

DESCRIPTION OF LEGAL ADVERTISING

Bill #825, Ord. #652
 3349008

TERMS: Please pay from this invoice. It is due upon presentation and is past due after 15 days.

Legal Ad. Cost 16.80

Extra Proofs

Notary Fee 2.00

Total Amt due 18.80

Washoe County Clerk

- Charlotte James
- P. O. Box 11130
- Reno, NV 89520

MONTH

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

August

x x

PROOF OF PUBLICATION

STATE OF NEVADA,
 COUNTY OF WASHOE

SS.

Doris Mertz

being first duly sworn, deposes and says: That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice of County Ordinance

of which a copy is hereto attached, was first published in said newspaper in its issue dated the 19th day of Aug, 1985 and, Aug 26, the full period of 2 days, the last publication thereof being in the issue of August 26 1985.

Signed *Doris Mertz*

Subscribed and sworn to before me this

26th day of August, 1985

Alice L. Buffaloe
 Notary Public

NOTICE OF COUNTY ORDINANCE
 NOTICE IS HEREBY GIVEN that Bill No. 825, Ordinance No. 652, entitled "An ordinance establishing a schedule of rates and charges for provision of water service by Washoe County within the Desert Springs service area; requiring the Department of Public Works to submit billings to all water users within the service area; requiring payment thereof; and providing procedures for its enforcement." was adopted on August 13, 1985, by Commissioners King, Lillard, McDowell, Ritter and Williams. Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
 Judi Bailey,
 County Clerk
 3349008-BILL #825 ORD. 652
 Aug. 19, 26-bja133

ALICE L. BUFFALOË
 Notary Public - State of Nevada
 Appointment Recorded In Washoe County
 MY APPOINTMENT EXPIRES JUNE 5, 1989

NOTICE OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN that Bill No. 825, Ordinance No. 652, entitled "An ordinance establishing a schedule of rates and charges for provision of water service by Washoe County within the Desert Springs service area; requiring the Department of Public Works to submit billings to all water users within the service area; requiring payment thereof; and providing procedures for its enforcement," was adopted on August 13, 1985, by Commissioners King, Lillard, McDowell, Ritter and Williams.

Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.

Judi Bailey, County Clerk

Please publish in the Reno Gazette-Journal on Monday, August 19 and 26, 1985, and furnish proof of publication to:

Judi Bailey, Washoe County Clerk
P.O. Box 11130
Reno, NV 89520

Attn: Charlotte James

SUMMARY: Adopts a schedule of rates and charges for provision of water service within the Desert Springs service area and providing procedures for its enforcement.

BILL NO. 825

ORDINANCE NO. 652

AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES AND CHARGES FOR PROVISION OF WATER SERVICE BY WASHOE COUNTY WITHIN THE DESERT SPRINGS SERVICE AREA; REQUIRING THE DEPARTMENT OF PUBLIC WORKS TO SUBMIT BILLINGS TO ALL WATER USERS WITHIN THE SERVICE AREA; REQUIRING PAYMENT THEREOF; AND PROVIDING PROCEDURES FOR ITS ENFORCEMENT.

THE BOARD OF WASHOE COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

ARTICLE 1. GENERAL PROVISIONS

1.1 Short Title. This ordinance shall be known and may be cited as the Desert Springs schedule of rates and charges for water service.

1.2 Enabling Statutes. This ordinance is adopted pursuant to NRS 244.157.

1.3 Enterprise. The County will furnish a system used for the provision of domestic and commercial water, including all parts of the enterprise, all appurtenances thereto, and land, easements, rights in land, contract rights and franchises.

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

1.5 Relief on Application. When any person by reason of special circumstances, is of the opinion that any provision of this ordinance is unjust or inequitable as applied to his premises, he may make written application to the Board stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises.

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

1.6 Relief on Own Motion. The Board may, on its own motion, find that by reason of special circumstances any special provision of this regulation and ordinance should be suspended or modified as applied to a particular premise and may, by resolution, order such suspension or modification for -

any such premises during the period of such special circumstances, or any part thereof.

1.7 Review by the Board. This ordinance shall be reviewed by the Board on an annual basis to insure that the provisions of this ordinance are kept up to date, and that the charges and fees set out in Articles 4 and 5 are adequate to meet the costs of operating the water facility.

1.8 Words and Phrases. For the purposes 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.

ARTICLE 2. DEFINITIONS

2.1 Account Transfer shall mean any change made to a billing account, including but not limited to new ownership or new tenancy.

2.2 Applicant shall mean the person, business or governmental agency making application for water service to a parcel within the service area.

2.3 Application shall be a written request for water service as distinguished from an inquiry as to the availability of, or charges for, such service.

2.4 Billing Period shall be the period for which a billing is made. It may be for an average month and need not coincide with the calendar month (i.e. may be billed on a cycle of 29 to 31 days).

2.5 Board shall mean the Board of County Commissioners.

2.6 Commercial Building shall mean any building, structure or facility or a portion thereof, devoted to the purposes of trade or commerce, such as a store or office building.

2.7 Construction Water shall mean water delivered through other than a standard service connection for construction purposes.

2.8 Contractor shall mean an individual, firm, corporation, partnership or association duly licensed by the State of Nevada to perform the type of work to be done under the Permit.

2.9 Cross Connection shall mean any actual or potential connection between the service area's distribution facilities and any source or system which may potentially cause contamination, pollution, or change in water quality by any and all causes.

2.10 County shall mean the County of Washoe, Nevada.

2.11 Cubic Foot is the volume of water which occupies one cubic foot. The cubic foot is equal to 7.481 gallons.

2.12 Customer shall mean a person who receives water service from the County within the service area or who owns the parcel to which water is served.

2.13 Date of Presentation shall be the date upon which a bill or notice is either postmarked or hand delivered to the Customer.

2.14 Delinquent shall mean an account that has not been paid within 30 days of presentation of bill.

2.15 Developer shall mean any person engaged in or proposing development of property.

2.16 Development shall mean a parcel of property being improved and requiring installation of water mains to and possibly on the property being improved.

2.17 Easement shall mean an acquired legal right for the specific use of land owned by others.

2.18 Employee shall mean any individual employed by the County excluding independent contractors, consultants, and their employees.

2.19 Gallon is the volume of water which occupies 231 cubic inches.

2.20 Idler shall mean a length of pipe or spacer installed in lieu of a meter.

2.21 Inspector shall mean an individual designated to inspect facilities which are the subject of this ordinance.

2.22 Inter-Connection shall mean any actual or potential connection to customer piping which will provide water to property or permit use of water for purposes other than that for which a service connection was authorized.

2.23 Law is any statute, rule or regulation established by Federal, State, County or Municipal authorities.

2.24 Living Unit shall mean any residence, apartment, or other structure to be occupied for habitational purposes by a single person or family and requiring water service.

