

INDEX

ORDINANCE NO. 3

ESTABLISHING RATES, RULES AND  
REGULATIONS FOR WATER SERVICE  
BY THE  
MCKINLEYVILLE COMMUNITY SERVICES DISTRICT

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ORDINANCE NO.  
ESTABLISHING RATES, RULES AND REGULATIONS  
FOR WATER SERVICE BY THE  
MCKINLEYVILLE COMMUNITY SERVICES DISTRICT

BE IT ORDAINED by the Directors of the McKinleyville Community Services District, Humboldt County, California as follows:

ARTICLE 1. GENERAL PROVISIONS

1. Short Title. This ordinance shall be known and may be cited as "McKinleyville Community Services District Water Ordinance".

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

3. Water System. The District will furnish a system, plant works and undertaking used for and useful in obtaining, conserving and distributing of water for public and private uses, including all parts of the Enterprise, all appurtenances to it, and lands, easements, rights in land, water rights, contract rights, franchises, and other water supply, storage and distribution facilities and equipment.

4. Separability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

5. Pressure Conditions. All applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distributing system at the location of the proposed service connection, and to hold the District harmless for any damages

arising out of low pressure or high pressure conditions or interruptions in service.

6. Maintenance of Water Pressure and Shutting Down for Emergency Repairs. The District shall not accept any responsibility for the maintenance of pressure, and it reserves the right to discontinue service while making emergency repairs, etc, Consumers dependent upon a continuous supply should provide emergency storage.

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

8. Penalty for Violation. For the failure of the customer to comply with all or any part of this ordinance, and any ordinance, resolution or order fixing rates and charges of the District, a penalty for which has not hereafter been specifically fixed, the customer's service shall be discontinued and the water shall not be supplied such customer until he shall have complied with the rule or regulation, rate or charge which he has violated or, in the event that he cannot comply with said rule or regulation, until he shall have satisfied the District that in the future he will comply with all the rules and regulations established by ordinance of the District and with all rates and charges of this District.

9. Ruling Final. All rulings of the Manager shall be final unless appealed in writing to the Board of Directors within five (5) days. When appealed, the Directors' ruling shall be final.

## ARTICLE 2. DEFINITIONS

25. Board means the Board of Directors of McKinleyville Community Services District.

26. Connection means the pipeline and appurtenant facilities such as the curb stop, meter and meter box allused to extend water service from a main to premises, the laying thereof and the tapping of the main. Where services are divided at the curb or property line to serve several customers, each such branch service shall be deemed a separate service.

27. Cost means the cost of labor, material, transportation, supervision, engineering, and all other necessary overhead expenses.

28. Cross-Connections means any physical connection between the piping system from the District service and that of any other water supply that may be forced or drawn into the District distribution mains

29. District means the McKinleyville Community Services District, McKinleyville, California.

30. Main means a water line in a street, highway, alley, or easement used for public and private fire protection and for general distribution of water.

31. Person means an individual or a company, association, co-partnership or public or private corporation.

32. Premises means a lot or parcel of real property under one ownership, except where there are well-defined boundaries or partitions such as fences, hedges or other restrictions preventing the common use of the property by the several tenants, in which case each portion shall be deemed separate premises. Apartment houses, trailer courts and office buildings may be classified as single premises.

33. Private Fire Protection Service means water service and facilities for building sprinkler systems, hydrants, hose reels and other facilities installed on private property for fire protection and the water available therefore.

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

35. Owner means the person owning the fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the County Recorder's office, or the person in possession of the property or buildings under claim of, or exercising acts of ownership over same for himself, or as executor, administrator, guardian or trustee of the owner.

36. Regular Water Service means water service and facilities rendered for normal domestic, commercial and industrial purposes on a permanent basis, and the water available therefore.

37. Temporary Water Service means water service and facilities rendered for construction work and other uses of limited duration and the water available therefore.

38. Water Department means the Board of Directors performing functions related to the District water service, together with the Manager and the Billing Clerk, Engineer and other duly authorized representatives.

39. Customer means the water user, the tenant, or the owner.

### ARTICLE 3. NOTICES

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

46. Notices from Customers. Notice from the customer to the District may be given by him or his authorized representative



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

35. Owner means the person owning the fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the County Recorder's office, or the person in possession of the property or buildings under claim of, or exercising acts of ownership over same for himself, or as executor, administrator, guardian or trustee of the owner.

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46. Notices from Customers. Notice from the customer to the District may be given by him or his authorized representative

in writing at the District's operating office.

