INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT
ONE DISTRICT ~ ONE TEAM

Resolution No. 1931

A RESOLUTION AMENDING ORDINANCE NO. 4
An Ordinance Establishing Rates, Rules, and Regulations for Water Service by the Incline Village General Improvement District

WHEREAS, on the 14th day of October 2026, a public hearing was held by the Board of Trustees of the Incline Village General Improvement District to consider the adoption of amendments to Ordinance No. 4, titled "An Ordinance Establishing Rates, Rules, and Regulations for Water Service by Incline Village General Improvement District and

WHEREAS, notice of said hearing was properly published; and

WHEREAS, testimony was presented as to the necessity for the adoption of the proposed amendments; and

WHEREAS, all interested parties were allowed at the public hearing and prior thereto, to present in writing or orally, information, views, and arguments; and

WHEREAS, the Board of Trustees, after considering all of the testimony, information, views and arguments, have determined that adoption of the proposed amendments is in the best interests of the District and is required.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT, that it hereby amends Ordinance No. 4 as shown in Exhibit A attached hereto, effective immediately.

* *

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted at a regularly held meeting of the Board of Trustees of the Incline Village General Improvement District on the 14th day of October 2026, by the following vote:

AYES, Trustees Michelle Jezycki, Mick Homan, Dave Noble, Ray Tulloch, and Chair Michaela Tonking
NOES: N/A
ABSENT: N/A

Dave Noble,
Board Secretary

Attest: Heidi White,
District Clerk

Exhibit A

ORDINANCE NO. 4

WATER ORDINANCE

AN ORDINANCE ESTABLISHING RATES, RULES AND REGULATIONS FOR WATER SERVICE BY THE INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT

As Adopted on October 14, 2026
Resolution No. 1931

INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT

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ARTICLE 1 - GENERAL PROVISIONS

1.01 Short Title

This Ordinance may be cited as "Incline Village General Improvement District Water Ordinance" and is hereinafter referred to as “Ordinance.”

1.02 Enabling Statutes

This ordinance is adopted pursuant to NRS 318.170, 318.197, and 318.205, together with NRS 318.100 through 318.101, 318.116 (10), 318.140, 318.145, 318.175, and 319.199.

1.03 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.

1.04 Water System

The District will furnish a system, plant, works and undertaking used for and useful in obtaining, conserving and disposing 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.

1.05 Separability

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

1.06 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.

1.07 Maintenance of Water Pressure and Shutting down for Emergency Repairs

The Board shall not accept any responsibility for the maintenance of pressure, and it reserves the right to discontinue service while making repairs and when necessary for the protection of property. Consumers dependent upon a continuous supply should provide emergency storage.

1.08 Tampering With District Property

No one except an employee or representative of the District shall at any time in any manner operate the meter curb stops, valves, or gate valves of the District's system; or interfere with meters or the connections, lock-out tags, meter stakes, street mains or other parts of the water system. Penalty for

violation of this section may be fined as shown in the current Fee Schedule. Mainline tapping accepted with a State of Nevada "A" contractor's license issued by the Nevada State Contractors Board.

1.09 Posting

The adoption of this Ordinance shall be entered in the minutes of the Board and certified copies hereof shall be posted in accordance with the State of Nevada Open Meeting Law, NRS 241, Section 020, pertaining to posting requirements.

1.10 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, they 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 were 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.

1.11 Relief on Own Motion

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

1.12 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, charges and penalties of this District, the Customer's service shall be discontinued and the water shall not be supplied to such Customer until they 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 they shall have satisfied the District that in the future they will comply with all the rules and regulations established by ordinance of the District and with all rates and charges of this District.

1.13 Ruling Final

All rulings of the Board shall be final. All rulings of the General Manager shall be final unless appealed in writing to the Board within fourteen (14) calendar days. All rulings of the Director of Public Works shall be final unless appealed in writing to the General Manager within fourteen (14) calendar days.

