

**WATER ORDINANCE**  
**Ordinance No. 2025-03**

***HOME GARDEN COMMUNITY SERVICES DISTRICT***

***November 20, 2025***  
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# WATER ORDINANCE

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Plate No. 1. – Typical Water Service Installation

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Plate No. 3 – Fire Hydrant Installation

Plate No. 4 – Thrust Block Details

Plate No. 5 – Typical 2” Blowoff Assembly

Plate No. 6 – Pipeline Backfill Detail

# **WATER ORDINANCE**

An ordinance regulating the water system of, and establishing the terms for water services furnished by the Home Garden Community Services District; setting forth and providing for establishment of rules and regulations for acquisition of capacity rights, water service and connection; providing for means of collection of charges and for penalties and enforcement measures in case of nonpayment of charges or for certain violations; providing for appeals in certain circumstances.

THE BOARD OF DIRECTORS OF THE HOME GARDEN COMMUNITY SERVICES DISTRICT ORDAINS AS FOLLOWS:

## **Section 1: REPEAL.**

All prior ordinances, resolutions and legislative body actions which are in conflict with this ordinance herewith are hereby repealed only to the extent of such inconsistency.

## **Section 2: ADOPTION.**

The following ordinance is hereby adopted.

### **ARTICLE 1. DEFINITIONS**

Terms used herein are defined in “**APPENDIX I**” hereto and, except as otherwise modified therein, those in the “Water Words – Glossary and Definitions” published online by the California State Water Resources Control Board, as modified and/or re-titled from time to time. Said definitions are hereby incorporated into and made a part of this ordinance.

### **ARTICLE 2. GENERAL PROVISIONS**

#### **2-01. RULES AND REGULATIONS.**

The following rules and regulations concerning water system construction and connection to and use of the water system of the District are hereby adopted, and all work pertaining thereto must be performed as required by this ordinance, as may be amended from time to time.

#### **2-02. PURPOSE.**

This ordinance is intended to provide rules and regulations for the use of the water system and for connection to water distribution facilities hereafter installed, altered or repaired within the District. The ordinance shall also apply to each and all service connections and parcels served or to be served by the District but which are outside of the boundaries of the District, unless otherwise agreed in writing by the governing body of the District. The District is not obligated to provide water service to any parcel which has not acquired water system capacity rights. All water produced or otherwise provided by the District is intended solely for use within such parcels, having both water system capacity rights and an active water service account with the District, where the water is delivered by

the District, unless otherwise provided by a signed written agreement between the District and the user.

#### 2-03. SHORT TITLE.

This ordinance shall be known as the “WATER ORDINANCE” of the Home Garden Community Services District (“**District**”). The term Water Ordinance shall also include each and all future amendments to the provisions of this ordinance whenever such amendments expressly indicate or otherwise reasonably imply that they are amendment and/or adding a specific section or article to the Water Ordinance of the District.

### **ARTICLE 3. PRIVATE WATER SUPPLY SYSTEMS.**

#### 3-01. PROHIBITION OF CONNECTION.

No dwellings or structures with operable private systems shall be connected to the existing District system unless otherwise approved in writing by the governing body of the District and then, only when the connection is in full conformance with the cross-connection ordinance of the District.

#### 3-02. MANDATORY CONNECTION.

Connection to the water system of the District shall be and is mandatory except by approval of a variance by the Board of Directors of the District. The Board of Directors may not grant a variance for a private water system where District facilities are available.

#### 3-03. PERMIT REQUIRED.

Before commencement of construction of a private water supply system, the owner must first obtain a written permit from all relevant agencies, which may include the County, State and/or groundwater sustainability agency with jurisdiction. The application for such permit must be made on a form furnished by the jurisdiction with authority over the necessary building permit(s), which the applicant must supplement with each and all plans, specifications, and other information deemed necessary by the District. At its discretion, the District may also require a separate and additional application to be submitted to the District, on a form furnished by the District. Fees for the District’s review of plans and specifications, inspections and issuance of a District permit must be paid to the District, either directly or through the jurisdiction with authority over the necessary building permit(s), and such fees must actually be received by the District prior to any review, inspection or decision by the District. A copy of the building permit must be provided to the District by the owner.

#### 3-04. DESIGN REQUIREMENTS.

The type, capacities, location and layout of a private water supply system must comply with all requirements and recommendations of the relevant divisions of the State of California, the County of Kings, the groundwater sustainability agency with jurisdiction and all other regulatory agencies of federal, State and local governments.

### 3-05. COST OF MAINTENANCE BY OWNER.

The owner's operation and maintenance of private water supply facilities must at all times be at no expense to the District.

### 3-06. ADDITIONAL REQUIREMENTS.

No statement contained in this Article shall be construed to interfere with any of the requirements which may be imposed by any law, ordinance, rule or regulation administered by the regulatory agencies of federal, State and local governments.

## **ARTICLE 4. WATER MAIN AND APPURTENANCE CONSTRUCTION.**

### 4-01. INSTALLATION AND/OR CONNECTION OF SERVICE CONNECTIONS.

(a) For all connections to the District's water system, details of the required service connection construction are presented on **Plate No. 1** of **APPENDIX II**. Each installation must terminate at the water meter which must be installed near the edge of property line and within a public right-of-way (e.g. sidewalk), unless a different location for installation of a water meter is expressly authorized by a resolution of, or written agreement with, the District's Board of Directors, in which case a public utility easement may be required as a condition for approval of the permit and service connection. The required line and grade to said termination will be determined by the District, as will be the required procedures for requesting such installations. Before, after and during installation, the District shall be entitled to inspect each connection to the District's water main line and each water meter where such connection terminates, for initial compliance and for ongoing maintenance and safety monitoring purposes and/or for any other lawful purpose(s).

(b) Except as may otherwise be directed by the District, the District will install all service connections, making connections therefrom to main distribution lines and charging the landowner for the cost thereof. Where determined by the District to be in the best interest of the District and/or the landowner, and in all new subdivision installations, the landowner is required to have each service connection installed by a licensed contractor in lieu of District installation.

(c) In either case, District installation or landowner installation, all costs and expenses incident to the installation and connection of a service connection and water meter, including the District's inspection(s) of such work which is mandatory, must and shall be borne by the property owner, except where otherwise specified either in this ordinance or a written resolution approved by the District's Board of Directors.

(d) After installation and promptly after approval thereof by the District, the water meter and service connection must be conveyed to the District and the District shall be responsible for subsequent maintenance of the service connection and water meter, and the landowner shall retain responsibility for maintenance of the service lateral connecting the landowner's building(s) or other facility(ies) to the District's water meter. Preparation of any required title transfer documentation shall be the responsibility of the landowner and must be accomplished

no later than twenty (20) business days after the District's approval of the installed service connection and water meter. If the landowner fails to timely do so, in addition to other consequences for violation of this ordinance, the landowner shall be estopped from claiming ownership of said facilities.

#### 4-02. DISTRIBUTION SYSTEM DESIGN AND CONSTRUCTION CONSIDERATIONS.

(a) The District requires that standard plans, specifications and profiles associated with any development be prepared by a civil engineer, registered in the State of California and submitted for checking and approval before any major construction is commenced either in public streets, alleys, easement areas or other public rights-of-way where District facilities are located or to be located.

(b) The specifications contained in **APPENDIX II** shall apply to each water system construction proposed within the District, and notwithstanding any other provision in this or any other District ordinance, the water meter specified in **Plate No. 1** and installed must be capable of wireless transmission of metering data. In situations where conflicts arise between the specifications of the District and those improvement standards of the County of Kings, the District's specifications shall be the governing requirements. In addition to new developments, the water meter model requirements of this subsection are triggered by and must be complied with prior to approval of all applications for an increase in capacity rights or restoration of capacity rights. Any application or permit approved or issued in violation of this section shall be null and void at the time of such approval or issuance.

##### (c) Main Water Lines

1. Horizontal Location: In general, main water lines should be located fourteen (14) feet from the centerline of existing streets. The standard minimum clear distance between sewer lines and water mains must not be less than ten (10) feet. Such clearance shall also apply to property service installations;

2. Depths: The minimum cover to the top of any water line is three (3) feet based upon design finish grades as established by the County. In some cases, however, if grade conflicts exist, a shallower depth may be considered and authorized in writing by the District. The District may require greater depths where lines twelve (12) inches in diameter or greater are proposed or where grade conflicts exist. All water lines must be designed and installed to specific grades; and

3. Sizes: Minimum design standard for all water mains is eight (8) inches inside diameter.

(d) It has been determined by the District to be in the best interest of said District that all construction of water mains and appurtenances shall be performed by a contractor who is licensed in the State of California to do said work. The contractor must supply the District with a performance bond in favor of the District, guarantying their work for a minimum of one (1)

year, and a labor and materials bond. The contractor is also required to furnish the District with a certificate of insurance which will hold harmless, indemnify and defend the District ordinance, including evidence of the binding of workers' compensation insurance coverage; and

(e) All costs and expenses incident to the construction of water mains and appurtenances, including the District's inspection(s) of such work which is mandatory, must be borne by the landowner developing the project. Title to the installed facilities must be conveyed to the District following the acceptance of said facilities by the District. Preparation of the required title transfer documentation shall be the responsibility of the landowner and must be accomplished no later than ninety (90) days after the acceptance of the construction by the District. If the landowner fails to timely do so, in addition to other consequences for violation of this ordinance, the owner shall be estopped from claiming ownership of said facilities. No rent or charge will be owed or paid by the District when such facilities are located upon the landowner's premises. The District may relocate said facilities as reasonably required by operating conditions, and may remove each, any and all of its facilities from the landowner's premises upon the termination of water service.

#### 4-03. CONNECTION TO PUBLIC WATER DISTRIBUTION SYSTEM.

(a) The applicant for water service must notify the District when their service connection, and other related construction work, is ready for District inspection in furtherance of each new connection or re-connection to the District's water distribution system.

(b) From the effective date of this ordinance, every dwelling unit wholly detached from any other dwelling unit or other building must be separately metered and separately connected to the District's water distribution system. Any detached auxiliary buildings associated with a dwelling unit and not intended for use as a dwelling unit, commercial or other building, may utilize the dwelling unit's connection only if such building(s) does not contain facilities intended to be used communally by more than one nearby dwelling unit (e.g. detached laundry facilities). If there is more than one dwelling unit on a lot, each detached dwelling unit must be separately metered and separately connected to the District's water distribution system, otherwise each residential occupancy building containing two or more dwelling units which are not legally approved for separate ownership must be connected through a single water meter and service connection to the District's water distribution system.

(c) In each residential occupancy building containing two or more dwelling units which have been legally approved for separate ownership, each dwelling unit must be separately metered and separately connected to the District's water distribution system. However, all communally owned and detached auxiliary facilities and buildings (e.g. community swimming pools, irrigation sprinklers for commonly owned areas, common laundry room) must be connected to the District's water distribution system through a separate and single water meter and service connection.

(d) Each lot containing one or more non-residential occupancy buildings under common ownership must be connected to the District's water distribution system through a single water meter and service connection, unless one or more additional service connections are expressly authorized by a resolution of, or written agreement with, the District's Board of Directors. In each non-residential building containing two or more occupancy units which were legally approved for separate ownership, each unit must be separately metered and separately connected to the District's water distribution system. However, all communally owned or detached auxiliary facilities and buildings (e.g. irrigation sprinklers for commonly owned areas, common restrooms) must be connected to the District's water distribution system through a separate and single water meter and service connection.