ARTICLE 4. WATER DEPARTMENT

50. Creation. A Water Department is hereby created comprising the Board of Directors, a Manager and a Billing Clerk.

51. Manager. The position of Manager is hereby created. He shall regularly inspect and maintain all physical facilities related to the District water system, to see that they are in good repair and proper working order, and to note violations of any water regulations. He shall report directly to the Board of Directors.

52. Id. - Duties. The Manager shall have, subject to approval of the Board of Directors, full charge and control of the maintenance, operation and construction of the water works and system; authority to employ and discharge all employees and assistants; fix and alter the compensation of employees and assistants subject to approval by the Board; and shall have charge of all employees and assistants. He shall perform such other duties as are imposed from time to time, and shall report to the Board of Directors in accordance with the rules and regulations as adopted by the Board.

53. Id. - Violation, Repairs. He shall promptly report any violation or disrepair to the Board of Directors. If the work required is in the nature of an emergency, he shall take whatever steps are necessary to maintain service to consumers.

54. Id. - Supervision. He shall supervise all repair of construction work authorized by the Board and perform any other duties prescribed elsewhere in this ordinance or which shall be hereafter prescribed by the Board.

55. Billing Clerk. The position of the Billing Clerk is hereby created. He shall have charge of the office of the Water Department and of the billing for and collecting the charges herein provided. He shall perform such other duties as shall be determined by the Manager and Board.

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

57. Performance of Duties. The foregoing duties of Manager and Billing Clerk may be performed by an additional employee or employees.

ARTICLE 5. APPLICATION FOR REGULAR WATER SERVICE

75. A property owner or his agent may make application for regular water service on the following application form or by letter giving the same information:

MCKINLEYVILLE COMMUNITY SERVICES DISTRICT

APPLICATION FOR WATER SERVICE INSTALLATION

Name _____	Location of premises to be served _____
Mailing _____	Date Service _____
Address _____	Required _____
	Size of Meter _____

By signing this application, the applicant agrees to observe any District regulation now or hereafter adopted related to the water service and to pay water bills promptly.

(Owner) \_\_\_\_\_

(Agent) \_\_\_\_\_

(Title) \_\_\_\_\_

ORDINANCE NO. 10

AN ORDINANCE AMENDING ORDINANCE NO. 3

Article 5. Application for Regular Water Service shall be amended to read as follows:

78. Installation Charges. Services and meters shall be installed without charge for all applications for water service received prior to or during the initial construction of the District's water system. The charges below will apply to applications received after the District's Contractor has progressed with the work beyond their property frontage. Such services and meters will be installed without charge only to areas having an existing need providing the owner guarantees to pay at least the minimum each month (whether used or not) for at least a one year period.

Where service is installed without charge for a vacant lot the owner must guarantee to pay at least the minimum each month (whether used or not) for at least a two year period.

Where a regular charge has been fixed for the type of service connection desired, such regular charge shall be paid in advance by the applicant in accordance with the table listed below. Where there is no regular charge, such as for large meters, the District reserves the right to require the applicant to deposit an amount equal to the estimated cost plus 10 percent of such service connection. The schedule of regular service connection charges is as follows:

5/8 x 3/4" Meter	\$280.00
3/4" Meter	310.00
1" Meter	330.00
1 1/2" Meter	649.00
2" Meter and larger	Cost + 10%

76. Undertaking of Applicant. Such application will signify the customers' willingness and intention to comply with this and other ordinances or regulations relating to the regular water service and to make payment for water service required.

77. Payment for Previous Service. An application will not be honored unless payment in full has been made for water service previously rendered to the applicant by the District.

78. Installation Charges. Services and meters shall be installed without charge for all applications for water service received prior to or during the initial construction of the District's water system. The charges below will apply to applications received after the District's Contractor has progressed with the work beyond their property frontage. Such services and meters will be installed without charge only to areas having an existing need providing the owner guarantees to pay at least the minimum each month (Whether used or not) for at least a one year period.

Where service is installed without charge for a vacant lot the Owner must guarantee to pay at least the minimum each month (whether used or not) for at least a two year period.