2.25 Main Classifications:

a. Off-Site Main shall mean a main, regardless of size, which extends from the existing water system to a development but excluding on-site mains.

b. On-Site Mains shall mean those public mains which are installed specifically to provide service to developments, and generally located within the development's boundaries.

c. Public Mains shall mean those mains which are owned, operated and maintained by the County after completion and acceptance.

d. Private Mains shall mean all water mains not owned by the County after completion.

2.26 May is permissive (see "shall", Sec. 2.35).

2.27 Metered Service is a service for which charges are computed on the basis of measured quantities of water.

2.28 Owner shall mean a person who holds legal title to the property or who is under contract to purchase the property.

2.29 Permit shall mean any written authorization required pursuant to this or any other regulation of the service area for the installation or operation of any water works.

2.30 Person shall mean any individual, firm, association, organization, partnership, trust, company, corporation or entity, and any municipal, political, or governmental corporation, district, body, or agency other than the County.

2.31 Premises shall mean an individual residential or commercial unit served by the water system.

2.32 Private Fire Protection shall mean service through a line to hydrants used to extinguish accidental fires not located within a public dedicated and accepted right-of-way.

2.33 Service Area shall mean the place of use of water rights available to serve the Desert Springs, Pyramid Ranch Estates and Southwood Subdivisions.

2.34 Service and Connection Classifications:

a. Combined Services shall mean service connections through which water is obtained for the dual purpose of fire protection and domestic use.

b. Commercial Services shall mean service connections to include, but not limited to, office buildings, private clubs, motels, hotels, department stores, restaurants, clubs, schools.

c. Domestic Services shall mean service connections through which water is obtained for all purposes exclusive of fire protection, but including residential, commercial, and industrial uses.

d. Emergency Service Connection shall mean a temporary service connection required to provide water to safeguard health and protect private or public property, subject to the conditions governing temporary service connections.

e. Industrial Service shall mean service to customers engaged in a process which creates or changes raw or unfinished materials into another form or product (factories, mills, machine shops, mines, pumping plants, creameries, canning and packing plants, or processing activities).

f. Interim Services shall mean non-permanent connections for delivery of water for use during the construction of subdivisions, other construction projects, and in certain instances, for emergency service.

g. Non-Standard Connection shall mean a service connection installed at a location not adjacent to the property served and where there will never be a main installed contiguous to the property.

h. Private Fire Service shall mean a service connection through which water is delivered to private property for fire protection exclusively.

i. Residential Main shall mean service to a customer in a single family dwelling, mobile home or building, or in an individual flat, condominium, or apartment in a multiple family dwelling, or building or portion thereof occupied as the home, residence or sleeping place of one or more persons.

j. Service Connection shall mean the lateral pipe from the point of connection to a County water main, to and including the curb stop valve and/or meter box.

k. Standard Service Connection or "Permanent Service Connection" shall mean a service connection installed at a location adjacent to the property being served.

l. Temporary Service Connection shall mean a service connection installed at a location not adjacent to the property served and which is subject to removal or relocation at such time as a main is constructed.

2.35 Shall is mandatory (see "May", Sec. 2.26).

2.36 Tenant shall mean a person renting or leasing a premises from the owner or the owner's selected representative.

ARTICLE 3. CONDITIONS OF SERVICE

3.1 Pressures. All applicants for service connections or water service will be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection, and to hold the County harmless for any damages arising out of low pressure or high pressure conditions or interruptions in service.

3.2 Interruption of Service. The County will endeavor to notify customers in advance of any interruption in service due to repairs, or other causes. However, in emergency conditions, when notification is not practical, service may be interrupted for indefinite periods of time.

3.3 Area Served. Properties within the boundaries of the Service Area shall be eligible to receive water from the County in accordance with this ordinance.

3.4 Main Required. New applications for water service will be accepted only if the water main extends to the property being served, said water main being within a dedicated right-of-way or easement granted to the County.

3.5 Property Not Adjacent to a Water Main. In order to obtain service to property not immediately adjacent to a water main as required by paragraph 3.4 above, the applicant will be required to provide a main extension in accordance with the requirements of Article 10, or the applicant may make application for a non-standard service if the property meets the requirements of paragraph 9.9.

3.6 Damage to Property. The County will not be liable for damage to property resulting from water running from open or faulty piping or fixtures on the customer's property or from interruption or termination of service in accordance with this ordinance. Customers who request activation of a service shall be responsible for damage resulting from such activation due to open or faulty piping and fixtures on the customer's property.

3.7 Tampering With County Property. No one except an employee or representative of the County shall at any time in any manner operate the curb cocks or valves, main cocks, gates or valves of the County's system; or interfere with the meters or their connections, street mains or other parts of the system. Penalty for violation of this Section will be a fine of \$100.00.

3.8 Penalty for Violation. For the failure of the customer to comply with all or any part of this ordinance, the customer's service shall be discontinued until the customer is in compliance. Termination of water service shall be in accordance with Article 11.

3.9 Ruling Final. All rulings of the Board shall be final, unless appealed in writing to the Board within five (5) days.

3.10 Waste of Water. No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises, or is flowing onto adjacent properties, roads, or drainage ditches seriously affecting the general service or operation of the system, the County may discontinue the service if such conditions are not corrected within five (5) days after giving the customer written notice.

3.11 Regulation of Water Usage. The County may from time to time require that a watering schedule be followed or use of water be curtailed or provide incentives for off peak time watering by notice to each customer.

3.12 Notices to Customers. Notices from the County 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 County may resort to notification either by telephone or messenger. When a Customer is refused service under the provisions of this ordinance, the County will notify the Customer promptly of the reason for the refusal to serve and of the right of the Customer to appeal the County's decision to the Board. Failure by the Customer to accept a certified letter notice will not relieve the Customer of responsibility for contents of notice.

3.13 Notices from Customers. Notice from the Customer to the County may be given by him or by his authorized representative in writing at the County's operating office. The County's operating office is:

Washoe County Department of Public Works
Utility Division
P.O. Box 11130
1205 Mill Street
Reno, Nevada 89520
Telephone: (702) 785-4743

3.14 Adjustment of Complaints. The County shall have the power of discretion in the interpretation and application of this ordinance, including adjustment or rebate of charges, if in the County's opinion and with full documentation, the intent of the rules would not be accomplished and an injustice would result by their strict application.

3.15 Customer's Premises. County employees shall have the right of access to customer's property at all reasonable hours for any purpose related to the furnishing of service and protection of water quality and quantity. Employees are prohibited from entering upon customer's premises to engage in repair or alteration of customer piping and fixtures.