(e) Adjacent buildings or dwelling units, on a single lot or on multiple lots, which are detached from one another and which are under separate ownership must not utilize the same water meter nor service connection to the District's water distribution system.

(f) A water service permit approved by the District and which covers any existing residential, commercial or industrial building shall automatically terminate when such building is subsequently legally divided into separate occupancy units which may be legally transferred, sold and owned. The termination shall be deemed to have occurred upon the legal approval and creation of such separate units and, thereafter, in order to obtain a water service permit, each unit is subject to and must be in full compliance with all District requirements, conditions and procedures for new service (e.g. installation of separate service connection and separate water meter).

(g) For any mixed-use building containing two or more occupancy units, when at least one is used as a residential dwelling unit and at least one other unit is used for commercial or industrial purposes, separate service connections and metering are required for each unit if the occupancy units in such mixed-use building were lawfully divided into separate occupancy units which may be separately transferred, sold and owned. Otherwise, in any such mixed-use building which is not lawfully divided into separate occupancy units which may be separately transferred, sold and owned, a single meter and service connection to the District's water distribution system is required.

(h) Every connection to the District's water distribution system must comply with the cross-connection provisions of imposed by State law and/or State regulatory agencies, and with the District's cross-connection ordinance(s). [See HSC §§ 116375(c), 116407(b).]

#### **4-04. REMOVAL OF SERVICE CONNECTION FROM PUBLIC WATER DISTRIBUTION SYSTEM.**

(a) Each removal of a service connection from the District's water distribution system must be coordinated with the District's General Manager and/or Engineer. The owner or customer-of-record must cause the District to be actually notified in writing at least seventy-two (72) hours before such construction work is ready to begin, in order for the District to have an opportunity to witness the work and inspect it. All such work must be conducted by a

licensed contractor in conformance with the standards and requirements of this ordinance, including **Section 5-07**.

## **ARTICLE 5. PERMITS AND FEES.**

### **5-01. PERMIT REQUIRED.**

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public water main or appurtenance or perform any work on any plumbing system under the jurisdiction of the District without first completing a permit application and obtaining a permit or other appropriate written permission (“**permit**”) from authorized District personnel. This permit and associated permit application requirement shall apply to any alteration or increase in fixture unit demand, as defined by the Uniform Plumbing Code, associated with conversion of a single-family dwelling unit to a multi-family dwelling unit or inclusion of a commercial business therein, multi-family dwellings or commercial units or any increase in volume demand associated with an industrial customer.

### **5-02. APPLICATION FOR PERMIT; WATER METER REQUIRED.**

(a) Any person, legally entitled to apply for and receive a permit, must make such application on forms provided by the District for that purpose. The application and permit forms which the District must use for water service must be approved by resolution of the Board of Directors. The applicant must give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. In cases where capacity rights do not yet exist or must be transferred or re-acquired, a permit(s) must be issued upon motion of the Board of Directors, if all applicable requirements are satisfied. For premises with existing capacity rights, permits may be issued by the District’s General Manager or her/his designee, upon the applicant’s satisfaction of all applicable requirements. Immediate installation of a water meter, in accordance with **Article 4** of this ordinance as may be amended from time to time, shall be required for each and all of the following connections to the District’s water distribution system:

- (1) All new residential and non-residential connections;
- (2) All existing connections for which an alteration or increase in fixture unit count is sought or made;
- (3) All connections for which a restoration of water system capacity is sought under **Article 8** of this ordinance as may be amended from time to time;
- (4) All existing connections whenever there is a change in the customer-of-record for any reason whatsoever, including (without limitation) upon the sale or transfer of the parcel, or upon the death of the prior owner or customer-of-record;

- (5) Each existing connection which is the subject of either a notice of violation, or at least two (2) written warnings, for any violation of this or any other District ordinance pertaining in any way to the District's water system, facilities, service and/or enterprise;
- (6) All existing connections to parcels upon which any number of livestock are kept for any period of time whatsoever, including without limitation any number of horses, ponies, mules, burros, jacks or jennies, cows, bulls, calves, heifers, sheep, goats, swine, hogs, pigs, or all other domestic or domesticated animals other than household pets, except that installation of the water meter shall not be enforced prior to six (6) months after the effective date of this ordinance; and
- (7) All existing connections, after **four (4) years** from the enactment of this ordinance.

(b) For an applicant requesting permission for immediate connection, the intent must be so stated on the permit application form. Should the Board of Directors approve issuance of the requested permit, the applicable capacity acquisition fee and a deadline for payment shall be established by resolution of the Board of Directors. If payment of the required fees is made by the applicant within the established deadline, the permit shall be issued by the District. Lack of payment within the specified specified shall nullify the prior approval action of the Board of Directors and the applicant must re-apply.

(c) For an applicant on a development application other than a single-family dwelling or duplex, the permit action must be in the following sequence of steps:

STAGE ONE; Application for Will-Serve Letter: The first stage in approval of a permit application related to a subdivision, commercial development or an industrial development may be issued in the form of a letter indicating willingness to provide the utility service requested by the owner, contingent upon the owner's subsequent and timely satisfaction of all applicable conditions and requirements. Such a letter shall be referred to as a "**will-serve**" letter and must be issued only in accordance with the will-serve letter process and policy established by resolution of the Board of Directors, as may be amended from time to time. Prior to issuance of such will-serve letter, the District may require the applicant to submit to the District for review and approval one or more sets of project plans, specifications and/or drawings and such other information (collectively "**Development Plans**") deemed necessary by the Board of Directors, General Manager or the District Engineer.

STAGE TWO; Permit Issuance: After the District approves the Development Plans furnished by the applicant and issues the will-serve letter, and if the project to which they pertain is in full compliance with all of the ordinances, rules, regulations and

specified conditions of the District, the permit applied for shall be issued upon timely payment of the required fees as fixed by the applicable resolution of the Board of Directors. The District's approval to execute and finalize the Development Plans and the District's related written approval for the owner to proceed with construction of the project are mandatory and must not occur until payment in-full of the required capacity acquisition fees, unless otherwise approved by written resolution of the Board of Directors. Issuance of the permit in violation of this provision shall render such permit immediately invalid and void.

(d) Unless otherwise provided by the resolution of the Board, a will-serve letter shall be valid only for a period of time not to exceed one (1) year from the date of issuance of the letter, and issuance of the will-serve letter shall not be unreasonably delayed after authorized by the Board. If, after nine months following the issuance of "will-serve" letter, the applicant has not completed the connection(s) applied for, the applicant must provide a schedule indicating the proposed completion date of said connection(s). If the schedule indicates a proposed completion date which is more than one (1) year after the issuance of the will-serve letter, the applicant must request an extension from the Board which, if granted, must be approved by resolution of the Board. The applicant must pay any increase between the current capacity acquisition fees and that which was previously established, as a condition of the Board's approval of the extension. In no case shall the extension exceed **eighteen (18)** months, unless otherwise approved by the Board through a written agreement. All fees paid by the applicant, including capacity fees, shall be non-refundable and shall be forfeited to the District upon expiration of the will-serve letter, unless the applicant becomes a monthly water service customer of the District, for standby and/or monthly water services charges, and thereby agrees to conform to all requirements applicable to such status.

#### 5-03. COMPLIANCE WITH PERMIT.

After approval of the application, evidenced by action related to a permit, no change shall be made in the location of the water service connection, the grade, materials or other details from those described in the permit or as shown on the Development Plans for which the permit was issued, except with written permission from an authorized representative of the District.

#### 5-04. AGREEMENT.

The applicant's signature on an application for any permit shall constitute an agreement to comply with all of the provisions, terms and requirements of this and all other applicable ordinances, rules and regulations of the District, and with the Development Plans filed in connection with the application, if any, together with such corrections or modifications as may be made or permitted in writing by the District, if any. Such agreement shall be binding upon the applicant and may be altered only by the District upon a written request for the alteration from the applicant, with the subsequent written approval of the District.

## 5-05. CAPACITY ACQUISITION FEE.

The District hereby requires property developers, sub-dividers and individuals making connection to the District's water distribution system to pay a one-time fee for access to water system capacity of existing and anticipated future public facilities and systems for water production, storage and distribution according to the requirements in this section. These requirements also apply to any alteration or increase in fixture unit demand, as defined by the Uniform Plumbing Code, including (without limitation) those associated with: the conversion of a single-family dwelling unit into a multi-single family dwelling unit or the inclusion of a commercial business therein; multi-family dwellings; commercial land uses; institutional land uses; or industrial land uses.

(a) Provided that the District has an adequate water supply capacity, the fees for access to water system capacity shall be established as follows:

1. A single, fixed fee, shall be established by resolution of the Board of Directors on an annual or other periodic basis for each dwelling unit. The basis for the fee shall reflect principally the value of the available capacity in the production, storage and distribution facilities and to establish the customer account; and

2. The capacity acquisition fee for commercial, industrial and institutional permit applicants shall be based upon an equivalent fixture unit computation, which shall compare the ratio of total fixture units proposed for installation/use to the base number of fixture units for a standard single-family dwelling, and shall be established by resolution of the Board of Directors following permit submittal of a complete application.

The basis for these charges shall cause the District to review on an annual basis, the data which is utilized to determine the fees for the coming year. These fees are irrespective of any sewerage service which is provided to the parcel or parcels in question;

(b) The District reserves to itself the right to establish by resolution, and to thereafter assess, additional fees for industrial and institutional customers where such additional fees are warranted by law;

(c) Unless expressly provided otherwise by ordinance, resolution or a duly signed written agreement approved by the Board, for new connections the capacity acquisition fee which is appropriate to the permit application is due and payable at the time of permit issuance. In the case of **subdivisions**, the capacity fee shall be paid according to the following schedule:

1. A initial deposit which is to accompany the permit application and which shall be in addition to the permit application fee, in the amount or percentage established by resolution of the Board of Directors;

2. Twenty percent (20%) of the established capacity acquisition fee upon approval of, but prior to execution of, improvement drawings which have been determined by the District to be acceptable and which satisfy all requirements of this ordinance, less the aforementioned deposit; and

3. Eighty percent (80%) of the established capacity acquisition fee within sixty (60) days after the recording of the final map associated with the development, or as otherwise established by resolution of the Board of Directors. Failure to pay the balance of the fees due according to this provision shall result in an automatic and nonnegotiable revocation of the permit and forfeiture of all monies previously paid to the District. The applicant will be allowed to re-apply to the District immediately without prejudice, however, will not be granted any priority over other applicants and will not be given any credit for funds previously paid. In addition, any modifications to this ordinance which have been adopted from the time of original permit issuance to the new application date, shall apply.

(d) For each parcel which acquires water system capacity upon payment in-full of all applicable fees, the water fixture unit count must not at any time exceed such amount which can result in water system demand above the water system capacity actually paid for and allocated to such parcel by the District, unless additional water system capacity is duly acquired from the District, including payment of additional water system capacity fees.

(e) The Board is in no way committed to annexation of any particular area by virtue of the offer of the aforementioned fees by persons owning or developing areas proposed to be annexed to the District. The questions of annexation or provisions of a well site or oversized main line to any area shall, in each instance, be resolved by the Board of Directors for the benefit of the District; and

(f) The provisions of this section shall in no way abrogate any of the provisions of any other ordinance governing water service charges or fees, whether currently in effect or hereafter adopted.

#### 5-06. ADDITIONAL CHARGES.

In addition to any other charges established herein, the Board of Directors reserves the right to and may establish additional capacity acquisition charges for any water service connection when the circumstances of such access necessitates the payment of charges over and above those established herein.

