysis as referenced hereinabove, and the testimony received at the public hearing, the Board approves said studies, and incorporates Studies 1, 2 and 3 herein, and further finds that the cost estimates set forth in Studies 1, 2 and 3 are reasonable estimates of the costs to the District providing for new and enlarged service connections as calculated by the method applied in Studies 1, 2 and 3, and the fees expected to be generated by the Capital Cost Recovery Fee will not exceed the cost of providing such facilities, which include the District's past cost to purchase and construct facilities, and do not exceed the proportional benefit derived by the persons or property upon which the Capital Cost Recovery Fee is imposed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Carpinteria Valley Water District as follows:

1. The following service charge components and debt obligations shall be included in the calculation of the Annual Capital Cost Recovery Fee schedule:
  - a. Accumulated annual Capital Expenditure costs borne by the basic monthly service charge component. This monthly charge component is imposed based on meter size.
  - b. Accumulated annual debt obligations for the State Water Project (SWP) infrastructure, and borne by the SWP monthly service charge component. Participation in the SWP was approved by District customers and citizens on June 4, 1991 and incorporated into the Capital Cost Recovery Fee by the District Board on July 16, 1997, in Resolution No. 687. This monthly charge component is imposed based on meter size. These charges also include Meter Equivalency Fees (MEQ) established by Resolution No. 806 approved by the District Board on July 21, 2004 and superseded by Dwelling Equivalency Charges (DEQ) established by Resolution No. 845 approved by the District Board on May 23, 2007. The MEQ and DEQ fees were imposed on "Domestic Residential Service B" accounts (Master-meter accounts) to more equitably distribute the SWP debt to all District customers or accounts.
  - c. Accumulated annual debt obligations associated with the Capital Improvement Program (CIP), and borne by the CIP monthly service charge component – including capital payments associated with the Cater Water Treatment facility in the City of Santa Barbara. This fee was approved by the District Board on September 20, 2000, in Resolution No. 736 and incorporated into the Capital Cost Recovery Fee. This monthly charge component is imposed based on the number of individual dwelling units or hotel / motel rooms served by a single meter. The average monthly charge for single-family residences shall be used as the basis for the Capital Cost Recovery Fee paid for new accounts.
    - (i) Exception: The Capital Cost Recovery Fee for private fire service accounts shall not include water quality improvement debt associated with the CIP.
  - d. Other annualized debt specified and approved by the District Board and reviewed and approved in accordance with law. Any new or potential fee incorporated into the Capital Cost Recovery Fee shall adhere to the basic methodology outlined within this document.

- 2. The Capital Cost Recovery Fee shall be evaluated at the beginning of the fiscal year to determine if the amount of the Capital Cost Recovery Fee should be adjusted.
- 3. The rates for the portion of the Capital Cost Recovery Fee as provided under Ordinance No. 92 - 1, and as stated in District Rule 8(h), shall be as follows:
  - a. New Regular Water Service Connections

The Base Charge Component for new water service connections (as described in Study 1, Resolution No. 687, and Study 3) shall be based on the size of the new service required for the property based upon the size of the parcel, number of proposed dwelling units served by the service, building size, or use involved. Table 1 sets forth the Base and Debt Charges as described in Study 1 and 3. Table 2 reflects the accumulated fees for service sizes as of September 1, 2011 to be imposed at time of issuance of a new service.

**Table 1. Water Service Capital Cost Recovery Fee - Base and Debt Charges**

Meter Size	Unit Benefit		Meter Equivalency	Base Charge
5/8"	\$1,300.00	x	1.0	\$1,300.00
3/4"	"	x	1.5	\$1,950.00
1"	"	x	2.5	\$3,250.00
1-1/2"	"	x	5.0	\$6,500.00
2"	"	x	8.0	\$10,400.00
3"	"	x	18.0	\$23,400.00

  

Meter Size	Unit Benefit		Meter Equivalency	Debt Charge
5/8"	\$4,591.33	x	1.5	\$6,887.00
3/4"	"	x	1.5	\$7,723.00
1"	"	x	2.5	\$11,357.00
1-1/2"	"	x	5.0	\$20,501.00
2"	"	x	8.0	\$31,486.00
3"	"	x	18.0	\$58,132.00

\* The District no longer installs 5/8" meters.

For any meter larger than 3", the Base and Debt charges will be established by the General Manager and approved by the District Board.

**Table 2. Water Service Capital Cost Recovery Fee – Effective September 1, 2011**

Meter Size		CAPITAL COST RECOVERY FEE
5/8"*	=	\$8,187.00
3/4"	=	\$9,673.00
1"	=	\$14,607.00
1-1/2"	=	\$27,001.00
2"	=	\$41,886.00
3"	=	\$81,532.00

\* The District no longer installs 5/8" meters.

- (i) Exception: "Domestic Residential Service B" and the "Hotels / Motels" subgroup of "Commercial" accounts are those in which multiple dwelling units are served by a single meter. Although District practices and policies require individual meters for distinct dwelling units, some exceptions may occur (see Exception (ii) below). In the event that a new service is expected to serve multiple dwellings, the Capital Cost Recovery Fee imposed on a new service with multiple dwellings shall reflect the accumulated per-dwelling service charges imposed beginning July 1, 2000 (Resolution number 736) for the CIP Fees and July 1, 2004 for the Dwelling Equivalency Fees (Resolution 806 - superseded by Resolution 847, June 20, 2007) for each dwelling unit and the associated Capital Cost Recovery Meter Equivalency Fees for the new meter

For example, a new account holder desires to install a 1" meter and serve two dwelling units on September 1, 2011. The Capital Cost Recovery Fee for such a project shall be \$14,607.00 (accumulated Capital Cost Recovery Fees from Table 2 above) + \$2,272.00 (accumulated CIP Fees based on the second dwelling unit since July 1, 2000) + 994.00 (accumulated Dwelling Equivalency Fees based on the second dwelling unit since July 1, 2004) = \$17,873.00 (The District considers an account holder to be the individual or corporation paying for water or fire service. Account holders may or may not be the legal owner of the property or parcel served by a meter or service. Account holders who are not legal owner of property served by a meter may not be eligible for Capital Cost Recovery Fee credit.)