3.16 Special Conditions. In the event that conditions arise which are not specifically covered by this ordinance, the County may take whatever action, including establishing rates and charges which, in its discretion, is warranted.

3.17 Effective Date. This ordinance shall become effective on the date specified by the Board in its motion for adoption.

3.18 Continuity. Adoption of this Ordinance shall not be construed as a waiver of any right or obligation under any prior agreement, contract, or commitment.

ARTICLE 4. SCHEDULE OF RATES AND CHARGES

4.1 Rates and Charges for Domestic, Commercial, Industrial and Irrigation Service. All new and existing metered customers shall be charged according to Schedule B below. All new and existing customers with non-functioning meters shall be charged according to Schedule A below and will be converted within at least one year to the metered Schedule B after meters have been replaced or repaired.

Staff of the Utility Division shall prepare and submit to the Board, a report within sixteen (16) months of the effective date of this ordinance. The report shall analyze the short and long term impacts of the rates effected in this ordinance based on water consumption, landscaping, and cost of service. The Board shall then direct staff regarding preparation of a revised rate schedule.

Schedule A: This schedule applies to all non-metered or non-functioning metered residential or commercial services. The rate shall be based on the diameter of the service line shown in the following table:

<u>Service Size</u>	<u>Monthly Rate</u>
5/8" to 3/4"	\$ 19.00
1"	\$ 47.50
1 1/2"	\$ 95.00
2"	\$152.00
3"	\$285.00
4"	\$475.00

Schedule B: This schedule applies to all metered commercial or residential services. The monthly base rate depends on service size as shown in the table. Service sizes not listed in the following table shall be charged the Monthly Base Rate of the next larger service size shown in the table:

a) Water Usage Charge:

\$1.01 per 1,000 gallons of water used each month

b) Monthly Base Rate Table:

<u>Service Size</u>	<u>Monthly Base Rate</u>
3/4"	\$ 8.35
1"	\$ 13.35
1 1/2"	\$ 26.75
2"	\$ 42.80
3"	\$ 85.60
4"	\$137.00
6"	\$274.40
8"	\$438.00
10"	\$700.00

4.2 Charges for Private Fire Protection Service. These charges apply to all services through which water is used solely for extinguishing accidental fires:

<u>Service Size</u>	<u>Monthly Base Rate</u>
3"	\$ 10.00
4"	\$ 13.00
6"	\$ 24.00
8"	\$ 36.00
10"	\$ 50.00
12"	\$ 70.00

4.3 Charges for Meter Testing. The County will shop-test, preferably in the presence of the customer, a meter of a size two-inch (2") or smaller, at the request of a customer and payment of a twenty dollar (\$20) fee. If the meter, upon testing, registers no greater than two percent (2%) over the true quantity, the fee shall be forfeited, and all water bills paid as presented. However, if the meter registers more than two percent (2%) of the true quantity, the fee shall be returned, and the amount overcharged during the prior six months, or such portion of the six month period as the customer has been responsible for water bills will be credited to the customer and another meter substituted for the inaccurate meter. The same procedure shall apply to meters larger than two-inch (2"), except that the meter shall be field-tested.

4.4 Charges for Combined Service. These charges apply to service through which water is delivered for the dual purpose of providing domestic supply and private fire protection. The monthly charge shall be the charge for domestic water as determined in Section 4.1 plus the charge for private fire protection as determined in Section 4.2.

4.5 Charges for Interim Service. These charges apply to nonmetered services through which water is delivered from fire hydrants for use during construction, exclusive of developments which have paid for construction water under the provisions of Section 4.6:

- a) A hydrant use permit fee of \$10.00; and
- b) \$3.00 for each day any water is used.

4.6 Charges for Water for Subdivision Construction.

1. These charges apply to metered use of water during development and construction within subdivisions or other projects:

- a) Deposit for hydrant meter of \$600
 Deposit will be refunded upon return of hydrant meter in like condition to when deposit was paid.
- b) Monthly Base Rate of \$85.00 each month
- c) Water Usage Charge of \$1.01 per 1,000 gallons of water used each month. Meter will be read monthly.

2. These charges apply to non-metered use of water during development and construction within subdivisions or other projects:

- a) Each lot in subdivision \$11.00
- b) Property not subdivided into lots or into less than four (4) lots per acre. \$46.00 per gross acre
- c) The amounts shown in paragraphs a) and b) are one-time charges.

4.7 Power Rate Adjustment. The power rates in effect on June 1, 1984 are established as the base rates for purposes of this paragraph. In the event that increases or decreases are approved for such base rates by the Nevada Public Service Commission, then an adjustment shall be made to the water usage charges enumerated in this Article in the following ratio: For each 1%, or portion thereof, of rate increases or decreases in power charges, there shall be an adjustment of \$0.006 per 1,000 gallons in the water usage service charges, commencing with the next regular billing period.

ARTICLE 5. OTHER CHARGES, FEES AND DEPOSITS

5.1 Security Deposit for Service. The County will require a security deposit in the amount of \$50.00 from all new customers or applicants, from customers whose accounts are consistently delinquent, and in situations where the County has cause to believe that a deposit is required to insure payment of bills. At the end of one year of service, if all accounts have been kept current the amount of the deposit, plus interest accrued at the rate of 6% per annum simple interest, shall be credited to the next month's bill. Service must be in place for a minimum of six (6) months for any interest to be accrued. Upon discontinuance of service, any deposit held by the County will be applied to the final billing with any remaining deposit amount refunded to the customer. If the deposit is applied to a customer's account because of delinquent bills, all interest accrued will also be applied to delinquent bills.

Any application for service will not be granted unless full payment has been made for water or sewer services previously rendered to the applicant or customer by the County.

Failure on the part of the customer to make such deposit within fifteen (15) days after written notice by the County that such deposit be made or service may be discontinued, shall warrant the County in discontinuing the service to the customer.

5.2 Charges for Disconnection, Reconnection, Account Transfer and Special Reading. If service is discontinued the customer shall pay a processing charge of fifteen (\$15.00) for disconnection and another fifteen dollars (\$15.00) for reconnection. If the customer requests an account transfer or special meter reading, a processing charge of fifteen dollars (\$15.00) shall be charged. Customers must give 24 hours or previous working days notice for disconnection, reconnection or special reading.

5.3 Charges and Fees for Installation of a Water Service shall consist of a Connection Privilege Fee, an Installation Fee, and in some cases, a Main Extension Fee. All charges and fees must be received by the County before the County can initiate any work on the installation or extension.

a. Connection Privilege Fee: In order to equalize investment in facilities made by present water users, a Connection Privilege Fee will be collected for all new services in the amount shown in Section 5.4 below.

b. Installation Fee: The Installation Fee shall be charged to cover the cost of materials and labor for installing the water service. This fee shall be based on the service size and shall be in the amount shown in Section 5.5 below.

c. Main Extension Fee: Applicants for main extensions as described in Article 10, will be charged a Main Extension Fee in the amount shown in Section 5.6 below.

d. Main Extension Refund Fee: Applicants for water service which require connection to a main covered under a residential main extension agreement as described in Article 10, will be charged a Main Extension Refund Fee in the amount specified in Section 5.7 below.