Where a regular charge has been fixed for the type of service connection desired, such regular charge shall be paid in advance by the applicant in accordance with the table listed below. Where there is no regular charge, such as for large meters, the District reserves the right to require the applicant to deposit an amount equal to the estimated cost plus 10 percent of such service connection. The schedule of regular service connection charges is as follows:

5/8" x 3/4" (meter)	\$160.00
3/4" meter	170.00
1" meter	190.00
1-1/2" meter	275.00
2" meter	350.00
3" and larger meter	Cost + 10%

79. Installation of Services. Regular water services will be installed as desired by the applicant of the size determined by the Water Department. Service installations will be made only to property abutting on distribution mains as have been constructed in public streets, alleys or easements, or to extensions thereof as hereby provided. Services installed in new subdivisions prior to the construction of streets or in advance of street improvement must be accepted by the applicant in the installed location.

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

81. Size and Location. The District reserves the right to determine the size of service connections and their location with respect to the boundaries of the premises to be served. The laying of consumer's pipe line to the meter should not be done until the location of the service connection has been approved by the District.

82. Curb Cock. Every service connection installed by the District shall be equipped with a curb cock on the inlet side of the meter. The curb cock is intended for the exclusive use of the District in controlling the water supply through the service connection pipe. If the curb cock is damaged by the consumer's use to an extent requiring replacement, such replacement shall be at the consumer's expense.

83. Domestic, Commercial and Industrial Service Connection.

It shall be unlawful to maintain a connection excepting in conformity with the following rules:

(a) Separate Building. Each house or building under separate ownership must be provided with a separate service connection. Two or more houses on the same lot shall have separate services if the houses could legally be sold separately. Two or more houses under one ownership and on the same lot or parcel of land may (with specific Board approval, based on hardship) or extenuating circumstances be supplied through the same service connection; provided, that for each house under a separate roof an additional minimum will be applied to the single meter serving said houses. The District reserves the right to limit the number of houses or the area of land under one ownership to be supplied by one service connection.

(b) Separate Property. A service connection shall not be used to supply property of the same owner across a street or alley, without written approval for specific cases otherwise meeting the intent of this ordinance.

(c) Divided Property. When property provided with a service connection is divided, each service connection shall be considered as belonging to the lot or parcel of land which it directly enters.

84. Service Connections. The service connections extending from the water main to the property line and including the meter, meter box and curb cock or wheel valve, shall be maintained by the District. All pipes and fixtures extending or lying beyond the meter shall be installed and maintained by the owner of the property.

ARTICLE 6. APPLICATION FOR REGULAR WATER SERVICE  
WHEN MAIN EXTENSION REQUIRED

100. Application for Main Extension. The following rules are established for making main extensions:

(a) Application. Any owner of one or more lots or parcels of land, desiring the extension or enlargement of one or more water mains, to serve such property, shall make a written application therefor to the District, said application to contain the legal description of the property to be served and any additional information which may be required by the District, and be accompanied by a map showing the location and number of the proposed connections

(b) Investigation. Upon receipt of the application, the Manager shall make an investigation and survey of the proposed extension and shall report his findings to the Board.

(c) Ruling. The Board shall thereupon consider such application and report and after such consideration, reject, modify or approve it.



(d) District. All extensions thus provided for, in accordance with these regulations, shall be and remain the property of the District. Refunds for mains on existing streets are normally not provided.

(e) Dead-End Lines. No dead-end lines shall be permitted, except at the discretion of the Engineer, and in cases where circulation lines are necessary, they shall be designed and installed by the Water Department as a part of the cost of the extension.

101. General. The District will provide all main extensions upon application for service. The applicant shall advance the "estimated cost" of the main to and across his street frontage. For a corner lot the street frontage shall be one-half the sum of the total street frontages; for other irregular-shaped lots the total street frontage shall be determined by the District. The "estimated cost" of the main shall be based on the "engineers estimate" plus 10% for 6 inch asbestos cement pipe, in place as determined by the District.

A 2 inch line may be installed where in the opinion of the Engineer a 2 inch line is sufficient to supply a limited number of houses (usually less than 6) and the 2 inch line will not be further extended in such a case without the approval of the District. The applicant shall pay the cost of the entire length of the 2 inch line plus 10%.

The District will tap the main and provide the valve at the main at the District's expense.

102. Advance Cost and Refunds.

(a) When a person applies to connect his property to a main extension previously paid for by another person as set forth in Section 101 above, such applicant shall pay to the District one-half

of the actual original cost of the main extension across his street frontage. When such connection is made within 10 years of the date of original connection of such extension to the District's water system, the District shall, upon receipt of payment from such applicant, pay the amount so collected to the person who paid for the main extension as set forth in Section 101 above.