- (ii) Exception: Capital Cost Recovery Fees shall not be levied upon any "Domestic Residential Service B" accounts with between 2 and 5 residential units that undergo redevelopment to improve or upgrade existing residential units but do not increase the number of residential units serviced. In such a circumstance, the owner or redeveloper of the property must pay the cost of installing new meters for each residential unit, but will not be required to pay Capital Cost Recovery Fees unless a larger meter is to be installed on-site.

b. Increases in Size of Meter or Size of Service

Account holders wishing to install a meter that is larger in size than the current meter shall pay the difference in accumulated Capital Cost Recovery Fees between the

existing meter and the new meter, as provided under the District's standard provisions for determinations of required meter size.

For example, if a property is currently served by a 3/4" meter, and an account holder requires an increased meter size to 1", then the Capital Cost Recovery Fee would be: \$14,607.00 (fee for a 1" meter as of September 1, 2011) - \$9,673.00 (credit for past rate charges through existing 3/4" meter) = \$4,934.00.

- (i) Exception: Increased meter sizes for "Domestic Residential Service B" accounts and the "Hotels / Motels" subgroup of "Commercial" accounts may require acknowledgement of the per-dwelling unit or per-room contributions to Capital Cost Recovery Fees. In such a case, the District shall provide (within 30 calendar days of a petition for a larger meter) a detailed estimate of the contribution by said account for all service charges attributed to the Capital Cost Recovery Fee as described in Section 1 above and subject to the exception set forth in Section 3.a.(i) above.
  - (ii) Exception: Other exceptions may be identified and, pending approval by the District Board, incorporated into this Resolution without modification to the basic methodology described in this Resolution.
- c. Decreases in Meter Size Service or Termination of Water Service - No Parcel or Property Subdivision
- (i) In the event that an account holder applies for additional District meters to serve a change in existing land use or property use in the absence of a property or parcel split, the District shall apply a credit for the existing meter to any new Capital Cost Recovery Fees imposed by the District for the new meters only.

For example, an account holder with a 2" meter wishes to construct a project with 12 dwelling-units and twelve 3/4" meters and one 1" meter. Using the values from September 1, 2011, the Capital Cost Recovery Fees for the new meters would be \$112,851.00 (12 x \$9,673.00 + 1 x \$14,607.00). A credit for \$41,886.00 (for the existing 2" meter) would be applied and the account holder would owe \$70,965.00.

No refund will be extended should the Capital Cost Recovery Fees for the new meters be less than the contributions made by the existing meter.

- (ii) There may be instances when an account holder desires to decrease the size of a meter in the absence of a property or parcel split. In such an event, the District will not refund a customer or account the difference in accumulated Capital Cost Recovery Fees between the original meter and the newly installed smaller meter.

For example, an account holder wishes to replace an existing 3" meter with a 2" meter on September 1, 2011. Although the accumulated Capital Cost Recovery Fees for a 2" meter are \$39,646.00 less than the fees for a 3" meter (\$81,532.00 - 41,886.00), the District will not refund the difference of the accumulated Capital Cost Recovery Fees. The presumption by the District is that the land use or function of the property has changed and previous uses were accurately met by the original 3" meter.

- (iii) There may be instances when an account holder desires to remove an existing meter from a parcel or property (termination of service) in the absence of a property or parcel split. In such an event, the District will not refund or credit an account the Capital Cost Recovery Fees imposed upon the account holder. However, the District retains the right to evaluate the contributions made by an account holder if a request by the account holder is made in writing to the Board to re-evaluate past Capital Cost Recovery Fees in the event that a meter is re-installed on the property or parcel. Such a request shall include information deemed necessary by the General Manager and/or District Engineer.

For example, an account holder desires to have a 2" meter removed in June 2009, but requests to have the meter re-installed in September 2011. In such a case, the District may factor in the previous payments or contributions made by the account holder in order to reduce the Capital Cost Recovery Fees for said account.

- (1) Exception: Any meter removed prior to July 1, 1997 shall not be eligible for the review discussed in Section 3.c. above. In such a case the full Capital Cost Recovery Fee shall be imposed on the account for the installation of a new meter.
- d. Decreases in Meter Size Service or Termination of Water Service in Connection with Parcel or Property Subdivision
    - (i) In the event that a parcel or property is subdivided, the accumulated Capital Cost Recovery Fees shall be assigned to the original property owners.
    - (ii) A request for meter removal (termination of service) from a subdivided parcel owner shall not result in a credit or refund of accumulated Capital Cost Recovery Fees or debt payments.
    - (iii) Notwithstanding Sections 3.d.(i) and 3.d.(ii) above, upon the request of a parcel owner, the District may review the contributions to Capital Cost Recovery Fees and may permit special dispensation of paid Capital Costs Recovery Fees should a new meter or meters be installed at a later time. Such a request shall be made by the parcel owner in writing for review and approval by the District Board.
  - e. Decreases in Meter Size Service or Termination of Water Service - "Domestic Residential Service B" accounts and the "Hotels / Motels" subgroup of "Commercial" accounts
    - (i) Beginning in July 2007, the District shall maintain a record of the monthly contributions of all "Domestic Residential Service B" accounts and the "Hotels / Motels" subgroup of "Commercial" accounts with an indication of the various service charges contributed to the Capital Cost Recovery Fee as described in Section 1 above.
    - (ii) In the event that a "Domestic Residential Service B" account or a "Hotels / Motels" account holder applies to replace an existing meter with additional meters due to changes in existing land use or property use in the absence of a property or parcel split, the District shall apply a credit for said existing meter to any new Capital Cost Recovery Fees imposed by the District for the new meters only as required by

Section 3.a. above. However, the calculation of the credit for the existing meter shall reflect the actual contributions of the multiple dwellings toward the monthly service charges using a methodology described in the exception set forth Section 3a.(i) above.

(iii) A request for meter removal from a subdivided parcel shall not result in a refund of accumulated Capital Cost Recovery Fees or debt payments if no new meters are installed on the property.