ARTICLE 2 - DEFINITIONS

2.01 Accessory Dwelling Unit (ADU)

A secondary residential dwelling unit located on the same parcel as a primary residence that contains complete and independent living facilities, including permanent provisions for living, sleeping, eating, cooking, and sanitation. For purposes of this Ordinance, an ADU shall constitute a separate dwelling unit – whether attached or detached - for determining sewer capacity, connection requirements, user charges, inspections, and other utility service obligations as established by this Ordinance.

2.02 Additional Definitions

For the purpose of this ordinance, additional terms not specifically defined herein shall have the meaning indicated in Chapter 1 of the most recently adopted edition of the plumbing code entitled "Uniform Plumbing Code", (UPC) compiled by the International Association of Plumbing and Mechanical Officials, copies of which are on file with the District.

2.03 Administrative / Customer Service Account Charge

Portion of the monthly billing assessed to each water account for administrative and customer service costs.

2.04 Agent

A person or firm, corporation, partnership or association duly authorized with supporting documentation to complete requirements and performances of this ordinance.

2.05 Applicant

A person, firm, association, corporation or governmental agency applying for water service.

2.06 Application

A written request for water service as distinguished from an inquiry as to the availability or charges for such service.

2.07 Auxiliary Water Supply

Any water supply on or available to the premises other than the District's potable water supply. These auxiliary water supplies may include water from wells, streams, lake, springs, creeks, rainfall collection systems, another purveyor's water supply water or any other water source which the District does not have sanitary control over.

2.08 Average Month

Shall mean thirty (30) days.

2.09 AWWA

The American Water Works Association.

2.10 Billing Period

The regular billing period will be monthly or at the discretion of the District.

2.11 Board

The Board of Trustees of the District.

2.12 Building

A structure used for human habitation or a place of business, recreation or other purpose containing water facilities.

2.13 Capacity Adjustment Factor

The relative flow of each water service size as compared to that of a ¾" water service.

Water Service Size	Capacity Adjustment Factor (CAF)
1"	1.67
1.5"	3.33
2"	5.33
3"	10.00
4"	16.67
6"	33.33
8"	53.33
10"	76.65

2.14 Capital Improvement Charge

That portion of the monthly billing to pay for capital costs of service. For billing purposes, customers will be billed this rate multiplied by the appropriate capacity adjustment factor for their service size.

2.15 Contractor

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.

2.16 Correction Notice

A written administrative enforcement document issued by an official District representative identifying a violation of a water ordinance or related regulations, describing the corrective action required to achieve compliance, specifying the time allowed for correction, and advising the customer of the consequences of failing to comply, including possible civil, administrative, or judicial enforcement.

2.17 County

The County of Washoe, Nevada.

2.18 Cross-Connection

Any unprotected actual or potential connection or structural arrangement between a public or a consumer's potable water system and any other source or system through which it may be possible to introduce into any part of the potable water system any used water, industrial fluids, gas, or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, pressure regulators, expansion tanks, check valves, swivel or change over devices and other temporary or permanent devices through which or because of which backflow can occur are considered to be "cross connections."

2.19 Customer

The person in whose name service is rendered, as evidenced by the signature on the application or contract for that service, or in the absence of a signed instrument, by the receipt and payment of bills

regularly issued in his name regardless of the identity of the actual user of the service. In the case of single family or individually metered multiple family residences, the Customer shall be the owner of the property served, but the billing for service may be sent to the owner in care of his agent with signed authorization from the owner.

2.20 Customer Supply Line

All piping between the house piping and the Service Connection.

2.21 Customer Service Valve

The control valve downstream of the meter and meter box on the owner's property side of the service assembly.

2.22 Date of Presentation

The date upon which a bill or notice is postmarked or delivered to the Customer by the District.

2.23 Director of Public Works

The person appointed to perform the duties of Director of Public Works.

2.24 District

Incline Village General Improvement District (IVGID).

2.25 District Engineer

The Engineer appointed and acting for the District and shall be a Registered Civil Engineer in the State of Nevada.

2.26 District Service Line

All piping between the District water main and the Service Connection(s).