#### 5-07. ALL WORK TO BE INSPECTED.

All water line construction work, building pipelines, plumbing and backflow prevention systems must be inspected by an inspector acting on behalf of the District, to review them for compliance with all requirements of the District. No line shall be covered at any point until it has been inspected by the District and passed for acceptance. No line shall be connected either

directly or indirectly to, nor disconnected from, the District's public water distribution system until such work has been inspected and approved by the District. All pipelines must be cleaned of all debris accumulated from construction operations.

**5-08. NOTIFICATION.**

It shall be the duty of the owner of the premises, and of the person doing the work which requires a permit under this ordinance, to notify the District in writing that said work is ready for inspection. Such notification shall be given not less than seventy-two (72) hours before the work is to be inspected. The foregoing duty includes the duty to ensure that the work is ready for inspection by the District before providing the aforementioned notification(s).

**5-09. REJECTED WORK.**

When any work has been inspected and rejected by the District, a written notice to that effect shall be given, instructing the permittee, or the agent of such permittee, to repair the work authorized by the permit in accordance with the ordinances, rules and regulations of the District.

**5-10. ALL COSTS PAID BY PERMITTEE.**

All costs and expenses incident to the installation and connection of any water service and any other work for which a permit has been issued must be borne by the permittee. The permittee must agree to indemnify, hold harmless and defend the District from each, any and all costs, loss or damage which may directly or indirectly arise in any way from the work of, or done on behalf of, the permittee.

**5-11. LIABILITY.**

The District and its officers, agents and employees shall not be in any way liable or responsible for any liability, injury or death to any person, or for any damage to any property arising in any way from the performance of any work by or on behalf of each, every and any permittee. The permittee shall be responsible for and must indemnify and hold harmless and defend the District and its officers, agents, consultants and employees from each, all and/or any liability imposed upon the same, including all costs, expenses, fees and interest incurred in defending the same or in seeking to enforce this provision. The permittee shall be solely liable for any defects in the performance of the work intended for the permittee and any failure in regard thereto.

**ARTICLE 6. WATER SERVICE CHARGES.**

**6-01. PURPOSE AND BASIS.**

Water related fees and service charges are hereby authorized for the following purposes:

(a) To provide sufficient financing for an adequate operation and maintenance program, including competent personnel; and

(b) To allow funds to be reserved for necessary future installations, replacements, improvements and expansion of existing and anticipated District facilities.

#### **6-02. WATER SERVICE RATES AND STANDBY CHARGES.**

(a) The Board of Directors is authorized to establish water service rates and standby charges for the purpose of providing funds for: (1) the payment at or before maturity of the principal of and interest on all water revenue bonds heretofore or hereafter issued by the District for the purpose of the acquisition, construction, improvement and financing of the District's water system and facilities; (2) the payment of the cost of additions to or improvements to the District's water system and facilities; and (3) the payment of the cost of maintenance and operation of the District's water system and facilities. These rates and charges are hereby levied and assessed upon all premises connected with the District's water system or required by this ordinance to be connected to the District's water system. Said rates and charges shall be for water service furnished or available to such premises from the District's water system. Said rates are to be established and may be changed by resolution of the Board of Directors.

(b) Monthly water service rates and standby charges shall be as established by resolution of the Board of Directors, including incidental rates for water for uses such as for construction by contractors and for filling tanks on fire and other trucks.

(c) The rates and charges for water service furnished or available to premises outside the boundaries of the District shall be established on a case-by-case basis by resolution of the Board of Directors.

(d) No water service and no facilities of the District water system shall be furnished to any user or to any person free of charge.

#### **6-03. PAYMENT TO AND COLLECTION BY DISTRICT.**

Rules and regulations related to payment, delinquencies, service establishment and termination of water service shall be established by resolution of the Board of Directors. The service charges shall be billed to the property owner by the District or to an authorized agent of the owner, if the owner authorizes an agent in a signed writing. Where conditions allow a renter to become the customer-of-record, said renter must tender a deposit to the District to ensure payment. The amount of such deposit shall be established by resolution or motion of the Board of Directors and be based on the creditworthiness of the customer.

#### **6-04. APPLICATION OF ORDINANCE; VARIANCE.**

In the event there arise under the provisions of this ordinance any one or more inequities, either to a customer or to the District, which exist because of the nature of any certain business, industrial land-use, institutional land-use or commercial accommodation(s) or unit(s), the Board of Directors is hereby authorized by resolution to establish and approve any

variance(s) to this ordinance which in its opinion it deems appropriate to alleviate any such inequity(ies).

#### 6-05. CHANGES OF OWNERSHIP; NEW CUSTOMERS; FIXTURE INSPECTIONS.

(a) When there is a change in ownership of premises using District water service, water service charges to the new owner shall be placed in the new owner's name upon the new owner's written request to the District to do so, if all other District requirements are satisfied. Said service shall then be subject to the service charges established under the authority of this ordinance. If the District staff has reasonable grounds to believe that the owner-of-record, customer-of-record or the renter of premises receiving water service is deceased, and if a new owner or renter has not promptly requested to be the new account holder, then the District may commence proceedings for abandonment of water service capacity.

(b) Notwithstanding any other provision of any other ordinance of the District, prior to authorizing water service to the premises of any landowner, tenant or other prospective customer, said person must sign an authorization form provided by the District which authorizes the District to enter upon the premises and all buildings thereon which will receive water service, for the purpose of conducting an inventory inspection to ascertain and/or confirm the number of plumbing fixtures to be used in connection with the District's water service. However, this section must not be construed to impose an affirmative duty upon the District to always complete such an inspection, or to discover any plumbing or related problems during any such inspection, which may subsequently result in proceedings to enforce any District ordinance(s), property damage or any harm to any person.

#### 6-06. DELINQUENT WATER CHARGES ON SECURED TAX ROLL.

(a) Whenever delinquent and unpaid charges for water and/or other services could become a lien on such property pursuant to Water Code § 72100 because they remain delinquent and unpaid for 60 days, the General Manager is hereby directed to notify the owner-of-record of the relevant parcel. [Water Code § 72101.]

(b) Whenever charges for water or other services remain unpaid beyond the delinquency date, the District's General Manager and her/his designee shall be authorized to file for record, under Water Code § 72102, in the office of the county recorder of any county, a certificate specifying the amount of such charges and the name and address of the person liable therefor.

(c) In August of each year, the Board of Directors shall consider and approve a statement of delinquent and unpaid charges for water and other services which, as of July 1, remain unpaid for sixty (60) days, which shall include an amount sufficient to compensate the county for estimated costs incurred in collecting such delinquent and unpaid charges.

(d) The District's General Manager or her/his designee is authorized each year to furnish to the auditor of the County of Kings a statement of the delinquent and unpaid charges for water and other services approved by the Board of Directors. Pursuant to Water Code §

72094 and all other applicable laws, the General Manager is hereby directed to furnish such statement no later than September 1 of each year. Pursuant to Water Code § 72100, the amount of any delinquent and unpaid charges in such statement shall be added to and become a part of the annual taxes next levied upon the property upon which the water for which the charges are unpaid was used and upon the property subject to the charges for any other district services 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.

## **ARTICLE 7. ABANDONMENT OF WATER SERVICE.**

### **7-01. PURPOSE.**

The voluntary and involuntary water service abandonment and/or transfer proceedings set forth in this Article are established for the following purposes:

(a) To provide voluntary and involuntary methods by which the District can be relieved from the responsibility of providing water service to parcels having service connections available, but not having an active District water service account and/or not using District water;

(b) To relieve owners of parcels, which do not demand District water, from the necessity of paying recurrent District fees and charges, including without limitation service and standby charges; and

(c) To provide a method by which the District can be relieved from the responsibility of providing water service to any parcel having a service connection available, but the owner-of-record, customer-of-record or renter holding the account for such parcel is reasonably believed to be deceased, and no new owner or renter has requested to assume an account for such parcel.

### **7-02. VOLUNTARY ABANDONMENT BY OWNER.**

(a) The District may enter into a recordable agreement with a parcel owner having a service connection available to her/his parcel to abandon their right to have the parcel receive water from the District;

(b) Commencing with the first of the month following recordation of an abandonment agreement, the parcel owner shall no longer be required to pay water service charges; and

(c) If the property owner wishes to connect or reconnect to the District's water system after recordation of an abandonment agreement, she/he must first qualify or requalify for reconnection to the water system and pay all applicable fees and charges for capacity rights restoration pursuant to the provisions of this and all other applicable ordinances.

### 7-03. ABANDONMENT PROCEEDINGS INITIATED BY DISTRICT.

(a) The District may initiate proceedings to declare water capacity rights and service abandoned to any parcel of real property having a service connection available, but either failing to pay District charges for more than sixty (60) days, or when the owner-of-record, customer-of-record or renter on the account is reasonably believed to be deceased and no new owner, customer-of-record or renter has submitted an application to have service to the property continue under their name;

(b) Proceedings to declare water capacity rights and service abandoned shall be initiated by mailing, by way of certified mail, a Notice of Intent to Declare Water Service Abandoned (“**Notice**”) to the each owner-of-record of the parcel of real property shown on the last equalized county assessment roll at least fifteen (15) days prior to holding a hearing on the abandonment. The Notice shall contain the date of the hearing and inform the owner(s) of the intent of the District to declare abandoned the right to water capacity and service for the parcel;

(c) If the owner or owners pay all back charges, plus an amount set by resolution of the Board of Directors to cover the estimated costs of the abandonment proceedings, before the time of the hearing, the District shall abate the abandonment proceedings. An owner shall have the right to such abatement actions no more than three (3) times during a continuous period of ownership. Any owner who exceeds three (3) such abatement actions shall be required to pay a penalty of not less than \$500.00 and not greater than \$2,000.00, said penalty to be established by motion of the Board of Directors, for each such abatement action in excess of the stated three (3);

(d) At the hearing, the governing Board of District shall first receive both oral and written evidence from the District staff supporting abandonment of the right to water capacity and service. The Board of Directors shall then give the property owner or owners an opportunity to present evidence in opposition to the proposed Declaration of Abandonment of water service;

(e) Within thirty (30) days after the close of the hearing, the governing Board shall render its decision on the abandonment and mail written notice of its decision to the property owner(s). The decision of the Board shall be final;

(f) Not less than ten (10) days after mailing the Notice of Decision, the District shall record a Declaration of Abandonment of Water Service with the Kings County Recorder;

(g) Commencing with the recordation of the Declaration of Abandonment of Water Service, the property owner shall no longer be entitled to water system capacity or to receive water from the District and shall no longer be required to pay water service charges; and

(h) If the property owner wishes to connect or reconnect to the District’s water system after the recordation of the Declaration of Abandonment, she/he must first requalify for

connection to the system and pay all applicable fees and charges for service connection, restoration pursuant to the provisions of this and all other applicable ordinances.

## **ARTICLE 8. CAPACITY RIGHTS RESTORATION.**

Should water system capacity rights be abandoned and withdrawn from a parcel pursuant to the provisions of **Section 7-03** and a subsequent application for capacity rights restoration be received by the District, the following provisions shall apply.

### **8-01. AVAILABILITY OF CAPACITY.**

Upon receipt of a permit application for capacity rights restoration, the Board of Directors shall determine the availability of water system capacity and the ordinal priority for processing of the permit application relative to all other pending permit applications.