(b) When a person applies for an additional or enlarged service to property that fronts on a main that has been extended and paid for by another owner subsequent to the date the applicant's property was originally connected to the District system, such applicant shall pay to the District one-half of the actual original cost of such main extension across his street frontage. When such additional or enlarged service is connected within 10 years of the date of original connection of such extension to the District's water system, the District shall, upon receipt of payment from such applicant, pay the amount so collected to the person who paid for the main extension as set forth in Section 101 above.

## ARTICLE 7. SUBDIVISIONS

120. Application. A person desiring to provide a water system within a tract of land which he proposes to subdivide, shall make written application therefor.

121. Id. - contents. The application shall state the number of the tract, the name of the subdivision, and its location. It shall be accompanied by a copy of the tentative or final map, and of the plans, profiles and specifications for the street work therein and to furnish all other information as may be required by the District.

122. Investigation. Upon receiving the application, the Manager shall make an investigation and survey of the proposed subdivision and shall report his findings to the Board, including a recommendation as to the facilities required and the estimated cost of the proposed water system therefor.

123. Subdivisions, Tracts or Housing Projects - Deposit. Subdividers shall pay to the District 10% of the estimated cost of the labor and materials necessary for constructing main lines to be laid within the subdivision, plus fire hydrants and appurtenances. Fire hydrants shall be so located that each lot is within 500 feet of a hydrant. The costs of construction shall be borne by the subdivider.

124. Specifications and Construction. The size, type and quality of materials and location of the lines shall be specified by the Water Department and the actual construction shall be done by a contractor acceptable to it. All work shall be inspected by the District.

125. Property of District. Upon acceptance all facilities shall become the property of the District.

126. Connections. The subdivider shall, at his cost, provide all service lines to lots constructed by him, as herein provided, prior to paving. The District will provide and set all meters, as needed at a charge rate specified within the application.

#### ARTICLE 8. GENERAL USE REGULATION

140. Number of Services per Premises. The applicant may apply for as many services as may be reasonably required for his premises provided that the pipe line system from each service be independent of the others and that they not be interconnected.

141. Water Waste. No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the District may discontinue the service if such conditions are not corrected within five days after giving the customer written notice.

142. Responsibility for Equipment on Customer Premises.

All facilities installed by the District on private property for the purpose of rendering water service shall remain the property of the District and may be maintained, replaced or repaired by the Water Department without consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in the protection of the facilities. No payment shall be made by District for placing or maintaining said facilities on private property.

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

144. Ground-Wire Attachments. All individuals or business organizations are forbidden to attach any ground-wire or wires to any plumbing which is or may be connected to a service connection or main belonging to the District. The District will hold the customer liable for any damage to its property occasioned by such ground-wire attachments.

145. Control Valve on the Customer Property. The customer shall provide a valve on his side of the service installation, as close to the meter location as practicable, to control the flow of water to the piping on his premises. The customer shall not use the service curb stop to turn water on and off for his convenience.

146. Cross-Connections. The customer must comply with State and Federal laws governing the separation of dual water systems or installations of back flow protective devices to protect the public water supply from the danger of cross-connections. Back flow protective devices must be installed as near the service as possible and shall be open to test and inspection by the Water Department. Plans for installation of back flow protective devices must be approved by the Water Department prior to installation.

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

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

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

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

151. Id. - Discontinued Service. The service of water to any premises may be immediately discontinued by the District if any defect is found in the check valve installations or other protective devices, or if it is found that dangerous unprotected cross-connections exist. Service will not be restored until such defects are corrected.

152. Interruptions in Service. The District shall not be liable for damage which may result from an interruption in service from a cause beyond the control of the Water Department.

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

#### ARTICLE 9. METERS

160. Meter Installations. Meters will be installed in the sidewalk area, and shall be owned by the District and installed and removed at its expense. No rent or other charge will be paid by the District for a meter or other facilities, including connections. All meters will be sealed by the District at the time of installation, and no seal shall be altered or broken except by one of its authorized employees or agents.

161. Change in Location of Meters. Meters moved for the convenience of the customer will be relocated at the customer's expense. Meters moved to protect the District's property will be moved at its expense. If the lateral distance which the customer desires to have the meter moved exceeds eight feet (8') he will be required to pay for new service at the desired location.