2.27 Excess Water Charge

That portion of the monthly billing to pay excess costs of supplying water above baseline amounts. Excess amounts for customers are calculated based on tiered consumption which determines the cost for all water used greater than the gallon threshold set in the current Schedule of Service Charges multiplied by the capacity adjustment factor.

2.28 Fixed Charge

That portion of the monthly billing to pay for fixed costs of services. For billing purposes, commercial customers will be billed this rate multiplied by the appropriate capacity adjustment factor for their service size.

2.29 Fixture Unit

As defined in the current adopted version of the Uniform Plumbing Code and the International Association of Plumbing and Mechanical Officials as approved by the Director of Public Works.

2.30 General Manager

Is the General Manager of the District.

2.31 House Piping

All piping and fittings installed within the house or building, up to and including the last fitting inside or outside the wall.

2.32 Inspector

That person so designated by the District Engineer to perform inspections, tests, fixture unit counts, and related work in determining compliance with IVGID Standard Specifications for Construction and ordinances.

2.33 Irrigation

The controlled application, conveyance, distribution, or use of water to land, landscaping, vegetation, trees, shrubs, lawns, open spaces, or other areas for the purpose of sustaining, maintaining, cultivating, or establishing vegetation or landscaping, and includes the operation and use of irrigation systems, facilities, pipelines, laterals, valves, meters, pumps, storage facilities, sprinklers, drip systems, and other appurtenant infrastructure used for such purposes.

2.34 Law

Any statute, rule, ordinance, bylaw or regulation established by Federal, State, County, or Municipal authorities.

2.35 Main Extension and/or Capacity Enhancement

The extension or replacement of water distribution mains and necessary facilities beyond existing service facilities in accordance with the provisions of this ordinance applicable to main extensions and/or capacity enhancements.

2.36 Meter Curb Stop

The control valve on the inlet side of the meter, located within the meter box for use by District employees only.

2.37 Metered Service

Is a service for which charges are computed on the basis of measured quantities of water, sewage, or liquid wastes.

2.38 Owner

The person owning the property, 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 building under claim of, or exercising acts of ownership over same for himself/herself, or as executor, administrator, guardian or trustee of the Owner.

2.39 Permanent Service

A service which, in the opinion of the District, is of a permanent and established character. The use of water may be continuous, intermittent or seasonal in nature.

2.40 Permit

Any written authorization required pursuant to this or any other regulation of District for the installation of any water works.

2.41 Person

Any individual, partnership, corporation, governmental agency, or other organization operating as a single business entity.

2.42 Point of Sale

The transfer of ownership of real property by sale, exchange, installment contract, land contract, or other conveyance for valuable consideration. The point of sale begins when the owner enters into a legally enforceable agreement to transfer ownership and continues through the closing of the transaction, recording of the conveyance, transfer of water utility service responsibility, and satisfaction of all water-related conditions required by this Ordinance.

2.43 Premises

All of the real property and services to a single integrated activity operating under one name to one or more buildings, locations or services, provided: (a) such buildings, locations or services are to a single unit of property; or (b) such buildings, locations or services are on two or more units of property immediately adjoining except for intervening public highways, streets, alleys or waterways.

2.44 Private Communal Water System

Any system served by District water under the responsibility for maintenance by others and ownership by others.

2.45 Public Service Recreation

Accounts where the primary irrigation water use is for outdoor parks and recreation accessible to the public, and as such are not subject to excess water charges as defined in the current Schedule of Service Charges. These include parks and recreation facilities, golf courses, snowmaking, and school playgrounds and fields. Customers may submit a written petition to the Director of Public Works requesting qualification as a Public Service Recreation irrigation account.

2.46 Regular Water Service

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

2.47 Service Classification

Shall be defined as follows:

A. **Commercial Service:** Service to Customers engaged in selling, warehousing, or distributing a commodity, in some business activity, or in a profession, or in some form of economic or social activity (offices, stores, clubs, schools, hotels, etc.) and for purposes that do not come directly under another classification of service.