### **8-02. PERMIT APPLICATION PROCESSING.**

The permit application will be accepted for processing only if application processing fees are paid, it is determined by the District that available water system capacity exists, and it is further determined that the parcel(s) which is the subject of the application is in compliance with all of the provisions of this and all other applicable ordinances, including the installation of a water meter which satisfies District standards.

### **8-03. WATER SYSTEM CAPACITY RIGHTS FEE STRUCTURE.**

If the Board of Directors accepts the permit application for processing, the following fee structure shall apply:

(a) The Board of Directors shall establish, by resolution, a **full** capacity rights fee applicable to the parcel(s) utilizing the ordinary calculation method for new connections to the District's water system, which shall be based upon fixture unit count;

(b) If the permit application for capacity rights restoration is received within **one (1) year** of the date of recordation of the Declaration of Abandonment of Water Service, the capacity rights fee for the subject permit application shall be **one-third (1/3)** of the full capacity rights fee established pursuant to subsection (a);

(c) If the permit application for capacity right restoration is received **after one (1) year**, but before two (2) years following the date of recordation of the Declaration of Abandonment of water service, the capacity rights fee for the subject permit application shall be **two-thirds (2/3)** of the full capacity rights fee established pursuant to subsection (a); and

(d) If the permit application for capacity rights restoration is received **after two (2) years** following the date of recordation of the Declaration of Abandonment of water service, the capacity rights fee for the subject permit application shall be fixed at the full capacity rights fee established pursuant to subsection (a).

## **ARTICLE 9. PUBLIC NUISANCES AND ENFORCEMENT OF PERFORMANCE PROVISIONS.**

### **9-01. COMPLIANCE MANDATORY.**

Following the effective date of this ordinance, it shall be unlawful for any person to connect, to construct, install or provide, maintain, use or alter any other means of water supply to any building within the boundaries of the District, except by connection to a public utility in the manner as provided in this ordinance, or by installation, provisional usage or maintenance of approved private production and distribution facilities in accordance with the provisions of this ordinance.

### **9-02. DISCONNECTION OF WATER SERVICE.**

(a) **Residential Service:** The process for disconnection and discontinuation of residential water service, for non-payment or other violations of this ordinance as amended from time-to-time, shall be established by written policy approved by resolution of the Board of Directors.

(b) **All Non-Residential Service:** The process for disconnection and discontinuation of all forms non-residential water service, for non-payment or other violations of this ordinance (as amended from time-to-time), may be established by written policy, separate and apart from the District's residential disconnection and shutoff policy, approved by resolution of the Board of Directors. Until such time as a separate process and policy is established for disconnection and discontinuation of non-residential water service, the District may utilize the District's residential disconnection and shutoff policy as a general and non-binding guideline. Except to the extent expressly provided otherwise within a duly approved and executed written agreement, the District's disconnection and discontinuation of water service for all forms of temporary or incidental uses, such as for permitted construction by contractors and for filling tanks on fire trucks, shall be at-will.

### **9-03. VIOLATIONS.**

Each violation of this ordinance shall be enforceable in each and all manners authorized by law, none of which shall be mutually exclusive of any other, including (without limitation) abatement, civil injunction, and/or imposition of civil fines, fees and special assessments. Each day of non-compliance with any requirement, restriction or other term or provision of this ordinance shall be deemed to be a separate and distinct violation which the District Manager and/or her/his designee is hereby authorized to enforce in any lawful manner, including pursuant to the Administrative Fines, Penalties and Appeal Ordinance, Ordinance No. 07. Each violation of this provision is hereby deemed to be a public nuisance.

#### 9-04. ENCROACHMENT ON UTILITY EASEMENTS.

(a) It shall be a be a violation of this ordinance for any parcel to be maintained in such a manner as to any way obstruct or impede the District from unfettered access to a service connection, water meter and/or any other District water system facilities, whether located on District property or not. It shall also be a violation of this ordinance for any person, not acting on behalf of the District, to in any way obstruct or impede the District from unfettered access to a service connection, water meter and/or any other District water system facilities, whether located on District property or not.

(b) Whenever the District provides permitted water service to a parcel which has a water meter, service connection and/or other District water facilities within the boundaries of such parcel rather than within a public right-of-way, the parcel owner must upon written demand by the District provide a written and recordable utility easement to the District, in a form satisfactory to the District, within thirty (30) days, whenever the District does not already have an easement of-record to access such water meter, service connection and/or other District water facilities within the boundaries of such parcel for maintenance, repair, inspection, testing, use, shutoffs, and/or any other District purpose(s). If the owner fails to timely comply with the District's demand, the District may require the owner to relocate, at the owner's expense, the water meter, service connection and all other District water facilities into a public right-of-way, and the District may close the water service account until the owner fully complies. Failure of the owner to timely and fully comply shall be a violation of this ordinance. All expenses for the District's disconnect of water service to such parcel shall be a charge to the parcel, and to the owner thereof, and may be invoiced and collected in the same manner as other charges for water services.

(c) It is a violation of this ordinance for any parcel to be maintained in such a condition, so as to contain any personal property or fixture encroaching upon the District's public utility easement areas, including (without limitation) any which in any way hinders, prevents, impedes or otherwise restricts the District's access to such public utility easement areas, and to any District facilities in any way within such easement areas. This includes, but is not limited to any and/or all of the following in or upon a District public utility easement area: Storage or parking of vehicles; Erection of any fence; Vegetation and/or any tree(s); Keeping of dogs and/or any other animals; and/or hazardous materials. It is also a violation of this ordinance for any person, not acting on behalf of the District, to engage in any conduct which in any way hinders, prevents, impedes or otherwise restricts the District's access to any District public utility easement area, and/or to District facilities in any way within such easement areas. After receipt of written notice of any encroachment, the offender must cure the violation within **ten (10) days**, otherwise formal enforcement activity is hereby authorized and any period to cure under a formal notice of violation shall may be reduced by the foregoing 10-day period already afforded hereunder.

#### 9-06. NOTICE AND CORRECTION.

Any person found to be violating any provision of this ordinance, excluding violations pertaining to water service charge delinquencies, may be served by the District with a notice of such violation as provided in the Administrative Fines, Penalties and Appeals Ordinance. The offender must, within the period of time specified in such notice, permanently cease all violations. All persons shall be held responsible for any and all actions of their employees and agents which constitute a violation of this ordinance.

#### 9-07. UNREPORTED CONNECTIONS.

An unreported connection is a service connection which has not been inspected and approved by the District. Upon discovery of an unreported connection which increases the fixture unit demand (as determined under the Uniform Plumbing Code) of the property or for which no additional permit has been approved, the District shall charge all present service and connection/capacity charges and fees, including all basic penalties and additional penalties thereon, from the time the unreported connection was made. All such charges shall be deemed due retroactively to the date when such charges would have become due based upon the date of the unreported connection, which may be determined and fixed by resolution of the Board of Directors. Connection charges shall be assessed by the District for any unreported connections at the time of discovery. Notwithstanding such assessment, the unreported connection shall not be deemed permitted until authorized by the District, subject to any waiting list which may exist for water system capacity. When notified in writing by the District about an unreported connection, the owner of the parcel and customer-of-record must cause the unreported connection to be removed within ten (10) business days, in accordance with **Section 4-04**.

#### 9-08. APPEALS.

Any water user, permit applicant, or permit holder affected by any decision, action or determination made by the District's General Manager (or designee), when interpreting or implementing the provisions of this ordinance or any permit issued hereunder by the District, may file an appeal to the Board of Directors in accordance with the procedures of the Administrative Fines, Penalties and Appeals Ordinance.

#### 9-09. RELIEF UPON MOTION BY BOARD.

The District' governing Board of Directors may, upon its own motion, find and order that by reason of special or extraordinary circumstances, any cited provision(s) of this ordinance (as amended from time-to-time) shall be temporarily or permanently suspended, modified, varied or waived as applied to particular premises, uses or actions.

#### 9-10. INJUNCTION.

In order to enforce the provision of this ordinance, including the provisions fixing charges for the furnishing of commodities or services, the District may correct any violation of this ordinance pursuant to Government Code §§ 61060, including subdivisions (b), (c) and (n), 61069, and Water Code § 71601 as applicable under Government Code § 61100. The District may also petition the superior court for the issuances of a preliminary or permanent injunction, or both, as may be appropriate, enjoining any person from the continued violation of this

ordinance or for the issuance of an order stopping or disconnecting a service if the charges for that service are unpaid at the time specified in this ordinance.

#### 9-11. DAMAGE TO FACILITIES.

It shall be a violation of this ordinance for any person to allow or cause any connection to the District's water facilities to obstruct, damage and/or in any way impair any of the District's facilities. In addition to any enforcement action(s) taken for violation of this ordinance, the District shall be authorized to abate the offending obstruction, damage and/or impairment of the District's facilities, and thereafter assess all associated charges against the offending person and parcel for the work required, and to add such charges to the regular invoice of charges and fees to the offending person and parcel, including such parcel's owner and/or the customer-of-record.

#### 9-12. CIVIL PENALTIES.

Any person whose action violates any provision of this ordinance and causes the District to deliver water which causes pollution, sickness or death or which violates any State directive, shall be liable civilly for a penalty(ies), and for damages as determined by a court of law. An attorney for the District, upon order of the Board of Directors, shall petition the court to seek to impose, assess and recover civil penalties and/or damages.

#### 9-13. FINES AND PENALTIES.

Each person, other than someone acting on behalf of the District, who violates any provision of this ordinance or any permit condition issued under this ordinance, shall be liable for a fine or penalty. Each day each violation exists is deemed a separate violation and the violator shall be liable for a separate fine or penalty for each day in which such violation exists. The amount of the fine shall be the greater of either the maximum amount prescribed by the Administrative Fines, Penalties and Appeals Ordinance, or such greater amount not exceeding the maximum amount authorized by State law.

#### 9-14. FALSIFYING OF INFORMATION.

It is a violation of this ordinance for any person to knowingly make any false statement(s) or representation to the District, to knowingly submit any false record, report, plan or other document to the District, and/or to falsify, tamper with or knowingly render inaccurate any monitoring device or procedure required under this ordinance, State law or any agreement with the District.

#### 9-15. ACCESS ON PRIVATE PROPERTY.

The District may enter upon the private property of any person within the jurisdiction of the District in order to investigate possible violation of this ordinance. The entry should be made with the consent of the owner or tenant of the property or, if consent is refused, with a warrant issued pursuant to the procedure set forth in Title 13 (commencing with § 1822.50) of Part 3 of the Code of Civil Procedure of the State of California.

## ARTICLE 10. SPECIAL REGULATIONS.

### 10-01. Priority Upon AVAILABILITY OF CAPACITY.

Priority for capacity rights restoration shall temporarily accrue to the parcel(s) from which capacity rights were abandoned pursuant to the provisions of Section 7-03. Such priority shall exist for a period of three (3) years. The subject period shall be initiated as of the date of recordation of the Declaration of Abandonment. The owner(s) of the parcel(s) requesting capacity rights restoration must initiate the restoration process by completing a permit application requesting capacity rights restoration. If an application for capacity rights restoration is not submitted within said three (3) year period, any application for water system capacity and service shall be treated as an application for new capacity rights, subject to the priority given to such applications.

### 10-02. SPECIAL AGREEMENTS.

Special agreements between the District and any person(s) or agency(ies) regarding water supply, production, storage, treatment, distribution and/or delivery may be duly entered into when, in the opinion of the Board of Directors, special, unusual and/or extraordinary circumstances merit special terms and conditions. Any such agreement may include terms which vary from the usual terms, conditions and requirements of this ordinance and any then-existing and relevant ordinance and policy enacted by the District and any such variance(s) shall be deemed a limited waiver of the usual terms, conditions and requirements.