5.4 Connection Privilege Fee for New Connections.

1. A connection privilege fee of \$2,500.00 shall be charged for each new water service which was not previously provided by the developer of the subdivision.

2. The fee shall be charged for each dwelling unit or lot on the final subdivision or parcel map.

3. The fee shall be paid to the County prior to approval of the final subdivision or parcel map, issuance of building permit, or initiation of work by the County.

4. The fee shall be charged to churches, single-family dwellings, duplexes, apartments, condominiums, other multiple dwelling unit structures, mobile homes and trailers, whether temporary or permanent land, whether on individual lots or in parks, and other residential dwellings.

5. A Connection Privilege Fee for each new commercial water service shall be charged and shall be based on service size in accordance with the following table. Service sizes not listed in the following table, shall be charged the Connection Privilege Fee of the next larger size listed in the table.

<u>Service Size</u>	<u>Connection Privilege Fee</u>
3/4"	\$2,500
1"	\$3,000
1 1/2"	\$4,500
2"	\$6,400
3"	\$12,800
4"	\$20,500
Above 4"	An amount greater than \$20,500 set by agreement with the Board

5.5 Charges for Service Connection Installation.

1. This charge includes tapping of the main, installation of the service line from the main to the meter, the meter, and the meter box, in accordance with the following table:

<u>Service Size</u>	<u>Installation Charge</u>
3/4" or smaller	\$335
1"	\$380
1 1/2"	\$560
2"	\$875
Over 2"	Actual Cost

2. This charge includes setting of meter in a Utility Division approved installation, in accordance with the following table:

<u>Service Size</u>	<u>Installation Charge</u>
3/4" or smaller	\$ 80.00
1"	\$ 90.00
1 1/2"	\$130.00
Over 2"	Actual Cost

3. County personnel will do all service connection installations.

5.6 Residential Main Extension Fee Schedule. Main extension fees to a single residentially zoned lot shall be according to the following table:

<u>Distance From Existing Main</u>	<u>Payment by Applicant</u>
1' - 500'	\$10.00 per foot
501' - 1,250'	\$5,000 plus \$8.00 per foot over 500 feet

5.7 Main Extension Refund Fees. For an applicant requiring a service connection to a main covered under an existing Residential Main Extension Agreement, the applicant shall be charged \$10.00 per frontage foot of property as a Main Extension Refund Fee. This fee shall be collected by the County and used to refund the person or persons funding the original main extension.

5.8 Checking Fee. Any applicant, customer or developer requiring approval of plans by the County, or desiring plan checking shall pay to the County the following fee or fees:

A minimum of \$200 plus \$5 per lot for all lots in excess of 40 within the subdivision.

If any portion of the plans after being checked are required to be redrawn or rechecked, the applicant shall pay the additional cost of checking based upon the actual expense of the rechecking service. No plan checking will be done until the required fee is paid.

In the case of rechecking, the fee shall be based upon an estimated cost of the service, and payment in excess of costs will be returned to the Applicant.

5.9 Reactivation of Inactive Service Connections. Upon receipt of application, an inactive service shall be turned on at no charge.

5.10 Relocation of Service Connection. An existing service connection may be relocated, if the new service is of like size and will provide a water supply to the same parcel of property, upon application and payment of an installation fee by the property owner.

5.11 Increase in Size of Service Connections. Enlargement of a service connection to the same property, requiring abandonment of the existing connection and installation of a complete replacement connection of increased size shall be treated as a new service connection and shall be charged accordingly. The fees to be paid by the property owner upon application for increase in size of service connection shall be the installation fee for the size of the larger service being installed and a connection privilege fee which shall be determined by subtracting the connection privilege fee for the size of service being abandoned from the connection privilege fee for the size of service being installed.

5.12 Public Fire Hydrants. There shall be no charges to governmental agencies for water available through public fire hydrants for use in fire suppression.

5.13 Private Use of Public Fire Hydrants. Connections to public fire hydrants are prohibited unless a water service application is submitted to and approved by the County. The applicant shall pay a use fee of \$20.00 plus an estimated amount to cover the daily use for the next 30 days prior to the issuance. Upon discontinuance of service, a refund will be made of the difference between the amount deposited and costs. Applicants for connections to fire hydrants shall designate the period of time and purposes for which water is to be used. The County may discontinue the supply and remove its equipment at the expiration of the period so designated or if the supply is used for any purpose other than designated by the applicant. The supply is subject to limitations as to rate of flow and time of use. The County will install all equipment necessary for the connection and no water will be used until such equipment is installed. In the event that a connection is made to a fire hydrant without authority to do so, the user shall be required to pay \$100.00 for each day of use prior to issuance of the permit.

5.14 Public Agencies Exempted From Deposit Requirements. In lieu of cash deposits, or sureties, purchase orders will be accepted from public agencies.

5.15 Discontinuance Charge. If service is discontinued for non-payment of water bills or other violations of this ordinance, the customer shall pay a delinquent processing charge of ten dollars (\$10.00). Should the customer reactivate the service, without the consent of the County, an additional charge of one hundred dollars (\$100.00) will be made for each such occurrence. Service will be considered to have been disconnected when an employee of the County has been dispatched for that purpose. Termination of water service shall be in accordance with Article 11.

5.16 Fee for Turn-Off at Main. Should it become necessary to enforce discontinuance of service, to shut off the service at the main, a charge equal to the cost of labor, equipment and materials will be made. Said charge will be not less than \$250.00.

5.17 Delinquent Accounts. In addition to those conditions specified in Sections 5.15 and 5.16 above, there will be a charge for late payment. If payment is not received within thirty (30) days after the due date, a penalty on the outstanding balance will be charged in accordance with Article 7.3 and the service will be discontinued according to the procedure outlined in Article 11.

5.18 Unauthorized Use of Private Fire Service. When it is found that a private fire service is being used for purposes other than standby fire protection, the County shall notify the customer of the unauthorized use. Failure to discontinue unauthorized use will be cause for shutoff, and/or prosecution in accordance with Section 5.20. The customer may be charged for the water consumed through the unauthorized use, as the County may deem appropriate being consistent with established rates.

5.19 Damage to District Property. Persons causing damage to County property by any willful or negligent act shall be responsible for payment of costs incurred.