Effective on May 1, 2017, all parcels proceeding through a building permit that changes the square footage or the mix of commercial and residential use on the premise will be evaluated as either commercial or domestic service and billed connection fees and water and sewer rates accordingly. Premises that have both residential and commercial use shall be billed as a commercial service if the total square footage of the occupied building space is greater than 50% commercial. Garages, sheds, and other auxiliary spaces are not used for this calculation.

B. **Domestic Service:** Service to a residential Customer. Effective on May 1, 2017, all parcels proceeding through a building permit that changes the square footage or the mix of commercial and residential service on the premise will be evaluated as either commercial or domestic service and billed connection fees and water and sewer rates accordingly. Premises that have both residential and commercial use shall be billed as a residential service if the total square footage of the occupied building space is greater than 50% residential. Garages, sheds, and other auxiliary spaces are not used for this calculation.

C. **Mixed Use Service**: Mixed use service has commercial and residential service. Mixed use premises may install two separate water and sewer services to separate the commercial from the domestic uses and pay appropriate rates and connection fees for domestic and commercial service.

D. **Industrial Service:** Service to Customers engaged in a process which creates or changes raw or unfinished materials into another form or product (factories, mills, machine shops, pumping plants, etc., i.e., in extractive fabrication or processing activities).

E. **Irrigation Service:** Service to Customers for agricultural, floricultural or horticultural use shall be billed as a commercial service.

F. **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.

G. **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.

H. **Single Family Residential Unit:** A single family residential unit shall mean a single family dwelling that is designed for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.

This service classification can include a family operated business within or part of the family residence, and the supporting services to the family residence, and the supporting services to the family residential customer on the same un-subdivided premises as the family residential unit. An Accessory Dwelling Unit (ADU), as defined in Section 1.01, may also be located on the same premises and shall be considered an additional residential use and an additional user for purposes of this Ordinance. The fixture unit count for these services shall be added to the single-family unit in determining connection charges.

I. **Multi-Family Residential Unit:** The place of residence of a single family dwelling within a multi-unit complex, Common Interest Community, mixed use service with greater than 50% square footage of residential area, or Condominium Hotel. The single family dwelling premises and the service thereto, whether a separate building, a multiple building, a townhouse, an apartment, a mobile home, a condominium or any other type of living unit that is designed for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes. Clubhouses, pool-houses, restaurants and similar facilities that are part of a multi-unit complex, Common Interest Community, or Condominium Hotel will be counted as additional units for billing purposes in determining base rates.

2.48 Service Connection

The point of connection where the Customer's Supply Line connects with the District's water meter. If the water meter is at a location other than the property line or easement boundary, the Service Connection is where the Customer Supply intersects the property line or easement boundary. The water meter is the property of the District and may be placed at a location other than the property line or easement boundary for the convenience of the District.

For unmetered connections such as fire hydrants or Private Fire Protection Service the point of ownership of the Service Connection is where the piping connects with the District's water main.

The pipeline and appurtenant facilities such as the service saddle, corporation stop, District Service Line, meter curb stop, meter and meter box, all used to extend water service from a main to premises, are property of the District. Where services are divided at the property line to serve several customers, each such branch service shall be deemed a separate Service Connection.

2.49 Service Size for Billing Purpose

Water service size for billing purposes is a single size even when compound water meters are used. The water service size for billing purposes is determined by correlating the calculated demand for the customer service connection using the Uniform Plumbing Code or from standard engineering practice to a standard water meter flow rate capacity. This calculated water service size for billing purposes may vary from the actual meter size installed because certain site conditions necessitate the installation of a larger meter than required by the flow capacity and/or modern turbo meters span a very large range of flow rates.

2.50 Temporary Water Service

Water service and facilities rendered for construction work and other uses of limited duration, and the water available therefore.

2.51 Variable Cost

That portion of the monthly billing used to pay for the variable costs of service, which are calculated based on water use.