### 10-03. REASONABLE USE.

The most equitable way to charge for water service is to meter each service. The costs resulting from metering are such that reasonable use is encouraged. For this reason, the District will rely on adherence to the following:

(a) Any, each and all leaks and drips in the plumbing of water users must be repaired expeditiously;

(b) With any air conditioning or air cooling system which uses water for cooling purposes, there must not be any significant waste of water. Recirculation pumps are mandatory and must be installed and maintained on all evaporative coolers;

(c) Commercial agricultural irrigation with District water is prohibited; and

(d) The District reserves the right to terminate service and/or initiate abandonment proceedings pursuant to the provisions of **Section 7-03** whenever unreasonable use continues after repeated written warnings and/or enforcements.

### 10-04. PROTECTION FROM DAMAGE; METER TAMPERING.

(a) No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the District's water production, storage or distribution systems.

(b) No water meters connected to the District's water system may be altered or tampered with, whether physically or electronically, or removed by anyone other than District personnel. No water meter seal may be broken by anyone other than District personnel or its authorized contractors. Unauthorized alteration, tampering or removal of a water meter seal by any person, including a licensed plumber, will result in the landowner and/or customer being charged unauthorized meter alteration investigation fees and any other applicable charges, as previously set by resolution of the District's Board of Directors during a public hearing.

## **ARTICLE 11. WATER USE RESTRICTIONS.**

### **11-01. USE OF DISTRICT WATER.**

(a) All water produced or otherwise provided by the District must be used solely within such parcel, having water system capacity rights which has an active water service account with the District, where the District delivered the water, unless otherwise provided by a signed written agreement between the District and the user. Each customer-of-record and owner of a parcel with water system capacity rights are prohibited from transporting or allowing the transport of District-provided water to any offsite location, including without limitation to any nearby or adjacent parcel of real property or any parcel outside the District's service area, for offsite consumption or use on any parcel which does not have water system capacity rights from the District nor an active water service account with the District.

(b) Each customer-of-record and owner of a parcel with water system capacity rights are prohibited from using, or otherwise allowing the use of, District-provided water for: (1) to irrigation of any form of row crop, excluding a garden growing personal-use produce for on-site consumption only; and (2) any industrial, commercial or agricultural business or commercial purpose upon any residentially-zoned parcel.

### **11-02. WATER RESTRICTIONS.**

(a) This section shall only be enforced whenever the Board of Directors has adopted a resolution requiring enforcement for a specified period of time.

(b) Irrigation of outdoor ornamental landscapes and turfs must occur, if at all, only before 9:00 A.M. or after 6:00 P.M. and only on the days of the week when such irrigation is permitted.

(c) The use of water derived from the District must not be used for any motor vehicle washing activity except that owners and occupants of lots with an active water service account with the District may wash a motor vehicle owned or leased by them only on their property's assigned outdoor irrigation days. Such washing, when allowed, must be performed with a bucket and/or a hand-held water hose equipped with a positive shut-off nozzle. Such washing activity must be performed on lawn areas or other surfaces designed to maximize beneficial use of the water and to eliminate runoff onto paved, concrete, brick, tiled or other rigid surfaces which do not absorb water.

(d) The use of water derived from the District is prohibited in all above-ground swimming pools, all water slides and all other recreational devices which utilize water unless such items are used in a manner which causes in the water utilized with them to drain directly onto lawns, flower beds, domestic gardens or dirt without any runoff onto paved, concrete surfaces, brick, tiled or other rigid surfaces.

(e) This subsection shall apply to in-ground swimming pools only. Draining of a swimming pool, and filling of a swimming pool whose water level has dropped three or more feet from its upper fill limit, must occur only with a written permit issued by the District and such activity is limited to once every two years, except upon reasonably necessary structural repair or to comply with public health standards. A permit to drain a swimming pool may impose reasonable conservation requirements as to any water within the swimming pool such as requiring that the water be used to irrigate outdoor landscaping or transfer of the water into another swimming pool. A processing fee, which shall not exceed the cost incurred by the District, may be imposed for processing a request for a permit hereunder if the District's board set such a fee by resolution.

(f) The waste or unreasonable use of water is prohibited. It is unlawful for any person to use or allow use of water from the District in any of the following circumstances:

(i) Any operation of an ornamental fountain unless water for such use is recirculated;

(ii) Any escape of water through leaks, breaks or malfunction within the water user's plumbing or distribution system for any period of time within such break, leak or malfunction should reasonably have been discovered and corrected. It shall be presumed that a period of twenty-four (24) hours after the water user discovers such a break, leak or malfunction, or receives notice from the District of such condition, whichever occurs first, is a reasonable time within which to correct such condition or to make arrangements for correction; or

(iii) Any operation of water faucets, valves or nozzles in such a manner where unused water either enters a drain or is otherwise discarded without any reasonable beneficial use, other than in brief momentary circumstances such as where the water is first turned on.

(g) The violation, by any person not acting on behalf of the District, of any portion of this ordinance or any other water restriction enacted by the District shall, in addition to any other consequence or remedy available, constitute a public nuisance which shall be subject to all appropriate remedies. [Civil Code § 3480.]

**Section 3: ADOPTION AUTHORITY.**

This ordinance is adopted pursuant to Government Code §§ 61060 61100(a), and Division 20 of the Water Code of the State of California.

**Section 4: ADOPTION DATE.**

This ordinance shall be effective thirty (30) days after adoption by the legislative body of the Home Garden Community Services District.

Passed, adopted and enacted at a Regular meeting of the Board of Directors of the Home Garden Community Services District on November 20, 2025.

HOME GARDEN COMMUNITY SERVICES DISTRICT

\_\_\_\_\_  
Sheila Cox-Lindsay, Board President

Attest:

\_\_\_\_\_  
Lydia Ritchie, Ex Officio Board Secretary

**APPENDIX I. WATER ORDINANCE DEFINITIONS**

**ABANDONMENT.** The giving up, with the definite intent to do so, of the right to use water for any purpose, or of the method of using such water. A temporary cessation of such use or temporarily giving up such right does not constitute abandonment.

**ACCEPTABLE PRIVATE WATER SUPPLY SYSTEM:** Adequate water source, pipelines and valves.

**ANNEXATION:** The process of incorporating parcels of property exterior to the District’s boundaries into the District’s boundaries.

**APPLICANT:** The person making application for a permit for a water or plumbing installation, who shall be the owner of premises to be served by the water connection(s) for which a permit is requested, or his authorized agent.

**APPURTENANCES:** Valves, flow meters, fittings and other miscellaneous items to complete and ready for use water mains and service connections.

**BUILDING:** A structure used for any purpose which contains a fixture, plumbing system or water use facility of any type.

**CAPACITY RIGHTS:** Rights within existing or anticipated facilities to an established amount of available water production, storage and/or distribution system capacity as determined by the District's response to an applicant's capacity acquisition request.

**COMMERCIAL:** Designation for customer, building, unit or premise that is not specifically designated as a residential, industrial, or institutional water customer.

**CONNECTION:** The physical attachment of a building or other authorized use to a public water main by a service connection.

**CONTAMINATION:** An impairment of the quality of the Waters of the State by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease. Contamination shall include any equivalent effect resulting from the disposal of wastewater, whether or not Waters of the State are affected.

**CONTRACTOR:** An individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under a permit.

**COUNTY:** County of Kings, California.

**DISTRICT:** The Home Garden Community Services District.

**DWELLING UNIT:** Building or portion of a building arranged, intended or designed to be occupied by not more than one single family and having facilities for sleeping, eating, cooking and sanitary purposes.

**EMPLOYEE HOUSING FACILITIES:** Employee housing facility is any dwelling unit that has applied for or has been permitted to be an employee housing facility as shown on the records of Kings County or the State of California.

**ENGINEER:** Designated representative of the District responsible for engineering and consulting services to the District.

**FIXTURE:** Lavatory, tub, shower, water closet, garbage disposal, hose bibb or other facility connected to the water system.

**FIXTURE UNIT DEMAND:** Water use as established by the most current publications of the Uniform Plumbing Code for individual fixture units.

**HOUSEKEEPING UNIT:** One person, or two or more persons jointly, taking all responsibility for all activities of a household including but not limited to its expenses, chores and meals.

**INDEMNIFY:** To protect and insure (the District) from damage as a result of (the applicant's) activities.

**INDUSTRIAL:** Designation for customer, building, unit, or premise that utilizes water for mechanical, trade, and manufacturing purposes.

**INSPECTOR:** Designated representative of the District responsible for observing activities related to construction and installation of water system features such as connections, pipelines and appurtenances and ensuring compliance with District requirements.

**INSTITUTIONAL:** Designation for customer, building, unit, or premise that represents any public or nonprofit school, church, hospital, lodge, club, fire department, library, memorial building or other public or nonprofit activity.

**IRRIGATION:** The artificial application of water to lands to meet the water needs of growing plants not met by rainfall.

**LIEN:** The District's right to secure delinquent fees and/or charges by legally filing to hold the property as security for a debt owed to the District.

**MANAGER:** District representative responsible for implementation of District policies and, in the absence of the Superintendent, for day-to-day operations.

**METER:** The practice of utilizing a water flow meter to measure the quantity of water used by a service connection, water pipeline, or fire hydrant.

**MULTI-SINGLE FAMILY DWELLING UNIT:** A building which is designed, improved, arranged, intended or designed to be occupied by not more than one single family and having facilities for sleeping, cooking and sanitary purposes, but which is actually being occupied by more than one single family.

**NUISANCE:** Anything which is injurious to health or is offensive to the senses or an obstruction to the free use of property so as to interfere with a person's comfort or enjoyment of life or property, or which affects at the same time, an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

**PEAK FLOW RATE:** Shall mean the maximum demand for water placed on the distribution system expressed as a rate over a one (1) hour period of time.

**PERMIT:** Any written authorization required pursuant to this or any other regulation of the District for the installation of any portion of the water system.

**PERSON:** An individual, firm, company, partnership, association, organization, the United States of America, the State of California, a political subdivision, governmental agency or other public or municipal corporation.

**PLANS:** Drawings and illustrations providing pertinent information regarding the construction and installation of water connections, pipelines and appurtenances.

**PLUMBING FIXTURES:** Receptacles that receive liquid, water, or wastewater and discharge them into a drainage system.

**PLUMBING SYSTEM:** The distributing pipes for the water supply; the fixtures and fixture traps; the soil, waste and vent pipes; the building drain and building sewer and the storm water drainage pipes; with their devices, appurtenances and connections within and adjacent to the building.

**POLLUTION:** An alteration of the quality of the Waters of the State by waste to a degree which unreasonably affects such waters for beneficial use or for facilities which serve such beneficial uses. Pollution may include contamination.

**PREMISES:** A parcel of real property, or portion thereof, including any improvements thereof, which is determined by the District to be a single unit for purposes of receiving, using and paying for water service. In making this determination, the District shall take into consideration such factors as whether the unit could reasonably be subdivided, number and locations of water connections and whether the unit is being used for a single activity and if not, what is the principal need for water service.

**PRESSURE:** The pressure per unit area or intensity of pressure above local atmospheric pressure expressed in pounds per square inch.

**PROFILES:** Drawings and illustrations providing pertinent topographic and subsurface information regarding the construction and installation of water connections, pipelines and appurtenances.