(iv) Notwithstanding Sections 3.e.(i) and 3.e.(ii) above, upon the request of a parcel owner, the District may review the contributions to Capital Cost Recovery Fees and may permit special dispensation of paid Capital Cost Recovery Fees should a new meter or meters be installed at a later time. Such a request shall be made by the property owner in writing for review and approval by the District Board.

f. Fire Meter Service for Fire Sprinklers

(i) Separate water service connections for fire sprinklers are required for certain structures and uses within the District. These meters are sized based on the need for maximum short duration flow capacities. Notwithstanding the exception set forth in Section 1.c.(i) above, the District has established a relationship between the smallest size water meter and smallest fire meter (Study 2). As such, the infrastructure demand for a 2" fire meter shall be deemed equal to that of a 5/8" water meter. Table 3 sets forth the Base Charge Component for fire meter service and Table 4 illustrates the accumulated fees for fire meters as of September 1, 2011:

**Table 3. Fire Service Capital Cost Recovery Fee - Base and Debt Charges**

Meter Size		Unit Benefit		Meter Equivalency		Base Charge
2"	=	\$1,307.00	x	1.0	=	\$1,307.00
3"	=	"	x	2.25	=	\$2,941.00
4"	=	"	x	4.0	=	\$5,228.00
6"	=	"	x	9.0	=	\$11,763.00
8"	=	"	x	16.0	=	\$20,912.00
10"	=	"	x	25.0	=	\$32,675.00

Meter Size		Unit Benefit		Meter Equivalency		Debt Charge
2"	=	\$4,692.00	x	1.0	=	\$4,879.00
3"	=	"	x	2.25	=	\$9,093.00
4"	=	"	x	4.0	=	\$14,662.00
6"	=	"	x	9.0	=	\$31,001.00
8"	=	"	x	16.0	=	\$56,021.00
10"	=	"	x	25.0	=	\$95,075.00

**Table 4. Fire Service Capital Cost Recovery Fees – Effective September 1, 2011**

Meter Size		CAPITAL COST RECOVERY FEE
2"	=	\$6,186.00
3"	=	\$12,034.00
4"	=	\$19,890.00
6"	=	\$42,764.00
8"	=	\$76,933.00
10"	=	\$127,750.00

## g. Changes in Fire Meter Service

- (i) The District does not require or size fire services and shall not assume any responsibility associated with inappropriately sized service. As such any variation in fire service size is assumed to have been deemed appropriate by the property owner and an outside regulatory agency.
- (ii) In the event that a larger fire service is to be installed, credit for any existing fire service that is removed will be granted to an account holder using the same methodology described in Section 3.b. above.

- (iii) No refund will be provided to account holders requesting removal of an existing fire service. The same rationale described in Sections 3.c., 3.d., 3.e. and 3.g.(i) above apply.
  
- h. Other Changes to Meter or Services
  - (i) There may be circumstances of meter or fire service changes, or termination of service not specifically addressed in Sections 3.a. through 3.g. above. In such cases, the District may review the contributions to Capital Cost Recovery Fees and may permit special dispensation of paid Capital Costs Recovery Fees. Such a request shall be made by the property owner in writing for review and approval by the District Board.
  
- 4. The imposition of the Capital Cost Recovery Fee shall not preclude other fees and charges to be imposed on District account holders.
  - a. Connection Fees for installing new services and meters or associated with changes to existing meter or service will continue to be charged in addition to the Capital Cost Recovery Fee, based on actual costs plus overhead and equipment charges as approved by the District. The District will continue to require a deposit to cover the estimated District costs related to such service installation
  
- 5. The Capital Cost Recovery Fee is effective upon adoption and shall continue until changed by action of the District Board.
  
- 6. Any judicial action of proceeding to attach, review, set aside, void or annul this Resolution shall be commenced within 120 days of adoption.
  
- 7. The District Secretary is hereby authorized and directed to prepare and file a Notice of Exemption pursuant to CEQA Guidelines 15273(a).

PASSED AND ADOPTED by the Governing Board of the Carpinteria Valley Water District on the 24<sup>th</sup> day of August, 2011 by the following vote:

AYES:  
NAYES:  
ABSENT:  
ABSTAIN:

APPROVED:

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June Van Wingerden, President

ATTEST:

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Charles B. Hamilton, Secretary

Appendix E  
Safe Drinking Water Related Costs  
Customer Classification  
Independent Water Service Entity

### Safe Drinking Water Related Costs

It is District policy to apportion water quality-related costs equitably to all customer classes. Assignment of such costs shall be based on public health and safety needs including drinking water; water for food preparation and cooking and water needs for bathing and sanitation. (Carpinteria Valley Water District Resolution Number 805)

Customer Classification (See also Carpinteria Valley Water District Resolution Number 637)

- Commercial:** The provision of water to a customer engaged in any of the following activities: retail or wholesale sales (except as designated industrial or irrigation); warehousing; restaurant food or beverage preparation, bakery or food delivery; office (except as designated industrial or public); chiropractic, medical or dental service (except as designated public); aircraft, automotive, bicycle, or boat repair; laundry; lumber and construction material wholesale; clothing or footwear fabrication and repair; newspaper or news preparation; veterinarians and animal care facilities; carwash; taxis and goods delivery; movie and live performance theatres; home repair service; retail nursery (except as designated irrigation); bank or other financial institution; automotive service station; private school or tutoring service; church, mosque, synagogue or other religious institution; photographic studio; private club or service organization; fitness center, gym or related facility; personal service agencies such as accountants, lawyers, palm readers and the like; goods and services rental; private utility service such a cable, telephone and electricity and the like; recreational vehicle park (except as designated public); golf courses, driving ranges and putting arcades; junkyards and private waste facilities; casino, gambling hall, off-track betting facility and the like; self-storage or storage site; hotel, motel, hostel or bed-and-breakfast establishments; or similar use as determined by the District's General Manager.
- Fire service:** The provision of water to a customer designated as a closed water distribution system or network with the sole purpose or function of fire suppression.
- Industrial:** The provision of water to a customer engaged in the manufacture or assembly of goods, research and development, mineral extraction or processing, seafood collection and processing, or engaged in the preparation of processed foodstuffs except as identified as commercial or irrigation.