5.20 Prosecution for Illegal Use of Water. Any person who shall wrongfully and maliciously appropriate or use County water or wrongfully and maliciously interfere with any officer, agent, or employee of the County in the proper discharge of his duties shall be guilty of a misdemeanor and shall be fined in any sum not exceeding five hundred dollars (\$500.00) or imprisoned not to exceed ninety (90) days in the County jail or by both such fine and imprisonment; provided further, that the County damaged by any such act may also bring civil action for damages sustained by any such act, and in such proceeding the prevailing party shall also be entitled to attorney's fees and costs of court.

ARTICLE 6. BASIS FOR BILLING

6.1 All metered services shall be billed on the basis of service line size in accordance with the water usage charge and monthly rates in Article 4, Schedule B established by this ordinance.

6.2 All unmetered services or services with non-functioning meters shall be billed on the basis of service line size in accordance with the monthly rates in Article 4, Schedule A established by this ordinance. Meters will be replaced or repaired within one year by the County and these services will be converted to the usage charge and monthly rates in Schedule B.

6.3 Customers are responsible for payment of all water recorded as having passed through a meter regardless of whether the water was put to beneficial use.

6.4 The owner of the property shall be ultimately responsible for payment of water bills and fees in the case of non-payment by a tenant.

ARTICLE 7. TIME AND MANNER OF PAYMENT

7.1 Issuance of Bills. The County shall read the water meters in the service area monthly, and as soon thereafter as practicable, issue a bill for each service in accordance with this ordinance. The County shall send out bills for water used and for which no payment has been received, and shall use the rates and charges established by this ordinance to determine the amount.

7.2 Bills Due When Presented. Upon presentation, all bills shall be due and payable at the office of the Washoe County Treasurer.

7.3 Delinquent Accounts. Accounts not paid within 30 days of presentation are delinquent and shall be charged a ten dollar (\$10.00) late payment processing fee plus a penalty of 15% per annum on the outstanding balance.

7.4 Discontinuance of Service. The County may discontinue service to a customer having a delinquent bill.

7.5 Represents Lien on Property. Until paid, all rates, tolls and charges provided in this ordinance constitute a perpetual lien on and against the property served and may be foreclosed upon as provided by law.

7.6 Proration of Service Charges; Minimum Bill. If any opening or closing bill is for a period shorter than the regular billing period, the base rate charge and monthly flat rate charges for service shall be reduced in the same proportion as the actual period of use is reduced from the regular billing period.

7.7 Failure to Receive a Bill. Failure to receive a bill does not relieve the customer of the obligation to pay for services received.

7.8 Checks Not Honored by Bank. Checks presented in payment of bills which are returned by a bank shall be treated as though no payment had been made and a \$10.00 handling charge will be levied by the County plus any additional charges of the bank. Redemption of returned checks may be required to be by cash or equivalent. The customer must reimburse the County for any returned check fees charged by a bank to the County.

7.9 Multiple Water Bills. For the purpose of computing charges, each meter will be considered separately, and readings of multiple meters will not be combined, except where a battery of smaller meters has been installed in lieu of a larger one for the County's convenience. In such cases, charges will be computed as if the water used has been measured through a single meter.

7.10 Estimated Bills. If a meter cannot be read because of obstructions or other causes, an estimate shall be made of the quantity of water used, and a bill shall be issued for the estimated service. The next succeeding bill which is based upon actual meter readings will reflect the difference between prior estimates and actual consumption. If a meter is found to be nonoperable, consumption shall be estimated and billed, considering all pertinent factors.

7.11 Uniform Payment Plan. The uniform payment plan is available to residential customers of the Desert Springs water service area who have occupied the same residence for the past twelve (12) months and have a satisfactory payment record, and will be available for implementation twelve (12) months after the County begins billing customers of the service area. The uniform payment plan is designed to even out the seasonal differences in the customer's monthly water bills and is calculated as follows:

The previous twelve (12) months consumption (July through June) will be added together; and

Then multiplied by the rates and then adjusted for any projected rate changes; and

Then divided by twelve (12) and rounded up to the nearest whole dollar.

This will give the uniform monthly payment amount for the year to be budgeted. The amount shall be monitored by the County on a monthly basis and any difference or excess credited or charged to the customer's account. The uniform payment plan is optional and may be cancelled by the applicant at any time following proper adjustment procedures for any unpaid balances. The uniform payment plan payments will be calculated using the rate schedules established by this ordinance.

7.12 Disputed Bills. In the case of a dispute between a Customer and the County as to the correct amount of any bill rendered by the County for water service furnished to the Customer, the Customer will deposit with the County the amount claimed by the County to be due.

Failure to Make Deposit. Failure on the part of the Customer to make such deposit within fifteen (15) days after written notice by the County that such deposit be made or service may be discontinued, shall warrant the County in discontinuing the service to the Customer without further notice.

Arbitration of Dispute: In the event of dispute between the Customer and the County, respecting any bill, charge or service, the County shall forth with make such investigation as shall be required by the particular case, and report the result thereof to the Customer. In the event that the complaint cannot be satisfactorily adjusted, the County or Customer may make application to the County for adjustment of the complaint, and the County shall notify the Customer in writing or otherwise, that he has the privilege of appeal to the Board.

ARTICLE 8. APPLICATION FOR SERVICE

Each person applying for a new water service or changes in an existing service, will be required to sign appropriate application forms provided by the County and to pay all required fees and charges. The application form shall include an agreement to abide by all County rules and regulations and shall require furnishing such information as the County may reasonably require. Each applicant shall describe the type of development proposed for the property.

8.1 Existing Service Connection. Applicants for service through existing service connections shall provide required information on forms provided by the County.

8.2 New Service. No connection shall be made to a main unless a written application has been submitted by the property owner or his agent on forms provided by the County. The applicant shall provide any and all information which will assist the County in properly sizing and locating the service lateral and meter, including a description of the development, the use of water and plumbing plans of the private facilities if required. Applications shall be accompanied by payment of the service connection installation charge, plus the connection privilege fee. A written legal description of the property to be served shall accompany any application for service to property not within an approved subdivision.

8.3 Correct Information. In the event that an applicant provided incorrect information as to the size and location of a service connection or request a change in the size or location after work has commenced, the applicant shall pay any costs incurred by reason of such corrections and changes.

8.4 Rejection of Application. Applications for service through existing or new service connections may be rejected if:

a) The account of the applicant at the same or other location is delinquent.

b) The purpose of the applicant, in the opinion of the County, is to circumvent discontinuance of service in another name because of non-payment of water bills.

8.5 Service Outside Service Area Boundary. Only property within the service area boundary is eligible for water service from the County. Property outside the service area must be annexed into the service area before application can be made for water service to the property.