**RESIDENTIAL:** Designation for customer, building, unit or premise that provides domestic residence for single family water users. Such facilities shall provide sleeping, cooking and sanitary facilities for a family unit.

**SECRETARY:** The Secretary of the District Board of Directors.

**SERVICE CONNECTION:** The components and materials installed that establish a connection from a water meter to the District's water supply and distribution system.

**SERVICE LATERAL:** The pipeline which connects the water service from a building or premise to a service connection, whether metered or not, to the District's water supply and distribution system.

“SHALL” is mandatory. “MAY” is permissive but not mandatory.

**SINGLE FAMILY:** One person, or two or more persons together cohesively, living as a single housekeeping unit.

**SINGLE FAMILY DWELLING:** A dwelling unit designed for occupancy by a single family and having only one kitchen.

**SPECIFICATIONS:** Material compiled to provide technical information, details and requirements for the construction and installation of water connections, pipelines and appurtenances.

**STANDARD METHODS:** Procedures described in the latest edition of “Standard Methods for the Examination of Water and Wastewater” as published by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

**STREET:** A public highway, road, street, avenue, alleyway, public place, easement or right-of way for vehicle or pedestrian use.

**SUPERINTENDENT:** District representative responsible for day-to-day operations.

**SUPERIOR COURT:** The Superior Court of Kings County.

**UNPOLLUTED WATER:** Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the agency having jurisdiction thereof for disposal to storm or natural drainage or directly to surface waters.

**UNSANITARY:** Conditions and/or actions which are contrary to those principles which are known to promote and safeguard health.

**WATER SERVICE CHARGE:** A charge established to obtain equitable payment from all CUSTOMERS for the cost of construction, operation and maintenance of the WATER SYSTEM facilities.

**WATERS OF THE STATE:** Any water, surface or underground, including saline waters, within the boundaries of the State.

**WATER MAIN:** Pipeline that is used to supply water for service connections throughout the District service area.

## **APPENDIX II. WATER MAIN AND APPURTENANCE CONSTRUCTION**

### **SECTION A. EARTHWORK**

#### **A-01. General.**

Earthwork shall include all grubbing, stripping and disposal of weeds, pavement materials, excavation, compaction of required fill materials, excavation and filling around appurtenances, disposing of excess excavated materials and site grading.

#### **A-02. District Water System.**

The Contractor shall not operate any of the valves or fire hydrants on the District's water system without prior approval. The Contractor shall notify the District at least seventy-two (72) hours and all affected residents at least forty-eight (48) hours in advance of the need to shut off water. The water shall not be turned off between the hours of 5:00 P.M. and 8:00 A.M. The required notice to all affected residents will consist of distributing the notice at the end of this section or one containing similar language, on an 8½" x 11" sheet of paper to all residents along the street that will be without water.

#### **A-03. Shoring.**

Where necessary, trenches and other excavating shall be properly sheeted and braced to furnish safe and acceptable working conditions as required by CAL/OSHA. The bracing shall be so arranged as not to place any stress on portions of the completed work until the general construction thereof has proceeded far enough to provide ample strength. Damage to structures occurring through settlements, water or earth pressures, slides, caves or other causes due to failure or lack of sheeting or bracing, or improper bracing, or through negligence or fault of the Contractor in any other manner shall be repaired by the Contractor at its own expense.

The Contractor shall submit for the acceptance of the District, in advance of all excavations of depth in excess of 5 feet, a detailed plan showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection from the hazard of caving ground during the excavation. If such plan varies from the shoring system standards established by CAL/OSHA, the plan shall be prepared by a registered civil or structural engineer. The Contractor shall apply for all excavation permits as required by CAL/OSHA.

Nothing in this section shall be deemed to allow the use of shoring, sloping, or protective systems less effective than required by CAL/OSHA. All excavations shall be performed, protected and supported as required for safety and in the manner set forth in the operation rules, orders and regulations prescribed by CAL/OSHA.

#### A-04. Barricades.

Barriers shall be placed at each end of all excavations and at such places as may be necessary along excavations to warn all pedestrian and vehicular traffic of such excavations. Lights shall also be placed to warn of hazards from one hour before sunset each day to one hour after sunrise of the next day. All excavations shall be barricaded in such a manner as to prevent persons from falling, walking, or otherwise entering any excavation in any street, roadway, parking lot, or any other area, public or private.

#### A-05. Trench Excavating.

##### a. Excavation.

Excavation for trenches shall include the removal of all material of any nature for the installation of the pipe or appurtenances and shall include the construction of trench shoring and timbering and all necessary installations for dewatering, if necessary.

The bottom of the excavation shall be at a depth of at least three (3) inches below the bottom of the pipe couplings as a minimum.

The bottom of the excavation for the pipeline shall consist of undisturbed material. No extra compensation will be made for removal of material due to difficulty of excavation. If the bottom of the excavation is found to consist of soft or unstable material which is incapable of properly supporting the pipe, such material shall be removed to the depth required and for the lengths required by the Engineer and the trench refilled to grade with ABC material or sand, compacted to 90 percent of maximum density, all at the Contractor's expense.

If, because of soil conditions, safety requirements or other reasons, the trench width at top of pipe is increased beyond the width specified hereinafter, laying conditions shall be upgraded or stronger pipe installed as directed by the Engineer, without additional cost to the District.

At the road crossings or where existing driveways occur on a road, the Contractor shall make provisions for ditch crossings at these points, either by means of backfilling, tunnels, or temporary bridges.

##### b. Minimum Width of Trench.

The minimum width of pipe trenches, measured at the crown of the pipe, shall not be less than 12 inches greater than the exterior diameter of the pipe, exclusive of bells or couplings, and the minimum base width of such trench shall not be less than 12 inches greater than the exterior diameter of the pipe, exclusive of special structures or connections, and such minimum width shall be exclusive of all trench timbers.

##### c. Maximum Width of Trench.

The maximum allowable width of trench for all pipelines measured at the top of the pipe shall be the outside diameter of the pipe (exclusive of bells or collars) plus 20 inches, and such maximum shall be inclusive of all timbers. A trench wider than the outside diameter plus 20 inches may be used without special bedding if the Contractor, at his expense, will furnish pipe of the required strength to carry the additional trench load. Such modifications shall be submitted to the Engineer and approved in writing.

d. Backfilling of Trench.

Trenches shall be completely backfilled at the end of each day. Safe and convenient passage for pedestrians shall be provided. The Engineer may designate a passage to be provided at any point he deems necessary. Access to fire stations and fire hydrants shall be maintained at all times.

A-06. Bedding and Backfill Materials.

Sand, aggregate base material and select material, where required for fill, backfill, bedding, backfill around pipe and trench backfill shall conform to the following specifications:

a. Sand.

The sand used for bedding within the pipe zone and as called for on the Plans, shall be clean, coarse sand with a sand equivalent of 30, minimum. In lieu of sand, the Contractor may use a clean, lump-free, decomposed granite material;

b. Aggregate Base Coarse Material (ABC).

Aggregate base coarse material (ABC) shall consist of hard, durable particles or fragments of stone or gravel, screened or crushed to the required size and grading. The material shall conform to the requirements for 3/4-inch, Class 2, as specified in Section 26-1.02(B) of the State of California, Department of Transportation Standard Specifications, hereinafter referred to as State Standard Specifications; and

c. Select Backfill Material.

Select backfill material may consist of material from the excavation, free from stones or lumps exceeding two (2) inches in greatest dimension, vegetable matter, or other unsatisfactory material. If satisfactory material for use as backfill at such locations cannot be obtained from the excavation, suitable material approved by the Engineer shall be furnished by the Contractor, at its expense, for the backfill.

All excavated materials which are not required for fill and backfill, or which are considered by the Engineer to be unsuitable for fill or backfill, shall be disposed of by the Contractor, at its expense and responsibility and to the satisfaction of the Engineer. No surplus material shall be dumped on private property unless written permission is furnished by the owner of the property.

#### **A-07. Pipeline Zone Bedding and Backfill.**

In order to insure adequate support and grade, the Contractor shall over-excavate the bottom of the trench by at least three (3) inches below the coupling grade. This over-cut shall be filled with sand or decomposed granite as specified herein and fine graded to provide uniform bearing and support for each section of the pipe, at every point along its entire length, except for portions of the pipe where it is necessary to excavate for proper sealing of coupling. This bedding material shall be placed at a uniform density.

After the pipe is laid, additional bedding material shall be placed under and around the pipe and compacted to 90 percent of its maximum density. The Contractor shall take all necessary precautions in the placement and compaction of the select material to prevent displacement of the pipe. In all cases, backfilling to the top of the pipe must be done by hand. Particular attention is to be given to the underside of the pipe and fittings to provide a firm support along the full length of the pipe.

Consolidation, when approved by the Engineer, shall be performed by flooding or jetting so as to obtain a relative compaction of the fill material at least equal to that specified. When flooding or jetting methods are used, material for use as backfill shall be placed and consolidated in layers not exceeding 4 feet in thickness. Flooding or jetting methods shall be supplemented by the use of vibratory or other compaction equipment as necessary to obtain the required relative compaction. Care shall be taken in all consolidation operations to prevent movement of the pipe. In the event there is movement, the Contractor shall, at his own expense, re-excavate, relay and backfill all pipe so affected. Consolidation methods shall not be used when the backfill material is not sufficiently granular in nature to be self-draining during and after consolidation and when foundation materials may be softened or otherwise damaged by applied water.

#### **A-08. Trench Backfill.**

Trench backfill from the top of the pipe zone to the underside of the specified pavement replacement section or natural ground shall be placed and compacted by the use of vibratory or other compaction equipment of the type and size necessary to achieve the required compaction. The backfill shall be placed in horizontal layers of such depth as are considered proper for the type of compacting equipment being used in relation to the backfill material being placed. Each layer shall be evenly spread, properly moistened and compacted to the relative compaction specified herein. The Contractor shall not use any compaction equipment directly over the pipe until sufficient material has been placed to assure that the equipment will not damage or disturb the pipe. Any damage to the pipe as a result of the Contractor's operation, shall be repaired or replaced at the Contractor's expense.

Material excavated in trenching may be used for backfill provided it is free from rocks, hardpan, or cemented-soil fragments larger than two (2) inches in diameter, organic material, rubbish and debris.

If, in the opinion of the Engineer, the dynamic compacted effort being applied is changing the alignment or grade of the pipe or otherwise damaging the adjacent areas, the Engineer shall have the authority to reject the method of compaction.

Compaction of backfill by flooding or jetting will be permitted only upon approval of the Engineer and when, as determined by the Engineer, the bedding or backfill material is of such character that it will be self-draining when compacted, that foundation materials will not soften or be otherwise damaged by the applied water and no damage from hydrostatic pressure will result to the structures. When flooding or jetting methods are used, backfill material shall be placed and compacted in layers unless otherwise approved by the Engineer. The work shall be performed without damage to the pipe or structures and in such a manner that the water will not be impounded.

Where existing underground pipes or conduits larger than 3 inches in diameter cross the trench above the new work, the backfill from the bottom of the trench to the spring line of the intersecting pipe or conduit shall be aggregate base coarse material or sand compacted to 90 percent of maximum density. The aggregate base coarse material or sand shall extend 2 feet on both sides of the intersecting pipe or conduit. The material shall remain in place while other backfill is placed. Excess material shall be removed and disposed of by the Contractor at his expense. The minimum relative compaction required for the full backfill width shall be as follows:

Bedding and pipe zone material 90%

Trench backfill under paved roadways 95%

Backfill areas outside the roadway and not in the vicinity of any structures 90%

#### A-09. Cleanup.

Surplus pipeline material, tools and temporary structures shall be removed by the Contractor; all dirt, rubbish and excess earth from excavations shall be hauled to a dump provided by the Contractor and the construction site shall be left clean to the satisfaction of the Engineer. This clean-up work shall follow as closely behind the backfilling as possible and adequate facilities for sprinkling, including the use of a water truck shall be provided, all in order to keep down dust and prevent any other nuisance to adjacent residents.