- Irrigation:** The provision of water to a customer engaged in the growing of foodstuffs, nursery stock, flowers and plant bedding material, seeds or bulbs, or engaged in the raising of livestock and maintenance of pastureland.
- Public Authority :** The provision of water to any federal, state, county, city or special district public agency such as schools, hospitals, or similar use as determined by the District's General Manager..
- Residential:** The provision of water to any customer residing in any building or structure, including but not limited to including: single-family residences; attached or detached residential second units; multifamily residences; condominiums, town homes and the like including time-share units; trailer homes, mobile coaches and courts; apartments, flats, studio apartments, efficiency units and boarding houses and accessory buildings and structures;

**Residential Dwelling Unit:**

- a. For the purposes of account billing and cost allocation and recovery, the Carpinteria Valley Water District hereby defines a "residential dwelling unit" as a building or structure or portion thereof designated or occupied in whole or in part as a residence or sleeping place, either permanently or temporarily, which includes sanitary facilities, and one kitchen provided within the unit. For purposes of this definition an attached or detached residential second unit shall be considered a separate residential dwelling unit. District staff shall make determinations regarding whether a structure or building constitutes a residential dwelling unit upon review of all development proposals, a request for new water service or periodic review and inspection of existing service connections.

**Service Connections:**

For purposes of determining the number of water service connections necessary for commercial, industrial, public authority and residential customers, the District shall consider the following:

- a. Independent ownership or rental status; or
- b. Separate or distinct parcel boundaries as identified by the County of Santa Barbara or City of Carpinteria.

For purpose of determining the number of water service connections necessary for irrigation or agricultural customers, the District shall consider the following:

- a. Independent ownership or rental status; or
- b. Separate or distinct parcel boundaries as identified by the County of Santa Barbara or City of Carpinteria with the exception of contiguous parcels under the same ownership.

For the purpose of determining the number of water service connections necessary for fire service customers, the District shall rely upon local and state construction standards and fire service organization needs.

Appendix F  
RESOLUTION NUMBER 805  
RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE CARPINTERIA VALLEY WATER DISTRICT  
ESTABLISHING SAFE AND RELIABLE WATER COST RECOVERY  
POLICY

WHEREAS, it is the general purpose of the Carpinteria Valley Water District to serve water to the permanent community of the Carpinteria Valley; and

WHEREAS, the six-decade legacy of service to the Carpinteria Valley has grown from primarily agricultural to both agricultural and urban beneficiaries; and

WHEREAS, the demands of such urban beneficiaries involve water treatment and other requirements not necessary to agricultural users; and

WHEREAS, all District customers benefit from the economies of scale from a single water distribution system serving both agricultural and urban users; and

WHEREAS, the District seeks to continue to provide irrigation water to agricultural customers and to satisfy the demand of the permanent urban residents of the Carpinteria Valley for safe, high-quality and reliable water service.

NOW, THEREFORE BE IT RESOLVED, that the costs of delivering safe and reliable water to residents shall be recovered equitably from each household served, in compliance with state laws and regulations.

Vote on the Resolution No. 805 by roll call resulted as follows:

AYES:  
NAYES:  
ABSENT:  
ABSTAIN:

PASSED AND ADOPTED THIS 13<sup>th</sup> day of July 2004

APPROVED:

\_\_\_\_\_  
Frederick Lemere, President

ATTEST:

\_\_\_\_\_  
Charles B. Hamilton, Secretary

Appendix G  
RESOLUTION NUMBER 637  
RESOLUTION OF THE BOARD OF DIRECTORS  
OF CARPINTERIA COUNTY WATER DISTRICT  
ADOPTING RATES AND CHARGES FOR WATER SERVICE  
AND AMENDING DISTRICTS RULES AND REGULATIONS  
RELATING TO SUCH RATES AND CHARGES

**WHEREAS**, the Board of Directors of the Carpinteria County Water District ("District") has considered at noticed public meetings its estimated reasonable costs for providing water service to its customers and the revenue sources available to cover those costs; and

**WHEREAS**, data has been made available to the public by the District and has been presented at those public meetings indicating the estimated reasonable costs for providing water service and the available revenue sources; and

**WHEREAS**, the Board has thoroughly considered the testimony and evidence received from its staff and the public in both oral and written form; and

**WHEREAS**, after due deliberation and consideration of all of the record before it, the Board finds it is necessary and in the best interest of the District and its customers to increase certain rates and charges for water service and to make certain changes to its rules and regulations concerning such rates and charges; and

**WHEREAS**, the Board finds and determines that the rates and charges for water service as increased by this Resolution do not exceed the estimated reasonable cost of providing service for which the rates and charges are being made.

**NOW BE IT HEREBY RESOLVED AND ORDERED** by the Board of Directors of the Carpinteria County Water District:

**1. Repeal of Resolution No. 625.** The water rates and charges established by Resolution Number 625 adopted by the Board July 6, 1994, effective as of the June 29, 1994, billing period, are hereby rescinded effective as of the June 29, 1995 billing period.

**2. Adoption of New Subtypes.** The District water service classification for Type 1, Municipal and Industrial, is hereby divided into two subtypes, "Domestic Residential" and "Commercial, Industrial and Public Authority", which are hereby defined and included and incorporated in District Rule No. 10(a), as follows:

## 10. WATER RATES

In establishing water rates, account shall be taken of type of service, size of service and surcharge for pumping.

c. Type of Service: For rate purposes, water service shall be divided into two types as follows:

(1) Type 1 service shall apply to services supplied for municipal and industrial use. Type 1 service shall be further divided into subtypes as follows:

(i) "Domestic Residential Service" shall apply to all services for domestic residential use.

(ii) "Commercial, Industrial and Public Authority Service" shall apply to services supplied for commercial, industrial and Public Authority use.

(2) Type 2 service shall apply to all services qualifying as irrigation services as hereinafter defined, regardless of quality of water served.