ARTICLE 9. SERVICE CONNECTIONS

9.1 Size and Water Supply. The County reserves the right to determine the size of the service connection to be installed, giving consideration to the needs of the applicant and the capacity of the main to which the service is to be connected. No service connection shall be approved of a size larger than can be supplied by the main without adversely affecting service to other customers.

In the event an existing main is determined to be inadequate to meet the requirements of an applicant and a main extension will provide for those requirements, provisions of this ordinance applying to main extensions will be followed.

Whenever two mains are available from which service can be provided, the County shall, at its option, determine the main to which the service connection will be made.

9.2 Location. Service connections shall be installed at right angles to a main and the point of connection shall not be within a street intersection. The curb stop or meter box location shall be within the public right-of-way or easement adjacent to existing or proposed curb line. In alleys or easements, curb-stops or meter boxes shall be located at a point as close as practicable to the property line near which the main is located. All curb stops and meter boxes shall be located outside of driveways and other areas where access by County personnel for operation and maintenance may be restricted.

9.3 Composition. A standard service connection shall be comprised of a service lateral from the point of connection, to the main, to and including a meter box or battery thereof. the main, to and including a meter box or battery thereof. The meter box shall contain a meter riser with integral curb stop and check valve, and a meter.

9.4 Ownership. Service connections, including laterals, to and including curb stops, meter boxes, and other appurtenances, shall be and remain the property of the County and the County shall be responsible for the maintenance and repair of such facilities subject to any agreements covering the installation of such facilities.

All pipe and fittings on the customer's side of the curb stop and/or meter box shall be installed by and maintained by the property owner.

9.5 Private Fire Service. Private fire service shall be restricted to standby for emergency fire protection. The County may require installation of an approved detector check valve.

9.6 Combined Service. Combined service shall be allowed only when so approved by the County.

9.7 Temporary Service. The County may authorize a temporary service connection when the applicant's property is not adjacent to a water main. As a condition to installation of temporary service, the applicant is required to make application for a main extension and pay applicable fees in accordance with the provisions of Article 10 and must have specific approval of the County.

9.8 Emergency Service. Emergency service may be authorized for limited periods of time when the usual source of supply fails or is declared to be potentially harmful or in other circumstances that endanger health or property. Connections may be provided, at the discretion of the County, to any available outlet from County Facilities.

9.9 Non-Standard Service. Non-standard service may be authorized when in the opinion of the County, a main extension will never be necessary for orderly development of the system, fire protection, service to other property or other reasons. Non-standard service laterals from curb stop of meter box to the customer shall not be located within public thoroughfare. A copy of the recorded easement grant over private property for service lateral shall be made available to the County.

9.10 Separate Service To Each Separate Ownership. Each dwelling or commercial unit under separate ownership must be provided with a separate service connection. Two or more houses under one ownership and on the same lot or parcel of land may be supplied through the same service connection; provided that for each house under a separate roof an additional monthly base rate will be applied to the single service serving said houses, or a separate service connection may be provided for each building and each charged as a separate service. The County reserves the right to limit the number of houses or the area of land under one ownership to be supplied by one service connection. Not more than one service connection for domestic or commercial supply shall be installed for one building, except under special conditions. A service connection shall not be used to supply special conditions. A service connection shall not be used to supply adjoining property of a different owner to supply property of the same owner across a street or alley. 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.

9.11 Planned Unit Developments. A planned unit development may consist of attached or detached single family units, townhouses, cluster units, condominiums, garden apartments, or any combination thereof. A separate service connection shall be required for each dwelling unit within the development. Separate connections shall be required for common areas, including irrigation, recreation and utility. Such areas or buildings shall not be interconnected or served directly from services providing water to dwelling units. If the circumstances are such that separate services to each dwelling unit are not practical, as determined by the County, each building containing individual dwelling units shall have a separate service.

9.12 Installation Of County Facilities By A Developer. Subject to the provisions of applicable sections of these service rules, the following shall apply to the installation of all facilities which are to be owned and operated by the County.

a) The developer shall pay to the County prior to the approval of any installation of water facilities or subdivision map, all applicable fees and charges in accordance with the rate schedule then in effect.

b) Plans and Specifications for the water system improvements to be constructed by the developer shall be prepared by a Nevada Professional Engineer retained by the developer and shall be approved by the Utility Division of the Public Works Department, the Washoe County District Health Department and the Truckee Meadows Fire Protection District before construction is started.

c) All water facilities except services to be owned by the County shall be located within easements or rights-of-way. Water meter boxes shall be located outside of travel lanes and driveways and shall be protected from vehicular traffic, as determined by the County.

d) The County shall have inspected and approved the installation of the water service facilities before service is provided other than water for construction purposes.

e) Prior to installation, fire hydrants to be connected to a County main shall be approved by the fire department having jurisdiction.

9.13 Installation By County. Service connections, other than in subdivisions, shall be installed by the County. When warranted by circumstances, the County may permit installation of the service connections by independent contractors. In such event, County specifications must be adhered to and tapping of a main will be permitted only in the presence of a representative of the County.

9.14 Cross-Connections. No connections shall be permitted between the County water supply system and; 1) any sewer or draining system; 2) any steam, gas, or chemical line, pipe or conduit; 3) any device, boiler, tank or container whereby any contamination or pollution or any dangerous, impure, unsanitary, or unpotable substance may be introduced into any portion of the County's water supply system by backflow, back-siphonage, or any other method; and 4) any premises where a water supply system other than the County's exists. Any connection where possibility of contamination or

pollution exists shall be equipped with County approved backflow prevention installation constructed, tested, and maintained by the County at the customer's expense. Any subsequent testing, inspection or maintenance shall be done at the customer's expense. At the customer's option, the device may be installed by a properly licensed contractor. The installation must be approved and inspected by a County representative.

9.15 Service Connection Restrictions. The County reserves the right to prohibit connections to certain mains when, in its opinion, such connections may impair the integrity of such mains or when the location of such connection would not be conducive to orderly development and planning of the distribution system. In such conditions, consideration will be given to main extension or alternate means of supply.

9.16 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 valves or other protective devices are used. The relief valve shall be installed between the check valves and the water heater.

9.17 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 County'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. The double check valve or other approved back flow protection devices may be inspected and tested periodically for water tightness by the County. The devices shall be serviced, overhauled, or replaced whenever they are found defective and all costs of repair and maintenance shall be borne by the customer. The service of water to any premises may be immediately discontinued by the County if any defect is found in the backflow prevention installation or other protective devices, or if it is found that dangerous unprotected cross-connections exist. Service will not be restored until such defects are corrected.

ARTICLE 10. MAIN EXTENSION

10.1 GENERAL CONDITIONS

a) Construction Plans. A person proposing an extension to the County distribution system to provide a water supply to a subdivision or other parcel of property shall submit a copy of the recorded subdivision map, if applicable., and four (4) prints (24" x 26") of detailed water plans. Such plans shall indicate the size and location (horizontal and vertical) of water mains and other facilities, including all service laterals and fire hydrants. In addition, water plans shall designate boundaries of the applicant's property which will be served by the proposed extension.