#### A-10. Earthwork Testing.

In connection with earthwork, tests will be made in conformance with the standards adopted by the County of Kings and the State of California, Department of Transportation. Relative compaction tests shall conform to Test Method No. Calif. 216 B. Sand equivalent tests shall conform to Test Method No. Calif. 217. Resistance tests for determination of R-value shall conform to Test Method Calif. 301. Sieve analyses shall conform to Test Method No. Calif. 202.

Periodic compliance tests will be made by the Engineer and the County of Kings Resource Management Agency to confirm that compaction is meeting the specified requirements. For tests in backfill that has been water-settled, the Contractor shall remove the overburden above the level at which the Engineer wishes to test and shall backfill and recompact the excavation after the test is complete.

#### **A-11. Restoration of Surfaces.**

##### **a. General.**

The Contractor shall replace all surface material and shall restore curbing, sidewalks, gutters, fences and other improvements that have been disturbed, to a condition equal to that before the work began, or as specified herein, furnishing all labor and materials incidental thereto.

The Contractor shall furnish all material, labor and equipment to restore all street pavements to as near their original condition as possible. In all cases, the finished surface shall be free from ridges and depressions. Asphaltic pavements, concrete pavements and pavement base shall be replaced with materials similar to those excavated and equal in thickness to those removed during excavation except where greater thickness is required by the governing agency. All asphaltic pavements shall be replaced with a hot mixed asphalt concrete;

##### **b. Portland Cement Concrete Replacement.**

Where trenches lie within the Portland cement concrete sections of streets, alleys, driveways, sidewalks, etc., such concrete shall be saw cut (to a depth of not less than 1.5 inches) to neat, vertical, true lines in such a manner that the adjoining surfaces will not be damaged. Expansion joints shall match the existing expansion joints in the old pavement.

The surface shall be provided with a wood float finish with no greater variance than 1/4 inch in a 10-foot straight edge either across the pavement replacement or longitudinal with the center line of the ditch. Any greater variance than the above 1/4 inch shall be cause for rejection of the pavement replacement. Before placing the concrete replacement, the edges of the old pavement shall be thoroughly cleaned and given a wash of neat cement and water; and

##### **c. Pavement Removal and Replacement.**

###### **1. General.**

Replacement of streets, driveways, alley entrances and other types of pavement shall be of the same material as the existing pavement, or as herein provided, constructed in accordance with the applicable Plans and Specifications.

Where a longitudinal trench is partly in pavement, the pavement shall be replaced to the original pavement edge, on a straight line, parallel to the center line of the roadway.

Where no part of a longitudinal trench is in the pavement, surfacing replacement will only be required where existing surfacing materials have been removed.

Where the trench cut is in aggregate surfaced areas, the replacement shall be of aggregate base coarse material compacted to 95 percent (95%) of its maximum density;

## **2. Weather Limitation.**

Asphalt concrete shall be constructed only when the surface is dry, when the atmospheric temperature in the shade is 40 degree F and rising, or above 50 degrees F, if falling. No asphalt concrete shall be placed when the weather is foggy or rainy or when the base on which the material is to be placed is in a wet or frozen condition;

## **3. Base Construction.**

Aggregate base material shall be placed on the subgrade in uniform layers not to exceed 6 inches in compacted depth. In no instance shall the minimum depth of a layer be less than 2 inches. Each layer shall be bladed to a smooth surface and shall be consolidated to the densities hereinafter specified.

The material shall be so handled as to avoid segregation of size and shall be mixed, after the addition of water on the roadway, before spreading. When spread, the material shall be free of pockets of coarse, or fine materials.

Aggregate base coarse material under roads and pavements shall be compacted to at least 95 percent of its maximum density and under walks shall be compacted to at least 85 percent of its maximum density; and

## **4. Asphalt Concrete Materials.**

Asphalt concrete shall be Type B and shall conform to the provisions of Section 39, of the Standard Specifications for the State of California.

Aggregate for asphalt concrete shall conform to the provisions in Section 39-2.02, aggregate grading shall be as specified for 3/4-inch maximum, medium grading. Liquid asphalt shall be as provided in Section 93 of the State Standard Specifications. Paving asphalt shall be Viscosity Grade AR-4000. Asphalt content shall range between 5 percent and 5.5 percent of the dry weight of combined aggregate.

## **5. Asphalt Concrete Placement.**

Asphalt concrete pavement placement shall meet the County of Kings standards and shall match as nearly as possible the adjacent pavement in texture, unless otherwise shown on the Plans.

Existing asphalt pavements to be removed for trenches or other underground construction or repair, shall be cut by a wheel cutter, clay spade, or other device capable of

making a neat, reasonably straight and smooth cut without damaging adjacent pavement that is not to be removed. The Engineer's decision as to the acceptability of the cutting device and its manner of operation shall be final.

The existing pavement shall be cut and trimmed to a width greater than the trench after placement of required ABC and just prior to placement of asphalt concrete for pavement replacement. The trimmed edges of the existing pavement shall be painted with a light coating of asphalt cement or emulsified asphalt immediately prior to constructing the new abutting asphalt pavements. No extra payment shall be provided for these items, and all cost incurred in performing this work shall be incidental to pipe laying or pavement replacement.

Asphalt pavement replacement shall conform to the contour of the original pavement. A 10-foot straightedge shall be laid parallel to the center line of the trench when the trench is running parallel to the street and across the pavement replacement when the trench crosses the street at an angle. Any deviation in the cut pavement replacement and the old pavement greater than 1/4 inch in 10 feet (10-foot straightedge) shall be removed and corrected.

#### **A-12. Sealcoat.**

All trench resurfacing shall be sprayed with a sealcoat in accordance with the State of California Standard Specifications. The seal coat shall cover the entire trench area plus an additional foot of width on each side of the excavated area.

#### **A-13. Locator Tape.**

Following backfill and compaction of the pipe zone, corrosion resistant foil tape marked "CAUTION - WATER LINE BURIED BELOW" shall be laid in the complete pipeline alignment. The tape shall be run continuous and, at the tape ends or intersections of the pipeline alignment, the tape shall be coupled together with metal staples. The tape shall be six (6) inches in width, blue in color with black lettering and shall be as manufactured by Griffolyn Co., Line Guard Co., Inc., or District approved equivalent.

## **SECTION B. DUCTILE IRON PIPE, FITTINGS AND INSTALLATION**

### **B-01. Scope of Work.**

This section includes all labor, material and equipment to trench, layout, install, test and backfill all piping as specified hereinafter and as shown on construction plans.

### **B-02. Ductile Iron Pipe.**

Ductile iron pipe shall conform to the requirements of ANSI A21.51 and AWWA C151. The thickness and thickness tolerance shall meet the requirements of ANSI A21.50. The material shall have a minimum tensile strength of 60,000 psi, a minimum yield strength of 42,000 psi and a minimum elongation of ten (10) percent. The pipeline shall be a minimum of Thickness Class 50, or as designated on the Plans. The pipe joints shall be of the rubber gasket push-on type (Tyton, Fastite, Super Bell-Tite or District approved equivalent) conforming to ANSI A21.11 and AWWA C111 except where specified otherwise on the drawing. Flanged fittings shall conform to ASME B16.1, Class 125 and AWWA C110; mechanical connections shall conform to ANSI A21.11 and AWWA C111. All ductile iron pipe and fittings shall be lined with uniform thickness of cement mortar which is sealed with a bituminous coating, all in accordance with AWWA C104. All fittings and pipe shall also be covered with a bitumastic coating as specified in ANSI A21.51.

All pipe shall be carefully inspected for defects before installation. Such inspection shall include light tapping with a hammer while the pipe is suspended in the air. No pipe or fittings which are cracked or which show defects should be used. Any injuries to the protective coating of the pipe or fittings shall be carefully repaired by the Contractor.

### **B-03. Handling.**

Proper care shall be used to prevent damage in handling, moving and placing pipe. It shall not be dropped, dragged, nor handled in such a manner as to cause scratches, bruises, cracks or chips. In the event a length of pipe is damaged, the undamaged portion shall be cast off in such a manner as to make a clean, even cut and the pipe ends so cut shall be re-machined in an approved manner before using in the work.

### **B-04. Laying and Joining.**

The pipe shall be lowered into the trench by the use of suitable slings. Each length of pipe shall be supported on the trench bottom throughout its length, with adequate clearance provided at the joints to prevent any weight being carried by the couplings. Pipe ends and rings shall be lubricated as recommended by the manufacturer. Assembly of couplings and pipe shall be accomplished with an approved type puller and the position of the rubber rings shall be carefully checked for the entire ring periphery.

Trenches shall not be opened farther ahead than one day's pipe laying operations. The leaving of open trenches several days in advance of pipe laying will be prohibited, except in new subdivisions.

During the laying operations, every precaution shall be used to protect the pipe against the entrance of foreign material. At the close of each day's work, the end of the last laid section of pipe shall be plugged or capped.

#### **B-05. Laying on Curves.**

Where pipe alignment is on a curve, the maximum length of each pipe section shall be such that pipe joints shall not be deflected greater than 30 degrees; and at angles with total deflections greater than 30 degrees, the trench and pipe shall be aligned so as to distribute the deflection in two or more joints. Deflection of joints shall be made after assembly of the coupling to each pipe end and the position of the rubber rings carefully checked after the pipe is in final alignment.

#### **B-06. Short Lengths at Fittings.**

Short lengths of pipe shall be laid adjacent to cast iron fittings according to **Plate No. 2.**

#### **B-07. Service Laterals.**

Service laterals shall be installed in a trench of such depth and direction that the service pipe will be at least 24" below finished street grade, shall be laid in a plane perpendicular to the longitudinal axis of the main, shall be a minimum clear distance of ten (10) feet from sewer laterals and shall not interfere with other utility installations unless otherwise noted on the Plans.

Service laterals shall be made of Type K copper pipe conforming to ASTM B88 Type K copper tubing. Fittings for copper pipe shall be Mueller or Ford. Three part unions shall be Mueller P-15403 or Ford C44-44 and quarter bend couplings shall be Mueller P-15526 or Ford L44-44, or a District approved equivalent. Pipelines shall be fitted with sufficient unions to facilitate removal of all valves and appurtenances.

One (1) inch corporation stops, unless a larger service is called for on the Plans, shall be installed on that side of the main to which the service is to be installed at a point approximately 60 degrees down from the top of the main with the shut-off valve of the corporation stop facing up. Stops shall be Mueller P-1 500S or Ford FBI000-4, or a District approved equivalent.

Service laterals shall be attached to mains by the use of saddles. The service saddles shall be double strap with neoprene gaskets. The saddles shall be tapped for Mueller

corporation threads and shall be Mueller BR 2 B OS99 CC 100 or Ford 202B-962-CC4 for 8” pipelines, Mueller BR 2B 1104 CC 100 or Ford 202B-1212-CC4 for 10” pipelines and Mueller BR 2B 1314 CC 100 or Ford 202B-143S-CC4 for 12” pipelines according to **Plate No. 1**.