Irrigation service is defined as the use of water for agricultural purposes, delivered through a 1 1/2 " (or larger) meter, to irrigate not less than 1 1/2 acres for commercial agricultural purposes; except that 3/4", 1", and 1 1/2 " meter services, existing and serving 1 1/2 acres or more of commercial agriculture, shall be considered irrigation services. Use of water in connection with the operations of a chicken ranch or for stock watering, or any other similar uses shall be considered an irrigation use, if the service meets requirements respecting the size of the meter and the area served. Domestic use of water in connection with an irrigation service customer's household will be considered incidental to the irrigation service, and delivered at the Type 2 rate. All services which do not qualify as irrigation service shall be considered municipal or industrial services.

If a service is located on less than 1 1/2 acres, the General Manager of the District shall review the location and size of service, and determine if said service is domestic or irrigation. The Manager's determination shall be conclusive, unless an appeal by the customer within thirty (30) days of receipt of written notice of such determination, be made by the Board of Directors of the District, in which cast the determination of the Board made at a public meeting with notice to the customer, shall be conclusive.

3. **Rates and Charges for Water Service**. Monthly Service Charges and Meter Water Rates, are hereby established and will become effective as of the June 29, 1995 billing period, and shall be set forth in District Rule No. 10 (c) and (f) respectively as follows:

c. **Monthly Service Charges**: The minimum monthly charge for Type 1, Type 2 and Fire Accounts metered services regardless of the amount of water used by a customer during any given month or fraction thereof, Monthly Service Fees Type 1, Type 2 and Fire Accounts shall be a charge in accordance with the following table:

**MONTHLY SERVICE FEES**

<b>TYPE 1 and TYPE 2</b>		<b>FIRE ACCOUNTS</b>	
<u>METER SIZE</u>	<u>MONTHLY CHARGE</u>	<u>METER SIZE</u>	<u>MONTHLY CHARGE</u>
5/8	\$ 7.10	2	\$ 13.75
3/4	10.60	3	22.90
1	17.70	4	34.30
1 1/2	35.40	6	68.70
2	56.60	8	126.00
3	113.30	10	229.00
4	177.00		
6	354.00		
8	814.20		
10	1,345.20		

**NOTE:** See Rule 15 -Meters and Appliances. The monthly service charge will not entitle the consumer to any quantity of water.

All water used by a customer will be supplied to said consumer at the rate set forth in said Section (f) hereof.

f. **Metered Water Rates**

<b>TYPE 1 and TYPE 2</b>		<b>FIRE ACCOUNTS</b>	
<u>METER SIZE</u>	<u>MONTHLY CHARGE</u>	<u>METER SIZE</u>	<u>MONTHLY CHARGE</u>
5/8	\$ 7.10	2	\$ 13.75
3/4	10.60	3	22.90
1	17.70	4	34.30
1 1/2	35.40	6	68.70
2	56.60	8	126.00
3	113.30	10	229.00
4	177.00		
6	354.00		
8	814.20		
10	1,345.20		

PUMPING	PUMPING
LOWER	HIGHER
AREA	AREA
CARP -	GOB -
BASIC	BOOSTER

**TYPE 1****MUNICIPAL AND INDUSTRIAL**

4. **Procedural Exemption For Water Rates and Charges.** Pursuant to section 66018(d) of the Government Code, the rates and Charges for water service as established in this Resolution are exempt from the notice and public hearing requirements of Section 66018 of the Government Code. It is further found and determined that these rates and charges are not the type of fees and charges as set forth in Section 66016(d) of the Government Code and therefore are not subject to the procedural requirements of Section 66016 of the Government Code.

5. **Rates and Charges Not Taxes.** The Governing Board of Directors of the Carpinteria County Water District hereby finds and determines that the limits of appropriation under Article XIII B of the Constitution of the State of California are not applicable to this District for fiscal year 1995-96 for the reason that the proceeds of this District's various user charges, rates and fees for said fiscal year do not exceed the costs reasonably borne by the District providing the services for which the charges, rates and fees are made and collected. The Board of Directors further finds and determines that said fees, rates and charges are not "proceeds of taxes" under Article XIII B.

6. **Terms of this Resolution.** This Resolution No. 637 shall be in full force and effect upon adoption and shall remain in effect until changed by the Governing Board of the Carpinteria County Water District. The 45-day period provided for in Government Code Section 7910 will expire July 29, 1995.

7. **Amendment to the District's Rules and Regulations; Conflicts; Validity.** The Terms and provisions of this Resolution shall become a part of the District Rules and Regulations, including amendment of Rule No. 10 to incorporate new service subtypes and increased water rates and charges as discussed in Section 2 and 3 above. To the extent that the terms and provisions of this Resolution are inconsistent or in conflict with the terms and revisions of any prior District ordinance, resolution, or rule and regulation, the terms of this Resolution shall prevail, and inconsistent and conflicting provisions of prior ordinances, resolutions and rules and regulations shall be suspended during the effective period of this Resolution. If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be unconstitutional or invalid, such decision shall not effect (sic) the validity of the remaining portions of this Resolution. The Board of Directors hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that anyone or more section, subsection, sentence, clauses or phrases be unconstitutional or invalid.

8. **Exception From the Requirements of CEQA.** Section 21080(b) (8) of the Public Resources Code is contained in and is a part of the California Environmental Quality Act (CEQA) which Act is in Division of the Public Resources Code commencing at Section 21000. Section 21080 (b) (8) of said Act provides that CEQA does not apply to • (8). The establishment, modification, structuring, restructuring or approval of rates, tolls, fares or other charges by a public agency finds are for the purpose of (1) meeting operating expenses, including employee wage rates and fringe benefits, (2) purchasing or leasing supplies, equipment or materials, (3) meeting financial reserve needs or requirements, or (4) obtaining funds for capital projects necessary to maintain service within existing service areas".