2.52 Water Main

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

2.53 Water Waste

Water waste is the negligent or wasteful discharge of water from a hose, sprinkler head, irrigation pipe, water main, indoor and outdoor plumbing fixtures and/or water service, which is flowing into the sanitary sewer system, street, roadside ditch, storm drain, driveway, adjacent property and/or sidewalk creating puddles, streams of water or flooding during an extended period of time. Water Waste may apply to water loss resulting from an identified leak(s) that has been communicated in a Notice to Customer if a Customer refuses or fails to address in the time allowed in the Notice.

2.54 Will-Serve Letter

As used herein a "will-serve" letter means a letter written by the District at the request of an applicant with respect to a subdivision, commercial or multi-family residential project to confirm (1) that the subdivision or project is within the District boundaries and (2) that, if water is available to serve the proposed connection(s) at the time service is requested under the standards set forth in Article 5, the District is willing to provide water service thereto upon compliance with all District requirements and payment of all applicable District fees and charges.

ARTICLE 3 - NOTICES

3.01 Notices to Customers

Notices from the District to a Customer will normally be given in writing, and either delivered by hand, electronically or mailed to them at their last known address. Where conditions warrant and in emergencies, the District may resort to notification either by telephone or messenger.

3.02 Notices from Customers

Notice from the Customer to the District may be given by them or their authorized representative in writing to the District's office.

ARTICLE 4 - WATER DEPARTMENT

4.01 Creation

A Water Department is hereby created comprised of the Board, General Manager, and Director of Public Works.

4.02 General Manager

The General Manager shall have full responsibility for the maintenance, operation and construction of the water works and system. He/She shall have full power and authority to employ and discharge all employees and assistants. He/She shall prescribe the duties of employees and assistants. He/She shall fix and alter the compensation of employees and assistants subject to approval by the Board. He/She shall have charge of all employees and assistants. He/She shall perform such other duties as are imposed from time to time by the Board, and shall report to the Board in accordance with the rules and regulations adopted by the Board.

4.03 Director of Public Works

The position of Director of Public Works is hereby created. He/She shall have charge of the Utilities of the District. This shall include all maintenance, operation and construction of the water works, and the billing for and collecting the charges herein provided. He/She shall perform such other duties as shall be determined by the General Manager.

A. **Duties.** The Director of Public Works shall compute, prepare and mail bills as hereinafter prescribed; make and deposit collections, maintain proper books of account, collect, account for and refund deposits, do whatever else is necessary or directed by the Auditor of the District to set up and maintain an efficient and economic bookkeeping system and perform any other duties now or hereafter prescribed by the Board.

(1) He/She shall regularly inspect all physical facilities related to District Water System, to see that they are in good repair and proper working order, and to note violations of any water regulations. He/She shall also perform the duties of water Inspector.

(2) He/She shall set the design criteria for and provide approval of public and communal water systems and maintain compliance with all of the provisions of the ordinance, rules and regulations of the District.

B. **Violation, Repairs**. He/She shall report any violations or disrepair promptly to the General Manager. If the work required is in the nature of an emergency, he/she shall take whatever steps are necessary to maintain service to users pending action by the General Manager.

C. **Supervision**. He/She shall supervise all repairs or construction work authorized by the Board or General Manager, and performs any other duties prescribed elsewhere in the ordinance or which shall be hereafter prescribed by the Board or General Manager.

4.04 Inspections

The District shall perform inspections on all utility and residential construction within the District to assure compliance with IVGID's Standard Specifications for Construction. All existing residential, commercial, industrial, and irrigation services are subject to inspection for proper operation of backflow prevention, cross-connection control and pressure regulating devices. Inspection of existing devices shall be scheduled with the property owner or property manager. If the property owner or property manager refuses access, Article 4.06 of this Ordinance shall apply.

4.05 Performance of Duties

The foregoing duties of the Director of Public Works may be performed by the General Manager or by a designated employee or employees, as the General Manager may direct, so long as those decisions or actions that require professional engineering judgment are performed by a registered Nevada Professional Engineer.

4.06 Consequences of Denial of Entry or Access

Where an owner or user, after having received reasonable notice from the District, refuses to permit properly identified District personnel to enter or have access to premises or facilities in accordance with the above Sections, the District may forthwith give written notice of its intent to terminate water, sewer and trash service to such user. Such notice shall be given in accordance with Article 9 Billing and Article 10 Discontinuance of Service, and termination based on these Sections shall be treated as a termination for refusal of access under said Article 4.