The County will review the water plan and return one (1) print to the applicant indicating any necessary revisions. The applicant shall prepare and submit to the County a reproducible mylar and two (2) copies of the water plan conforming with the revised print. Upon execution of the appropriate agreement by the applicant; payment of applicable charges, fees,

and deposits; and approval of other appropriate governmental agencies, the County will give the applicant written permission to start construction. No water related construction will be started before written permission is issued by the County.

b) Time Limitation. Approval by the County for any main extension shall be valid for a limited time as will any related commitment of existing capacity in a particular main. In the event that construction of the mains covered by any approved plan is not started within one (1) year from the date of approval, the project shall be assumed to have been abandoned, and any subsequent proposal for reactivation shall be treated as a new project. The same shall apply when active construction work within a subdivision is discontinued for a period of one (1) year.

c) Compliance With Specifications. All main extensions, service connections, and appurtenances shall be constructed to conform with County specifications. Mains shall be sterilized to the satisfaction of the County and activation of the mains for domestic use shall not be permitted until authorized by the County. Connections to existing mains shall be made only in the presence of a representative of the County and at times specified by the County. Shutting down of mains for the purpose of making connections will not be permitted when wet taps are feasible. Mains will be shut down only with the specific approval of the County.

d) Guarantee. Materials and workmanship shall be guaranteed free of defect for a period of one (1) year from date of acceptance by County. Upon receipt of notice from the County, the developer or customer shall immediately cause any defect to be corrected, or shall reimburse the County for the cost of correction.

e) Rights-Of-Way. Water mains and appurtenances shall be located within dedicated rights-of-way or within easement grants to the County not less than 20 feet in width or as the County may specify. All rights-of-way or easements shall be indicated on the main extension plans submitted and recorded prior to release of approved plans.

f) Minimum Size Of Mains. The minimum size of any main to be constructed as a part of the County's distribution system shall be six (6) inches in diameter; except in certain dead end locations where there are no fire hydrants and future extensions are not possible, the County may allow mains four (4) inches in diameter.

g) Fire Hydrants. Fire hydrant installations shall conform with design and location requirements of the governmental agency having jurisdiction.

h) Commitment Of Water Supply. Main extensions constructed by persons for development of subdivisions or other property shall not be considered as reserved for supply to those properties exclusively. Extensions of and connections to such mains shall be permitted when, in the opinion of the County, such connections will not substantially affect supply to the original development or property.

10.2 STANDARD MAIN EXTENSIONS

a) General Conditions. Main extensions proposed for construction under provisions of this section shall be subject to the general conditions as described in Article 10.1.

b) Size Of Mains. Proposed water main extensions to serve subdivisions or other developments, both on-site and off-site, shall be of sufficient size to adequately provide a water supply for the development. The County reserves the right to establish sizes of all mains and appurtenances.

c) Responsibility For Cost. The cost of all main extensions to be constructed under Article 10.2 including service laterals, fire hydrants, and other appurtenances, shall be borne by the developer or customer.

d) Agreement And Payment Of Fees. Prior to the County's written permission to start construction, the developer or customer shall execute a standard form of agreement with the County and submit payment of all required fees, construction water charges, and other fees and deposits as required by this ordinance and the approved Schedule of Rates and Charges then in effect. The standard form of agreement, see paragraph 10.1, shall provide for, among other things, vesting of title in the County to all mains and other facilities, and upon acceptance by the County, for its assumption of responsibility for operation and maintenance.

e) Construction By Private Contractor or District. Design and preparation of construction drawings shall be done by competent registered professional engineer selected by the applicant. Construction work shall be performed by an experienced and competent person or firm selected by the applicant. In certain circumstances when, in the opinion of the County, the extent of work to be performed is minor and can be accomplished efficiently and economically by County forces, the applicant shall deposit an amount equivalent to the estimated cost. Upon completion of construction, the differential between estimated and actual costs will be billed or refunded.

Upon completion of the work, the applicant's engineer shall certify that the work was completed according to the plans and specifications, except in the case of work completed by the County. Water service will not be activated until the engineer's certification is submitted to the County and the County accepts the constructions.

10.3 OVERSIZED MAIN EXTENSIONS

a) General Conditions. Main extensions proposed for construction under provisions of this section shall be subject to the general conditions described in Article 10.1.

b) Applicability. For the purpose of this section, an oversized main is described as a main larger than eight inches (8") and which, in addition to providing an adequate water supply to the proposed development, either subdivision, commercial industrial, or single-residential property, is required to be of a size which will be capable of meeting future demands on the distribution system and provide for orderly development of that system. The County reserves the right to determine what constitutes an oversized main.

c) Location of Mains. Oversized mains may be off-site (out-side the boundaries of a subdivision or other development) or traverse the interior area of a subdivision or combination thereof.

d) Identification of Mains. The County shall indicate and identify on water plans submitted for a proposed development both the standard and oversized diameters of pipelines to be constructed.

e) Approval by County Required. Proposals for oversizing of water mains shall be submitted to the County for review and approval. Water plans, conforming with the County's directive, shall then be approved and the County shall enter into an agreement with the developer or customer, providing for the County's participation in construction costs as hereinafter set forth.

f) Agreement and Payment of Fees. Prior to release of the County approved construction, the developer or customer shall execute the agreement referred to above (Article 10.2.d), submit payment of all required fees, construction water charges, and deposits as required by this ordinance and the approved Schedule of Rates and Charges then in effect.

g) Participation in Cost. Participation by the County for the oversizing of a main extension shall be based on the difference in actual cost of pipe, fittings, and valves between the size required for the main extensions and the size required for oversizing. The cost difference shall be established by a certified price list from the supplier. Prices quoted on the list shall be the actual prices charged to the buyer.

Hydrants installed by the developer on off-site lines shall not be considered as oversizing.

h) Alternate Method of Payment. The County may, in lieu of a lump sum payment of the County's portion of the construction costs, arrange with the developer or customer for an alternate method of payment from future hook-ups for a period of ten (10) years.

10.4 MAIN EXTENSIONS TO SINGLE RESIDENTIAL PROPERTIES

a) Application. In lieu of the methods described above in Article 10, the owner of a single residentially zoned lot may make application for the County to install the necessary main extension to provide services to the single lot. The applicant for service under this section shall submit to the County, the following information and fees and meet the following requirements. Such submittal shall be in a form prescribed by the County.

1. Legal description of property to be served.
2. Provide a dedicated right-of-way or easement in which the main is to be located.
3. Execution of a residential main extension agreement.
4. Other information as required.