It is hereby found and determined that none of the rates and charges fixed and established by this Resolution are for any purposes other than the purposes set forth in

Section 21080(b) (8) and are therefore, pursuant to said Section, exempt from the requirements of CEQA. This Resolution constitutes the written findings of the record of the proceedings claiming the aforesaid exemption. The District Secretary is hereby authorized and directed to prepare and file a Notice of Exemption pursuant to CEQA Guidelines Section 15237(a).

**PASSED AND ADOPTED** by the Governing Board of the Carpinteria County Water District on the 14<sup>th</sup> day of June, 1995, by the following vote:

**AYES: HICKEY, LEMERE, GILMOUR, BRADLEY**

**NAYES: NONE**

**ABSENT: NONE**

**A VACANCY EXISTS ON THE  
BOARD OF DIRECTORS**

**APPROVED:**

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Wilson, Bradley, Jr., President

**ATTEST:**

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Robert R. Lieberknecht, Secretary

Appendix H  
RESOLUTION NUMBER 922  
RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE CARPINTERIA VALLEY WATER DISTRICT  
ADOPTING RATES AND CHARGES FOR WATER SERVICE  
AND AMENDING DISTRICT RULES AND REGULATIONS  
RELATING TO SUCH RATES AND CHARGES

WHEREAS, the Board of Directors (“Board”) of the Carpinteria Valley Water District (“District”) considered its estimated necessary costs for providing water service to its customers and the revenue sources available to cover those costs at a noticed public hearing on May 25, 2011; and

WHEREAS, data was made available to the public by the District and presented at that public hearing indicating the estimated necessary costs for providing water service and the available revenue sources; and

WHEREAS, the District provided written notice as required by law of that public hearing including notice of the projected changes and increases in District rates and charges and the availability of data supporting such increase; and

WHEREAS, the Board thoroughly considered the testimony and evidence received from its staff and the public in both oral and written form; and

WHEREAS, after due deliberation and consideration of all of the record before it, the Board found it necessary and in the best interest of the District and its customers to change and increase certain rates and charges for water service; and

WHEREAS, the Board found and determined that the rates and charges for water service as increased by this Resolution do not exceed the estimated necessary cost of providing service for which the rates and charges are being made.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED by the Board of Directors of the Carpinteria Valley Water District as follows:

2. Type of Service: In establishing water rates and charges, account shall be taken of type of service, size of service and surcharge for pumping. For rate purposes, water service shall be divided into two types as follows:

- a. Type 1 service shall apply to services supplied for “Municipal and Industrial” use. Type 1 service shall be further divided into subtypes as follows:
- (i) “Domestic Residential Service A” shall apply to all services supplied exclusively for domestic residential use excluding multi-family (two or more) residential units served by a single District master meter.
  - (ii) “Domestic Residential Service B” shall apply to all services supplied exclusively for domestic multi-family (two or more) residential units served by a single District master meter.
  - (iii) “Commercial, Industrial and Public Authority Service” shall apply to services supplied in whole or in part for commercial, industrial or public authority use. For purposes of the monthly Capital Improvement Program Service Charge, this portion of the monthly service charge for “Hotels / Motels” customers shall be imposed in the same manner as Domestic Residential Service B customers.
  - (iv) “Private Fire Service” shall apply to any water service entity designated as a closed water distribution system or network with the sole purpose or function of fire suppression.
  - (v) “Temporary Meter” service shall apply to services to circuses, bazaars, fairs, temporary restaurants, construction works, or temporary emergency services for residents, etc., of a temporary nature
- b. Type 2 service shall apply to all services qualifying as “Irrigation” services as defined below:
- (i) “Irrigation” service is defined as the use of water for agricultural purposes, delivered through a 1 ½” (or larger) meter to irrigate not less than 2 acres for commercial agricultural purposes; except that ¾”, 1”, and 1 ½” meter services, existing and serving 2 acres or more of commercial agriculture, shall be considered irrigation services. Use of water in connection with the operations of a chicken ranch or for stock watering, or any other similar uses shall be considered an irrigation use, if the service meets requirements respecting the size of the meter and the area served. All services that do not qualify as Irrigation service shall be considered Type 1 service.
  - (ii) If a service is located on less than 2 acres, a customer may request the District’s General Manager to review the location and size of service in order to determine if such service is “Municipal and Industrial” or “Irrigation”. The General Manager’s determination shall be final, unless an appeal by the customer within thirty (30) days of receipt of written notice of such

determination is made to the District's Board, in which case the determination of the Board made at a public meeting with notice to the customer shall be final.

3. Rates and Charges for Water Service: Monthly Service Charges, Dwelling Unit Equivalency Charges and Residential Equivalency Charges, and Metered Water Rates are hereby established and will become effective as of the July 1<sup>st</sup>, 2011 billing period as follows:
- a. Metered Water Rates (unit cost). The District shall impose water rates for each unit of water used by a customer in accordance with the schedule set forth in Table 1 and with the procedures set out in subsections (i) through (iii) of this section (a).

**TABLE 1**

<b>2011-12 WATER RATES (unit cost)</b>			
HCF = 100 cubic feet = 748 gallons	Basic	Pumping Level I <sup>1</sup>	Pumping Level II <sup>2</sup>
	HCF	HCF	HCF
Residential Commercial, Industrial & Public Authority:			
Base Tier	\$3.00	\$3.23	\$3.45
Mid Level Tier:	\$3.85	\$4.08	\$4.30
Peak Tier:	\$4.85	\$5.08	\$5.30
Irrigation:	\$1.70	\$1.93	\$2.15

<sup>1</sup> Pumping Level I = 350 feet above sea level

<sup>2</sup> Pumping Level II = 650 feet above sea level

- (i) The amount billed for the actual amount of water used by an account will be billed in accordance with the rates set out in Table 1. For "Domestic Residential Service A" and "Commercial, Industrial and Public Authority" accounts, water charges shall be determined by establishing a Base tier using the 5-year average water consumption for the months of December, January, February and March for each account. This consumption amount will establish the Base Tier amount charged at the rate specified in Table 1. The Mid Level tier shall be an amount equal to 100% of the Base tier amount. All water consumed in excess of the Base tier and Mid Level tier shall be charged at the Peak tier rate. The minimum Base tier amount of water shall be 6 HCF per month per account.