162. Meter Tests - Deposit. All meters will be tested prior to installation and no meter will be installed which registers more than two percent (2%) fast. If a customer desires to have the meter serving his premises tested, he shall first deposit Five Dollars (\$5.00) for meters up to one inch (1") in size and Ten Dollars (\$10.00) for meters larger than one inch (1") in size and shall be present when the meter is tested in the meter shop of the Water Department, or other specified location. Should the meter register more than two percent (2%) fast, the deposit will be refunded, but should the meter register less than two percent (2%) fast the deposit will be retained by the Water Department.

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

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



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

#### ARTICLE 10. BILLING

175. Billing Period. The regular billing period will be monthly or bi-monthly at the option of the District.

176. Meter Reading. Meters will be read as nearly as possible on the same day of each month. Billing periods containing less than twenty-seven (27) days or more than thirty-three (33) days for bills rendered monthly or less than fifty-four (54) days and more than sixty-six (66) days for bills rendered bi-monthly, will be pro-rated.

177. Opening and Closing Bills. Opening and closing bills for less than the normal billing period shall be pro-rated both as to minimum charges and quantity blocks. If the total period for which service is rendered is less than one month, the bill shall not be less than the monthly minimum charge applicable.

Closing bills may be estimated by the Water Department for the final period as an expediency to permit the customer to pay the closing bill at the time service is discontinued.

178. Water Charges. Water charges are due and payable at the office of the District on the date of mailing the bill to the property owner or his agent as designated in the application, and delinquent 15 days after the Post Office cancellation date.

Service may be discontinued without further notice if payment is not made by the delinquent date.

179. Payment of Bills. Bills for metered water service shall be rendered at the end of each billing period. Bills shall be payable on presentation. On each bill for water service rendered by the District shall be printed substantially the following: "If this bill is not paid within fifteen (15) days after the Post Office cancellation date, service may be discontinued. A reconnection charge and penalties will be made and collected prior to renewing service following a "discontinuance."

180. Billing of Separate Meters Not Combined. Separate bills will be rendered for each meter installation except where the Water Department has, for its own convenience, installed two or more meters in place of one meter. Where such installations are made the meter reading will be combined for billing purposes.

181. Consumer's Guarantee. The water charge begins when a service connection is installed and the meter is set, unless the water is ordered to be left shut off when the service connection is ordered to be installed. Before water is turned on by the District for any purpose whatever, the customer must sign a form in which he guarantees payment of future water bills for the service required. The person signing the guarantee form or meter set form will be held liable for water used until the District is notified in writing to discontinue service or to transfer the account to another party.

Prior to commencing service a deposit of \$20 (twenty dollars) will be required of all customers. Upon termination of service the deposit shall be refunded to renters, less any unpaid balance owed on the account.

After a six (6) month period deposit shall be refunded to property owners with good payment records as determined by the District.

182. Water Used Without Regulation Application Being Made.

A person taking possession of premises and using water from an active service connection without having made application to the District for water service, shall be held liable for the water delivered from the date of the last recorded meter reading, and if the meter is found inoperative the quantity consumed will be estimated. If proper application for water service is not made upon notification to do so by the District, and if accumulated bills for service are not paid immediately, the service may be discontinued by the District without further notice.

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

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

ARTICLE 11. DISCONTINUANCE OF SERVICE

190. Disconnection for Non-Payment. Service may be discontinued for non-payment of bills the fifteenth day following the date of Post Office cancellation.

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

192. Reconnection Charge. A reconnection charge of Five Dollars (\$5.00) plus penalties will be made and collected prior to renewing service following a discontinuance.

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

194. Cross-Connections. Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of State or Federal laws.

195. Fraud or Abuse. Service may be discontinued if necessary to protect the District against fraud or abuse.

196. Non-Compliance with Regulations. Service may be discontinued for non-compliance with this or any other ordinance or regulation relating to the water service.

197. Upon Vacating Premises. Customers desiring to discontinue service should so notify the Water Department two (2) days prior to vacating the premises. Unless discontinuance of service is ordered, the customers shall be liable for charges whether or not any water is used.

#### ARTICLE 12. COLLECTION BY SUIT

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

211. Suit. All unpaid rates and charges and penalties herein provided may be collected by suit.

212. Costs. Defendant shall pay all costs of suit in any judgment rendered in favor of District.

#### ARTICLE 13. PUBLIC FIRE PROTECTION

220. Use of Fire Hydrants. Fire hydrants are for use by the District or by organized fire protection agencies pursuant to contract with the District. Other parties desiring to use fire hydrants for any purpose must first obtain written permission from the Water Department prior to use and shall operate the hydrant in accordance with instructions issued by the Water Department. Unauthorized use of hydrants will be prosecuted according to law. (Note: do not use hydrant valve for flow control, water truck loading, etc., as it undermines hydrant through relief valve at base).