The service end of the service lateral shall terminate with an angle meter yoke corresponding to the size of service as shown on the Plans with the outlet in a horizontal position facing the lot to be served. The angle meter yoke shall be Mueller H-14104 or Ford 90 Series Coppersetter VB94-21 W-4S-44-J as shown on the **Plate No.1** and shall be lockable.

A concrete meter box of proper size shall be leveled and longitudinally covered over the end of the service. The meter box shall be set square with the curb or property line in solid ground, with the top of the box at the elevation of the top of the curb or adjacent ground. The meter box shall be a “B 16 Meter Box” as manufactured by Christy Concrete Products, Inc., Kings, California, or District approved equivalent. In non-traffic areas, the box shall be furnished with a Christy “B16G” reinforced concrete lid with reading lid and in all traffic areas shall have a Christy “B16-61G” steel cover with reading lid.

#### **B-08. Gate Valves.**

a. Gate valves shall be installed in the mains at locations approved by the District and shall conform to AWWA Standard C509 with appropriate end connections. The valve shall be a Mueller resilient seat gate valve with a non-rising stem and a 2” square wrench nut. The valve shall have an interior and exterior coating that meets or exceeds AWWA C-550.

The Contractor shall furnish the District with an affidavit of compliance from the manufacturer certifying that the valves furnished comply with this Specification.

b. Installation. Before installing the valve, all lumps, blisters and excess coatings shall be removed from the bells. The inside of the bells shall be wire brushed and then wiped clean of all dust, oil and grease. Rubber rings shall be used for sealing.

During installation, valves shall be supported independently of pipe by blocking and after sealing, a permanent concrete pad shall be provided under each valve as shown on Plate No. 3.

A Christy G-8 traffic valve box as manufactured by Christy Concrete Products, Inc., Kings, California, shall be provided for each valve. Valve boxes shall have an 8-inch ID polyvinyl chloride pipe riser and a Christy G5C traffic lid marked “WATER.”

#### **B-09. Fire Hydrants.**

Fire hydrants shall meet the requirements of AWWA and shall have a 6-inch minimum inlet with a 5¼-inch minimum main valve. Hydrants shall be Mueller Modern Improved A-

423, drain holes open, meeting AWWA Standard C-502 with safety flange clip and stem coupling. The hydrants shall be three-way with two (2) 2½-inch hose nozzles and one (1) 4½-inch pumper nozzle. Hydrants shall be furnished with an OSHA safety yellow enamel finish for all portions extending above the ground line. Fire hydrants shall stand plumb with pumper outlets facing as shown on **Plate No. 3**. Hydrants shall be set to grade, with outlets a minimum of eighteen (18) inches and a maximum of thirty (30) inches above ground. All fire hydrants shall be of the traffic type with replaceable break-away features or barrel and shaft and shall insure a positive closure to prevent the loss of water if damaged. A 6-inch gate valve shall be installed between the fire hydrant and the main line. The fire hydrant shall be installed per the details shown on **Plate No. 3**.

#### B-10. Field Hydrostatic Tests.

The water main shall be tested in the presence of the District's representative after all pipe and appurtenances have been installed, all anchors and thrust blocks have been placed and have attained sufficient strength and the required select and/or other specified backfill completed. Care should be taken that adequate compacted backfill is placed for support before test pressure is applied.

The test pump and gauge shall be connected to the water main at the highest point in the line. A recording gauge shall be used. Means shall be provided for measuring accurately the quality of water pumped into the pipe during or immediately after the test period in order to maintain or restore the initial test pressure as specified herein. All pipe fittings, valves, hydrants, services and appurtenances shall be subject to the specified hydrostatic test and irrespective of the measured quantity of leakage, all detectable leaks shall be repaired by the Contractor.

The Contractor shall, at his own expense, furnish all materials, equipment, bracings and connections required for the testing of water mains. The Contractor shall be responsible for the results of any failure under test which are attributed to defective material and/or workmanship furnished by the Contractor or to his negligence or improper conduct of the test.

The test pressure at the highest point in the section being tested shall not be less than 150 PSI. The maximum allowable leakage shall not exceed five (5) gallons per inch diameter per mile per 24-hour day at the pressure, for a testing period of not less than two (2) hours.

During the testing period, the entire section under test, including all joints, fittings, connections and appurtenances, shall be carefully inspected for all detectable leaks. Any joint that has a detectable leak shall be repaired. After all leaks have been repaired, the test shall be repeated until the section tested has met the above requirements.

During the testing operation, every precaution shall be used to protect the pipe against the entrance of foreign material. Before final acceptance of the system, water mains shall be disinfected under the direction of the District in accordance with these Specifications.

#### **B-11. General Requirements.**

The materials for the water mains and appurtenances shall be new and unused. Salvaged items shall be carefully removed and delivered to the District's maintenance yard in such a manner so as to avoid damage. Any damage to such items resulting from Contractor's operations shall be satisfactorily repaired by Contractor.

Connections made between new work and existing pipes shall be made by using specials and fittings to suit the actual conditions.

Cover of at least 36 inches shall be provided over all polyvinyl chloride pressure pipe.

#### **B-12. Casing Pipe.**

In installations requiring casing pipe, the following requirements shall be met. The casing shall be steel pipe fabricated in accordance with AWWA C200. The steel shall meet or exceed the quality of ASTM A283 and ASTM A570 and shall have a minimum wall thickness of 5/16 inch.

The Contractor shall submit to the Engineer for review, a plan of the installation of the water main in the casing pipe. Skids shall be utilized to properly support and brace the water main within the casing pipe. The skids shall be made either of pressure treated Douglas Fir or Redwood. The straps used to hold the skids to the water main shall be recessed into the skids and shall be galvanized or coated with a bitumastic compound. The water main shall not be supported by the bells or couplings.

The Contractor may elect to use casing chocks or casing insulators in lieu of wood skids. A minimum of four (4) chocks or insulators shall be installed per pipe joint and shall be as manufactured by Power Seal Pipeline Products Corporation, Calpico, Inc., or District authorized equivalent. The chocks or insulators shall be constructed of Type 304 stainless steel with an elastomeric PVC liner, UHMW Polyethylene skids and Type 304 stainless steel fasteners. The annulus between the casing pipe and the carrier pipe shall be completely filled with sand in a manner to prevent injury to the pipes and skids or casing chocks/insulators. Sand fill pipes shall be constructed of galvanized steel pipe. Sand fill pipes shall be cut such that the end is a minimum depth of 36" below finish grade and capped with a screwed or mechanical joint type cap. A Redwood or treated Douglas Fir bulkhead shall be constructed or brick and mortar used to close the opening between the casing pipe and carrier pipe at each end of the casing pipe.

### **B-13. Transition Couplings.**

Transition couplings shall be located where called for on the drawings to join two sections of pipe of the same or different materials together. The flexible couplings shall be as manufactured by Dresser, Smith-Blair, or District authorized equivalent. The transition couplings shall be suitable for the materials and pipe diameter being joined.

For all underground installations, Type 316 stainless steel bolts shall be used and the coupling shall be coated with a mastic or epoxy coating. Prior to initiation of backfill, the coupling, bolts and nuts shall be field coated with a bitumastic compound.

## SECTION C. CONCRETE ANCHOR AND THRUST BLOCKS

### C-01. General.

The Contractor shall provide all materials, labor, tools, equipment and supplies for the construction of concrete thrust blocks and anchors, including clamps and shackle anchors and reinforcing steel, as specified herein.

### C-02. Bearing Areas.

Specific areas of bearing are shown on **Plate No. 4** for all anchor and thrust blocks. Bearing areas shall be considered effective only if against undisturbed soil.

### C-03. Concrete.

Concrete for thrust blocks shall be composed of Portland cement, aggregates and water in the required proportions, well mixed and brought to a proper consistency. The proportions shall be designed to produce a concrete having an ultimate compressive strength at the age of twenty-eight (28) days of not less than two thousand (2,000) pounds per square inch and shall contain not less than five (5) sacks of ninety-four (94) pounds each per cubic yard of concrete.

### C-04. Cement.

Cement for concrete shall conform to the requirements of the American Society for Testing Materials for high early strength.

### C-05. Aggregate.

Aggregate for concrete shall consist of natural sand and gravels from approved pits and shall, in all cases, be washed. Aggregate shall be composed of clean, hard, strong, uncoated grains, free from shale, lumps and soft or flaky particles, dust alkali, organic matter or silt.

### C-06. Reinforcing Steel.

Reinforcing steel shall be deformed bars from new billet stock of intermediate grade conforming to the American Society for Testing Materials specifications A-615, as last revised. The reinforcement shall be so secured in position that it will not be displaced during pouring operations.

### C-07. Steel Clamps and Anchors.

Exposed steel clamps and shackle anchors at gate valves and vents shall be coated with an approved asphalt coating before backfilling.

**C-08. Curing.**

All concrete shall be cured for fourteen (14) days by the wet earth or other approved method. Surfaces shall be thoroughly wetted and kept under wet earth for the prescribed period, or until backfilled, beginning as soon as the concrete has set sufficiently to avoid harm.

## **SECTION D. DISINFECTION OF PIPELINE**

### **D-01. General Requirements.**

All water mains, water services, attached appurtenances and temporary high-lines and connections, if any, shall be disinfected in accordance with the American Water Works Association standard specification, AWWA C-601 and the following requirements.

### **D-02. Preliminary Flushing.**

In the event the line is not free from dirt, all service connections shall be shut off at the curb and the main shall be thoroughly flushed prior to disinfection. The services shall be flushed if they have been subjected to entrances of groundwater or dirt.

### **D-03. Filling the Main and Services.**

Every service connection served by a main which is to be disinfected shall be tightly shut off at the curb valve before water is turned into the main. The main shall be slowly filled through a small tap provided for the purpose, or by opening a gate valve a turn or two. Care shall be taken to expel all air from the main, services and hydrants when filling.

### **D-04. Chlorination of Water Mains.**

Before being placed in service, each portion of the line shall be flushed and then chlorinated. The chlorinating agent shall be applied at the beginning of the section adjacent to the feeder connection and shall be injected through a corporation cock, hydrant, or other connection insuring treatment of the entire line. Water shall be fed slowly into the new line with chlorine applied in amounts to produce an injected dosage of forty (40) to fifty (50) ppm and allowed to remain for 24 hours.

### **D-05. Methods of Application.**

Liquid chlorine gas-water mixture shall be applied by means of a solution-feed chlorinating device.

### **D-06. Residual Chlorine Test.**

After 24 hours of retention, the hypo-chlorite solution will be tested by the District and to be acceptable, shall have a minimum of ten (10) parts per million of residual chlorine.

**D-07. Additional Disinfections.**

If, as a result of a field pressure test or for any other reason the line is drained for replacement or repair of defective material or workmanship, the pipeline shall again be chlorinated as required above.

**D-08. Final Flushing.**

Following the period of retention and after testing of residual chlorine by the District representative and approval of same, the chlorinated water shall be thoroughly flushed from the line and disposed of in an approved manner.

Bacteriological tests shall then be conducted at locations determined by the District. Unless two (2) successive tests, taken a minimum of 24 hours apart, prove negative at each location, the Contractor shall rechlorinate the line and proceed as detailed above.

## **PLATES**

Plate No. 1. – Typical Water Service Installation

Plate No. 2 – New Tee in Existing Water Main

Plate No. 3 – Fire Hydrant Installation

Plate No. 4 – Thrust Block Details

Plate No. 5 – Typical 2” Blowoff Assembly

Plate No. 6 – Pipeline Backfill Detail