For example, a commercial account with a 5-year December to March average water consumption of 54 HCF uses 135 HCF in July. The total water charge for this account for July water use would be:

Base:                    54 HCF x \$3.00 = \$162.00

Mid Level:	54 HCF	x	\$3.85	=	\$207.90
Peak:	<u>27 HCF</u>	x	\$4.85	=	<u>\$130.95</u>
TOTAL	135 HCF				\$500.85

- (ii) For all “Domestic Residential Service B” accounts and the “Hotels / Motels” subgroup of “Commercial” accounts the 5-year December to March average shall be established based on the number of dwelling units or hotel/motel rooms served by a master meter. This is done to equitably distribute the costs of water in the same 3-tier structure for all customers. For example, if a master-meter account has 4 residential units and consumes an average of 24 HCF a month during the December to March period, the Base tier would be  $24 \text{ HCF} \div 4 \text{ residential units} = 6 \text{ HCF}$  per residential unit. The minimum Base amount of water per dwelling unit or room shall be 6 HCF per month.
- (iii) There shall be no charge levied for water consumption against “Private Fire Service” accounts in the event of a fire incident or in the testing and repair of said service. Misuse of private fire services – for direct potable consumption, for example - shall result in charges for water, service fees and / or discontinuance of service.
- (iv) For all “Temporary Meter” accounts, the rate for water consumption shall be the sum of the “Type 1” commercial rate (subject to pumping surcharges) and the Capital Improvement Program rate (see section d below). For example, a temporary meter registers the equivalent of 40 HCF consumption for one month of use. The rate shall be  $40 \text{ HCF} \times \$3.00 + 40 \text{ HCF} \times \$2.70 = \$228.00$  or \$5.70 per HCF consumed. The District manager shall retain the right to modify these charges.
- (v) New and existing accounts lacking sufficient water use history to establish Base tier volumes shall be reviewed by District staff to determine an appropriate value. The proposed Base rate shall be the greater of the December to March monthly average or an average rate derived for similar accounts based on customer class
- b. Residential Equivalency Charge (REQ). The District shall impose a REQ Charge on “Irrigation” accounts for each residential dwelling served by District water through the irrigation account. The REQ shall be adjusted every year based on a rolling 5 year average of single-family residential water consumption. The REQ charge effective 2011-12 shall be \$18.15 per dwelling unit.
- c. Monthly Basic and State Water Project Service Charges. The District shall impose a Monthly Service Charge in accordance with the schedule set forth in Table 2 for all Type 1 and Type 2 services regardless of the amount of water used by a customer during any given month or fraction thereof.

**TABLE 2**

<b>2011-12 MONTHLY BASIC AND STATE WATER PROJECT SERVICE CHARGES</b>			
<b>METER SIZE:</b>	<b>BASIC</b>	<b>SWP<sup>1</sup></b>	<b>TOTAL</b>
5/8"	4.88	25.91	\$30.79
3/4"	4.88	25.91	\$30.79
1"	8.13	43.18	\$51.31
1 1/2"	16.25	86.35	\$102.60
2"	26.00	138.16	\$164.16
3"	52.00	276.32	\$328.32
4"	81.25	431.75	\$513.00
6"	162.50	863.50	\$1,026.00
8"	373.75	1986.05	\$2,359.80

<sup>1</sup> SWP = State Water Project

- d. Monthly Capital Improvement Program Service Charge ("CIP Charge").  
The District shall impose a monthly CIP Charge in accordance with the schedule set forth in Table 3 and the procedures set out in subsections (i) through (iv) of this section (d).

**TABLE 3**

<b>2011-12 MONTHLY CAPITAL IMPROVEMENT PROGRAM SERVICE CHARGE</b>		
Rate <sup>1</sup> :	\$2.70	per HCF
Minimum	\$16.20	6 HCF
Maximum	\$270.00	100 HCF

<sup>1</sup> Rate = Total CIP Debt ÷ 5-year average annual M&I sales

- (i) The CIP Charge for all "Domestic Residential Service A" and "Commercial, Industrial and Public Authority" accounts shall be based on the 5-year average monthly water consumption for each specific account. This volume shall be multiplied by an annually determined CIP rate. Beginning July 1<sup>st</sup>, 2011, this CIP rate shall be \$2.70 per hundred cubic feet ("HCF"). A minimum CIP charge based on 6 HCF per month and a maximum charge based upon 100 HCF per month shall be applied.
- (ii) "Domestic Residential Service B" accounts and the "Hotels / Motels" subgroup of "Commercial" accounts shall be subject to a CIP Charge for each additional dwelling unit or hotel/motel room greater than one served by the master metered account. This charge shall be the greater of the minimum monthly CIP charge of 6 HCF, or a value determined by dividing the 5-year average monthly water consumption for the entire account by the number of dwelling units or hotel/motel room served by the master meter. For example, if an account with 4 dwelling units has a 5-year monthly average water consumption of 20 HCF, the per-unit

average would be 5 HCF. In this example, the minimum CIP charge of 6 HCF would be applied to the account to determine the CIP rate.

- (iii) Notwithstanding section a(iii) above, no CIP charge shall be levied against “Private Fire Service” accounts.
  - (iv) “Temporary Meter” accounts shall pay the CIP service charge based on monthly water consumption, subject to the minimum and maximum describe in section d(i) above.
  - (v) Type 2 “Irrigation” accounts with residential dwellings shall be subject to a CIP Charge based on the 5-year average monthly water consumption by “Domestic Residential Service A” accounts. Beginning July 1<sup>st</sup>, 2011, this value shall be 12 HCF per month times the CIP rate of \$2.70 = \$32.40 for each residential dwelling behind the meter. This amount shall be recalculated every July 1<sup>st</sup>.
  - (vi) New and existing accounts lacking sufficient water use history to establish a CIP Charge shall be reviewed by District staff to determine an appropriate rate. The proposed CIP Charge shall be the greater of the accumulated monthly average or an average rate derived for similar accounts based on customer class.
- e. Dwelling Unit Equivalency Charge (DEQ). The District shall impose a DEQ Charge on all “Domestic Residential Service B” customers as follows:
- (i) The DEQ Charge is an amount shown on the bill sent to “Domestic Residential Service B” accounts that is necessary to make the total State Water Project component of the Monthly Service Charge, when divided by the number of dwelling units, equivalent to the \$25.91 State Water Project component of the Monthly Service Charge applied to all “Domestic Residential Service A” accounts with a ¾” meter.
  - (ii) The DEQ is the difference between the State Water Project (SWP) component of the Monthly Service Charge that a “Domestic Residential Service A” account holder with a ¾” meter would pay and the SWP component charges associated with a given “Domestic Residential Service B” (master meter) account divided by the number of residential accounts.