221. Hydrant Rental. A charge, to be determined by contract between the District and organized fire protection agencies, will be imposed for hydrant maintenance and water used for public fire protection.

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

#### ARTICLE 14. PRIVATE FIRE PROTECTION SERVICE

230. Payment of Cost. The applicant for private fire protection service shall pay the total actual cost of installation of the service from the distribution main to the customer's premises including the cost of a detector check meter or other suitable and equivalent device, valve and meter box, said installation to become the property of the District. The District may agree to install the connection and meter at cost plus ten percent (10%).

231. No Connection to Other System. There shall be no connections between this fire protection system and any other water distribution system on the premises.

232. Use. There shall be no water used through the fire protection service except to extinguish fires and for testing the fire fighting equipment.

233. Meter Rates. Any consumption recorded on the meter will be charged for at 5 times the regular service rates except that no charge will be made for water used to extinguish fires where such fires have been reported to the fire department.

234. Monthly Rates. The monthly rates for private fire protection lines shall be five dollars (\$5.00) times the diameter/inch.

235. Water for Fire Storage Tanks. Occasionally water may be obtained from a private fire service for filling a tank connected with the fire service, but only if written permission is secured from the District in advance and an approved means of measurement is available. The regular water rates will be applied.

236. Violation of Agreement. If water is used from a private fire service in violation of the agreement or of these regulations, the District may, at its option, discontinue and remove the service.

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

238. Rules. The following rules shall apply to fire service connections.

(a) Valve. When a fire service connection is installed, the valve governing same will be closed and sealed and remain so until a written order is received from the owner of the premises to have the water turned on.

(b) Meter. If the District has not required a meter, and if water is used through a fire service connection for any other purpose than extinguishing of fires, it shall have the right to place a meter on the fire service connection at the owner's expense, or shut off the entire water supply from such premises.

(c) Additional Service. The District shall have the right to take a domestic, commercial or industrial service connection from the fire service connection at the curb to supply the same premises as those to which the fire service connection belongs. The Board of Directors shall also have the right to determine the proportion of the installation cost properly chargeable to each service connection, if such segregation of costs shall become necessary.

(d) Check Valve. The District reserves the right to install on all fire service connections a check valve of a type approved by the National Board of Fire Underwriters, and to equip the same with a by-pass meter at the expense of the owner of the property.

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#### ARTICLE 15. TEMPORARY SERVICE

250. Duration of Service. Temporary service connections shall be disconnected and terminated within six months after installation unless an extension of time is granted in writing by the District.



251. Deposit. The applicant shall deposit, in advance, the estimated cost of installing and removing the facilities required to furnish said service exclusive of the cost of salvagable material. Upon discontinuance of service, the actual cost shall be determined and an adjustment made as an additional charge, refund or credit. If service is supplied through a fire hydrant, the applicant will be charged in accordance with the following rate schedule:

Deposit per meter	\$250.00
Flat charge per connection, for both installation and removal of service facilities,:	\$15.00
Each additional move of facilities to another location:	\$15.00

252. Installation and Operation. All facilities for temporary service to the customer connection shall be made by the Water Department and shall be operated in accordance with its instructions.

253. Responsibility for Meters and Installations. The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of the District which are involved in furnishing the temporary service from the time they are installed until they are removed, or until 48 hours' notice in writing has been given to the District that the contractor or any other person is through with the meter or meters and the installation. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the customer or deducted from the amount of the deposit.

254. Supply from Fire Hydrant. An applicant for temporary use of water from a fire hydrant must secure a permit therefor from the District and pay the regular fee charged for the installation and removal of a meter to be installed on said hydrant; the application shall provide a valve for shutoff control, and

a hydrant wrench necessary to operate such hydrant, or pay the District Five Dollars (\$5.00) for the loan of such equipment, and pay for the water used in accordance with the meter readings, at the rates prescribed by the District.

255. Unauthorized Use of Hydrants. Tampering with any fire hydrant for the unauthorized use of water therefrom, or for any other purpose, is a misdemeanor, punishable by law.

256. Credit. The applicant shall pay the estimated cost of service in advance.

#### ARTICLE 16. GENERAL PROVISIONS

260. Pools and Tanks. When an abnormally large quantity of water is desired for filling a swimming pool or for other purposes, arrangements must be made with the District prior to taking such water. Permission to take water in unusual quantities will be given only if it can be safely delivered through the District's facilities and if other consumers are not inconvenienced thereby.