5. Payment for the installation of the main shall be in accordance with the "Residential Main Extension Fee" schedule and payment for the complete service connection and any other charges set forth in Article 5, "Other Charges, Fees and Deposits".

The length of main to be installed shall be as necessary to go from the existing main to a point 20 feet past the property line of the property receiving service, closest to the existing main. The County shall commence construction of the main within 120 days from date of execution of the residential main extension agreement.

b) Main Size. The diameter of the main extension shall be as determined by the County.

c) Fire Hydrants. Fire hydrants will be constructed with mains installed under the provisions of Article 10.4 at such locations determined by the controlling fire agency.

d) Rights-of-Way. Mains and appurtenances installed under the provisions of Article 10.4 shall comply with the right-of-way requirements of paragraph 10.1.e. It shall be the responsibility of the applicant to secure such right-of-way as required by the County prior to application to the County for the installation of the main.

e) Refund of Connection Charges to Residential Main Extensions. Residential main extension agreements shall include provisions to refund part of the Residential Main Extension Fee with funds collected from Residential Main Extension Refund Fees charged for connection to the main covered and the residential main extension agreement. The amount of refund fees collected within 10 years from the acceptance of the main shall not exceed the amount of payment by the applicant for the main less an amount of \$10.00 per foot of frontage of property owned by the applicant which is served by the main extension.

ARTICLE 11. TERMINATION OF SERVICE

11.1 Customer's Request for Termination of Service. A Customer may have service terminated by giving not less than five (5) days advance notice thereof to the County, and provide a mailing address to which the closing bill will be mailed. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required five (5) days advance notice. When such notice is not given, the Customer will be required to pay for service until five (5) days after the County has knowledge that the Customer has vacated the premises or otherwise has terminated service. Failure to notify the County of termination of service shall not relieve the customer or property owner, of other than the customer, of responsibility for payment of water bills.

11.2 Termination of Service by County.

a) For Nonpayment of Bills. A Customer's service may be discontinued for nonpayment of a bill for service furnished if the bill is not paid within thirty (30) days after presentation, provided the County has given the Customer at least five (5) days prior notice of such intention.

Premises to which charges have become delinquent may be disconnected from the water system. The County shall charge the cost of disconnection of such premises and the cost of reconnection thereto, as outlined in Article 5.2, plus the discontinuance charge in Article 5.15, before such premises are reconnected to the water system. The amount of the cost of disconnection and reconnection over the deposit shall constitute a charge and be collected as such. The amount of the deposit not used shall be repaid or applied as a deposit.

b) For Noncompliance With Rules. The County may discontinue service to any Customer for violation of these rules after it has given the Customer as least five (5) days written notice of such intention. Where safety of water supply is endangered, service may be discontinued or curtailed immediately without notice.

c) For Negligence, Inter-Connections, Cross-Connections, or Illegal Connections. Where negligence, inter-connection, cross-connection, or illegal connection on or from a Customer's premises occurs, the County may make such corrections as may be indicated at Customer's expense, if such practices are not remedied within five (5) days after it has given the Customer written notice to such effect.

d) For Unsafe Apparatus or Where Service is Detrimental or Damaging to the County or its Customers. If any unsafe or hazardous condition is found to exist on the Customer's premises, or if the water therefrom, by apparatus or illegal or prohibited connections, apparatus, equipment or otherwise, is found to be detrimental or damaging to the County or its Customers, the service may be discontinued without notice. The County will notify the Customer immediately of the reasons for the discontinuance and the corrective action to be taken by the Customer before service can be restored.

e) For Fraudulent Use of Service. When the County has discovered that a Customer has obtained service by fraudulent means, or has altered the water service for unauthorized use, the service to that Customer may be discontinued without notice. The County will not restore service to such Customer until that Customer has complied with all filed rules and reasonable requirements of the County and the County has been reimbursed for the full amount of the service rendered and the actual cost that the County incurred by reason of the fraudulent use.

11.3 Restoration of Service.

a) To be Made During Regular Working Hours. The County will endeavor to make reconnections during regular working hours on the day of the request, if conditions permit; otherwise, reconnection will be made on the regular working day following the day the request is made.

b) To be Made at Other Than Regular Working Hours. When a Customer has requested that the reconnection be made at other than regular working hours, the County will reasonably endeavor to so make the reconnection if practicable under the circumstances, but will be under no obligation to do so, unless an emergency exists.

11.4 Refusal to Serve.

a) Conditions for Refusal. The County may refuse an Applicant for service under the following conditions:

1. If the Applicant for service is not within the boundaries of the Service Area.
2. If the intended use of the service is of such a nature that it will be detrimental or injurious to existing Customers.
3. If the Applicant fails to comply with any of the rules as approved by the Board.
4. If, in the judgment of the County, the Applicant's installation for utilizing the service is unsafe or hazardous or subject to freezing, or flooding, or of such nature that satisfactory service cannot be rendered.
5. Where service has been discontinued for fraudulent use, the County will not serve an Applicant until it has determined that all conditions of fraudulent use or practice have been corrected.

b) Notification to Customers. When an Applicant is refused service under the provisions of this rule, the County will notify the Applicant promptly, by procedures outlined in Article 3.12, of the reason for the refusal to serve and of the right of the Applicant to appeal the County's decision to the Board. Whenever termination of water service will effect more than one dwelling unit, the County will make reasonable effort to give notice to all dwelling units. The County shall cause notice to be given at least five (5) calendar days but not more than fifteen (15) calendar days prior to the date of intended termination.

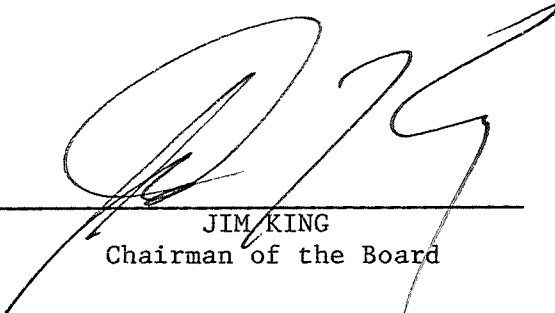
Proposed on the 14th day of May, 1985.
 Proposed by Commissioners Lillard.
 Passed on the 13th day of August, 1985.

Vote:

Ayes: Commissioners: Lillard, McDowell, King, Ritter & Williams

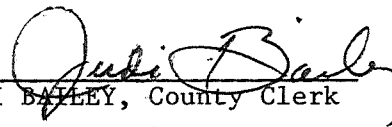
Nays: Commissioners: None

Absent: Commissioners: None



JIM KING
Chairman of the Board

ATTEST;



JUDI BAILEY, County Clerk

This ordinance shall be in force and effect from and after the 26th
 day of August, 1985.