For example, if a “Domestic Residential Service B” account with 4 residential dwellings has a 1 ½” water meter, the SWP charge (\$86.35) would be allocated equally between the four dwelling units, or \$21.59 per dwelling unit. The DEQ for each dwelling unit would then be the difference between this amount and the SWP component charge for the ¾” meter account: \$25.91 - \$21.59 = \$4.32.

In this example, the DEQ portion of the monthly bill from the District will display the total DEQ charges for all residential units (\$4.32 x 4 residential units) or \$17.28.

The DEQ will then appear on the Monthly Service Charge portion of the bill for this account as follows:

Basic:	\$ 16.25	
SWP:	\$ 86.35	
CIP:	\$ 64.80	(\$16.20 x 4 dwelling units)
<b>DEQ:</b>	<b>\$ 17.28</b>	
 Total:	 \$ 184.68	 (\$46.17 x 4 dwelling units)

- f. Monthly Service Charges for Private Fire Service Accounts. The District shall impose a monthly service charge for fire accounts in accordance with the schedule in Table 4:

TABLE 4

<b>2011-12 MONTHLY BASIC AND STATE WATER PROJECT SERVICE CHARGES FOR FIRE SERVICE ACCOUNTS</b>			
<b>METER SIZE:</b>	<b>BASIC</b>	<b>SWP<sup>1</sup></b>	<b>TOTAL</b>
2"	3.25	17.27	\$20.52
3"	7.31	38.86	\$46.17
4"	13.00	69.08	\$82.08
6"	29.25	155.43	\$184.68
8"	52.00	276.32	\$328.32
10"	81.25	431.75	\$513.00

<sup>1</sup> SWP = State Water Project

- g. Payment of the Monthly Charges. Payment of the monthly Basic, SWP and CIP charges does not entitle the customer to any quantity of water. All water used by a customer will be supplied to a customer at the rate set forth in section "a" above.
4. Appeals of Base tier and CIP calculations. In the event that a customer or account holder disagrees with the District derived values for the Base tier (section 2a) and CIP (section 2d) amounts of water, said customer may petition the General Manager to solely at his discretion assign a different methodology for calculation of the Base tier and/or CIP amounts of water. Any customer appealing District derived values shall have a sufficient water use history of 6 to 8 months, including values for the December through March period.
5. Compliance with Article XIII D of the California Constitution. The Governing Board has determined that the imposition of the District's rates and charges for

water service complies with the requirements of Article XIII D section 6 (b) of the California Constitution. Furthermore, and in accordance with the requirements of Section 6 (a) and with District Resolution No. 919, the District (i) provided 45 days prior written notice of the public hearing at which the Board considered the proposed changes and increases in the District's rates and charges for water service; (ii) considered all written protests presented to the District Board at or prior to the close of the public hearing; and (iii) following the conclusion of the public hearing, the District's General Manager counted the total number of written protest received by the District and informed the District Board that no majority protest existed.

6. Procedural Exemption for Water Rates and Charges: Pursuant to Section 66018 (d) of the Government Code, the rates and charges for water service as established in this Resolution are exempt from the notice and public hearing requirements of Section 66018 of the Government Code. It is further found and determined that these rates and charges are not the type of fees and charges as set forth in Section 66016 (d) of the Government Code and therefore are not subject to the procedural requirements of Section 66016 of the Government Code.
7. Effective Date of Resolution: This Resolution shall be in full force and effect upon adoption and shall remain in effect until changed by the District Board.
8. Amendment to the District's Rules and Regulations; Conflicts; Validity: The terms and provisions of this Resolution shall become a part of the District Rules and Regulations. To the extent that the terms and provisions of this Resolution are inconsistent or in conflict with the terms and provisions of any prior District ordinance, resolution, or rule and regulations, the terms of this Resolution shall prevail, and inconsistent and conflicting provisions of prior ordinances, resolutions and rules and regulations shall be suspended during the effective period of this Resolution. If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clauses or phrases by unconstitutional or invalid.
9. Exception from the Requirements of CEQA: Section 21080 (b) (8) of the Public Resources Code is contained in and is a part of the California Environmental Quality Act (CEQA). Section 21080 (b) (8) of said Act provides that CEQA does not apply to the establishment, modification, structuring, restructuring or approval of rates, tolls, fares or other charges by a public agency which are for the purpose of (1) meeting operating expense, including employee wage rates and fringe benefits, (2) purchasing or leasing supplies, equipment or materials, (3) meeting financial reserve needs or requirements, or (4) obtaining funds for capital projects necessary to maintain service within existing service areas.

It is hereby found and determined that none of the rates and charges fixed and established by this Resolution are for any purposes other than the purposes set forth in Section 21080 (b) (8) and are therefore, pursuant to said Section, exempt

from the requirements of CEQA. This Resolution constitutes the written findings of the record of the proceedings claiming the aforesaid exemption. The District Secretary is hereby authorized and directed to prepare and file a Notice of Exemption based upon Public Resources Code section 21080 (b) (8).

PASSED AND ADOPTED by the Governing Board of the Carpinteria Valley Water District on the 8<sup>th</sup> day of June, 2011, by the following vote:

AYES:  
NAYES:  
ABSENT:  
ABSTAIN:

APPROVED:

\_\_\_\_\_  
June Van Wingerden, President

ATTEST:

\_\_\_\_\_  
Charles B. Hamilton, Secretary