4.07 Violation

Any person found to be violating any provision of this or any Ordinance, rule or regulation of the District, shall be served by the Inspector or other authorized person with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Said time limit shall be ten (10) business days. The offender shall, within the period of time stated in such notice, permanently cease all violations. All persons shall be held strictly responsible for any and

all acts of their agents or employees done under the provisions of this or any other Ordinance, rule or regulation of the District. Upon being notified by the Inspector of any violation of this Ordinance, the person or persons having charge of said work shall immediately correct the same.

A. **Amounts.** Violations of these Regulations shall be subject to civil monetary penalties established by

(1) Applicable Nevada statutes or administrative code;

(2) Nevada Environmental Protection Division and the District, and

(3) By such penalty schedules as may from time to time be adopted by the District and appended to these Regulations.

B. **Continuing Violations.** For purposes of the computation of penalties, separate violations will be assessed per each day and per each infraction for any continuing violation of these Regulations.

4.08 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 and as required by Nevada NRS rules and regulations. The District will endeavor to give reasonable notice to customers before a curtailment of services; however, the District shall not be liable for shutdowns or variations to the system that occurs without prior notice by the District.

ARTICLE 5 - APPLICATION FOR REGULAR WATER SERVICE

5.01 Form of Application

A property owner or their agent shall make application for regular water service on the form provided for its intended use.

5.02 Calculation of Fixture Units

The number and type of fixture units shall be as defined in the Uniform Plumbing Code as adopted herein, with the exception of exterior landscaping irrigation systems. The fixture unit charge for exterior landscaping irrigation systems will only be assessed upon application for an irrigation meter. Other interpretations or calculations of fixture unit counts for fixtures not listed in the Uniform Plumbing Code shall be at the discretion of the General Manager or his/her designee.

5.03 Undertaking of Applicant

Such application will signify the Customer's 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.

5.04 Payment for Previous Service, Special Assessments, Ad Valorem Taxes and Recreational Revenue Charges

An application will not be honored unless payment in full has been made for water and other services previously rendered to the Applicant by the District, and unless all special assessments, ad valorem taxes and recreational revenue charges on the parcel of land to be served are paid current.

5.05 Installation Charges

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. Where there is no regular charge, the District reserves the right to require the Applicant to deposit an amount equal to the estimated cost of such service connection.

5.06 Installation of Services

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 herein provided. Services installed in new subdivisions prior to the construction of streets or in advance of street improvements must be accepted by the Applicant in the installed location. Any change in location or alterations of water services shall be borne by the Applicant.

5.07 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.

5.08 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 Customer's pipeline to the curb should not be done until the location of the service connection has been approved by the Director of Public Works or his/her designee.

5.09 Meter Curb Stop

Every Service Connection installed by the District shall be equipped with an approved valve on the inlet side of the meter. If a valve is damaged by the Customer's use and/or any activity performed on behalf of the Customer, repairs or replacement shall be at the Customer 's expense. The Customer shall not operate the meter curb stop located on the inlet side of the meter located within the meter box. Such unauthorized use shall result in a tamper fine per the approved fee schedule.

5.10 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 or a house and an accessory dwelling unit (ADU), as defined in Section 2.01, under one ownership and on the same lot or parcel of land may be supplied through the same service connection, an additional minimum base rate will be applied to the single meter serving said houses or ADU, or a separate service connection may be provided for each building. The Board reserves the right to limit the number of houses, ADUs, or the area of land under one ownership to be supplied by one service connection.

B. **Single Connection.** Not more than one service connection for domestic or commercial supply shall be installed for one building, except as approved by the District.

C. **Different Owners.** A service connection shall not be used to supply adjoining property of a different owner or to supply property of the same owner across a street or alley.

D. **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 and each other lot or parcel of land shall require a new service connection and metering device.