261. Responsibility for Equipment. The customer shall, at his own risk and expense, furnish, install and keep in good and safe condition all equipment that may be required for receiving, controlling, applying and utilizing water, and the District shall not be responsible for any loss or damage caused by the improper installation of such equipment, or the negligence or wrongful act of the customer or of any of his tenants, agents, employees, contractors, licensees or permittees in installing, maintaining, operating or interfering with such equipment.

262. Service Outside District. Where possible, potential customers outside the District shall annex before service is allowed if their property is contiguous to the District boundary or if the Board considers it to be in the best interest of the District. In addition to all other costs for providing service, the applicant shall be charged for the annexation proceedings. Where in the opinion of the Board, annexation is not feasible or desirable immediately upon application, the Board may elect to provide service outside of the District. The terms and conditions of service shall be the same as in District except charges for water shall be 150% of the rates specified in Article 17 of this Ordinance. In addition, the applicant, his heirs or assigns must agree not to protest annexation if initiated at a later time.

ORDINANCE NO. 7

AN ORDINANCE OF THE  
McKINLEYVILLE COMMUNITY  
SERVICES DISTRICT AMENDING  
PORTION OF ORDINANCE NO. 3

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

1. ARTICLE 17 of ORDINANCE No. 3 is hereby Amended to read as follows:

"ARTICLE 17. RATES

270. Rate Schedule. Rates for water service are hereby established as follows: In the event of bi-monthly billings, the minimum charges shall be doubled and the quantity of water consumed shall be averaged:

MINIMUM CHARGES PER MONTH. (Includes water consumed to dollar amount listed, at consumption rates below)

<u>Meter Size</u>	<u>Monthly Rate</u>
5/8 x 3/4" meter	\$ 6.50
3/4" meter	7.00
1" meter	10.00
1-1/2" meter	20.00
2" meter	30.00
3" meter	50.00
4" meter	75.00
6" meter	100.00
8" meter	125.00

CONSUMPTION CHARGE RATES PER MONTH.

0 - 500 cubic feet	\$ 6.50
Next 500 cubic feet	0.50 per 100 cubic feet

CONSUMPTION CHARGE RATES PER MONTH, CONTINUED

Next 1000 cubic feet	\$ 0.40 per 100 cubic feet
Next 3000 cubic feet	0.30 per 100 cubic feet
Next 5000 cubic feet	0.20 per 100 cubic feet
All over 10,000 cubic feet	0.15 per 100 cubic feet

The District may approve from year to year a summer rate for three (3) months (July, August, September) providing an added 500 cubic feet to the minimum allowed each month per meter at no increase in cost."

PASSED AND ADOPTED by the Board of Directors of the McKinleyville Community Services District on this 4th day of December, 1975, by the following polled vote:

AYES: ESTES, HOOVEN, STOCKWELL

NOES: NONE

ABSENT: RAMEY, FORSON

*Edward E. Este*

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Vice-President of the Board of  
Directors

ATTEST:

*Glen L. Goehrs*  
\_\_\_\_\_  
Secretary of the Board of Directors

ARTICLE 17. RATES

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MINIMUM CHARGES PER MONTH. (Includes water consumed to dollar amount listed, at consumption rates below)

<u>Meter Size</u>	<u>Monthly Rate</u>
5/8 x 3/4" meter	\$ 6.50
3/4" meter	7.00
1" meter	10.00
1-1/2" meter	20.00
2" meter	30.00
3" meter	50.00
4" meter	75.00
6" meter	100.00

CONSUMPTION CHARGE RATES PER MONTH.

0 - 500 cubic feet	6.50
Next 500 cubic feet	0.50 per 100 cubic feet
Next 1000 cubic feet	0.40 per 100 cubic feet
Next 3000 cubic feet	0.30 per 100 cubic feet
Next 5000 cubic feet	0.20 per 100 cubic feet
All over 10,000 cubic feet	0.15 per 100 cubic feet

The District may approve from year to year a summer rate for three (3) months (July, August, September) providing up to an added 500 cubic feet to the minimum allowed each month per meter at no increase in cost.

ARTICLE 18. TIME OF TAKING EFFECT

This Ordinance shall take effect immediately upon passage.

CERTIFICATE SHEET

Eugene Pickett  
President of Board of Directors

Attest:

Glenda L. DeMartin  
Secretary

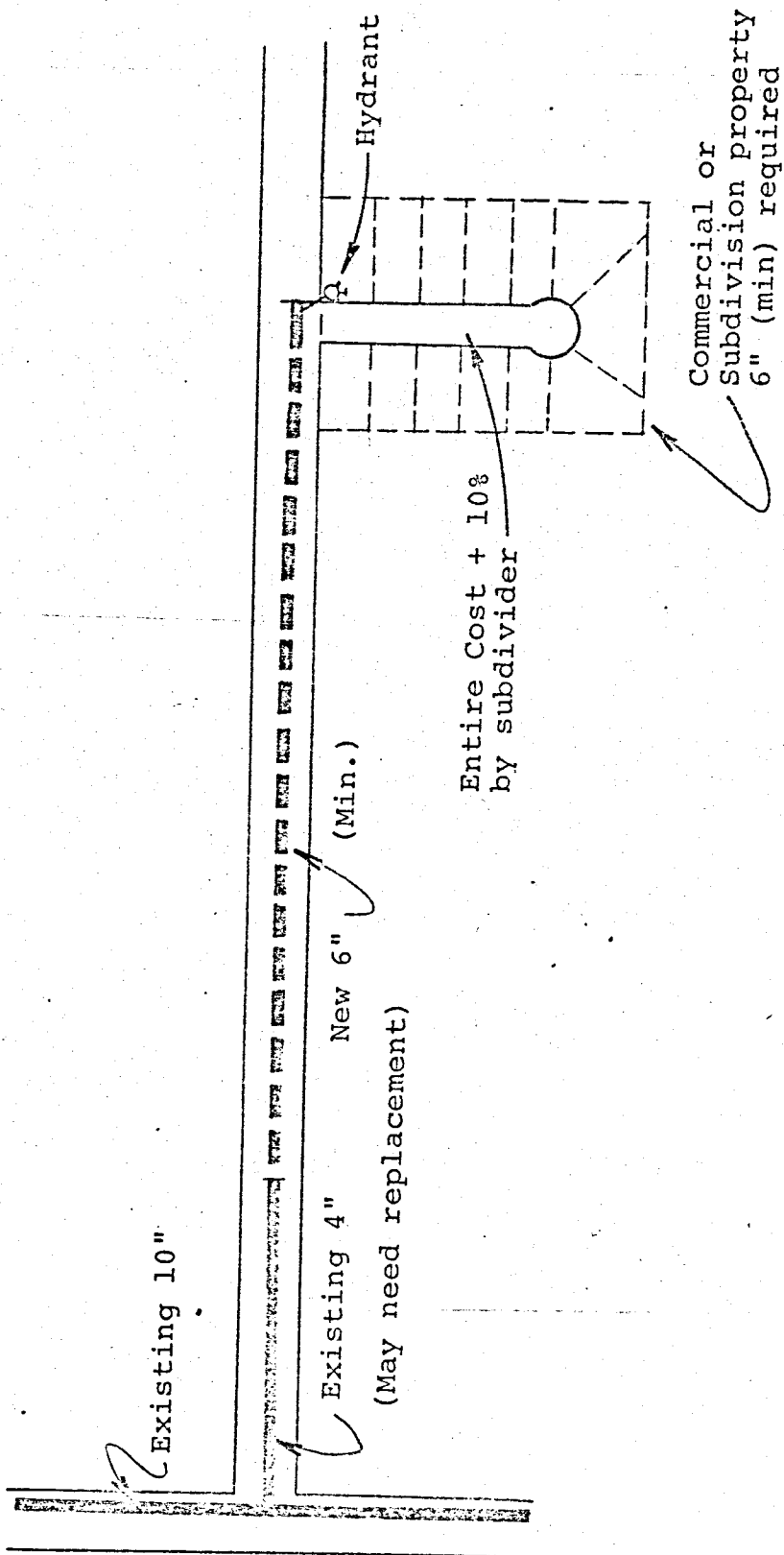
I hereby certify that the foregoing Ordinance was passed by the Board of Directors of the McKinleyville Community Services District, Humboldt County, California at a meeting held on the 7th day of September, 1972, by the following vote:

Ayes, and in favor thereof, Directors: Pickett, Forson,  
Estes, Harrison

Noes, Directors: None

Absent, Directors: Ramey

Glenda L. DeMartin  
Secretary



Developer pays all costs to point on main where size and flow are adequate



Owner pays total cost to  
nearest lot line plus 50%  
of sum of lot frontage -  
Refund available as other  
lots contribute