E. **Multiple Service**. A Common Interest Community or Condominium Hotel which consists of two or more assessors' parcels and will be managed by an Association shall install and maintain one service connection and metering device, provided, however, the District may limit the number of dwelling units that may be supplied through one service connection or device. A Common Interest Community, which consists of two or more assessors' parcels and is not or will not be managed by an Association, shall install and maintain a separate service connection and metering device to each dwelling unit within the development. A Common Interest Community or Condominium Hotel managed by an Association may elect, at their cost, to have installed and maintained a separate service connection and metering device for each dwelling unit within the development. In all cases, the Common Interest Community or Condominium Hotel shall be responsible for securing to the District all access easements the District deems necessary, prior to connection to the District's water system.

5.11 Service Connection(s)

The District Service Line from the water main to the property line and including the meter, meter box, meter lid and meter curb stop, shall be maintained by the District except as otherwise stated. All pipes and fixtures extending or lying downstream of the Service Connection shall be installed and maintained by the Owner of the property.

5.12 Individual Liability for Joint Service

Two or more parties who join in one application for service shall be jointly and severally liable for payment of bills and shall be billed by means of single periodic bills.

5.13 Special Cases

District will require a written contract with special guarantee from Applicants whose unusual characteristics of load would require excessive investment in facilities or whose requirements for service are of a special nature.

5.14 Water Used Without Service 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 such possession or the earliest date of occupancy which can be reasonably established. Where services are not metered, 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.

5.15 Connection to System Required Within 540 Days of Application

Any application that has been accepted by the District shall be considered vacated if the Applicant fails to commence construction and connection to the District's water system within 540 days of such acceptance. The fees collected for such application shall be returned to the Applicant, upon written request, and a new application and payment of fees will be required before service will be provided. Connection fees shall be charged at the rate in effect on the day of application for a Building Permit from Washoe County. Connection(s) not made within 540 days will be subject to the current rates in

effect at the time of connection. Previously paid connection fees shall be credited to the new connection fee rate. Payment of connection fees constitutes acceptance of a new service connection application by the District. No fees will be refunded after connection.

5.16 Changes in Use or Uses of Served Property

Any changes in the use or uses of properties served by regular water service which may affect the service classification under which it is served or the number of fixture units served must have the prior approval of the District. Examples of such changes would be adding plumbing fixtures not previously approved in applying for service; modifying a residence to accommodate more single family units than were approved, changes to irrigation systems, or such other changes that would similarly change the character of the building and/or grounds. Such changes in use shall be subject to the Connection Charge as contained in Article 5 of this ordinance and payment of such charges shall be made upon application for such change. If such change is made without application, it shall be considered to have been made in conflict with Article 9.09 and subject to the same corrective measures.

Effective on May 1, 2017, all parcels proceeding through a building permit that changes the square footage or the mix of commercial and residential use on the premise will be evaluated as either commercial or domestic service and billed connection fees and water and sewer rates accordingly. Premises that have both residential and commercial use shall be billed as a commercial service if the total square footage of the occupied building space is greater than 50% commercial. Premises that have both residential and commercial use shall be billed as a residential service if the total square footage of the occupied building space is greater than 50% residential. Garages, sheds, and other auxiliary spaces are not used for this calculation.

5.17 General

All costs and expenses incident to the installation and connection of any water service or other work for which a permit has been issued shall be borne by the Applicant, and shall be in addition to all fees, service and connection charges provided for in the District Water Ordinance. The Owner shall indemnify District for any loss or damage that may directly or indirectly be occasioned by the work. All work shall be made by or be authorized by the District. Any new construction, addition, remodel, or demolition requiring the issuance of a Washoe County Building permit shall require written approval and final acceptance by a District Inspector.

5.18 Connection Charge

The following charges are hereby established and shall be collected at the time of issuing the permit for a water connection. Connection fees shall be charged at the rate in effect on the day of application for a building permit from Washoe County. Connections not made within 540 days will be subject to the current rates in effect at the time of connection. Previously paid connection fees shall be credited to the new connection fee rate. Previously paid connection fees for service are non-refundable in all situations including reversion to acreage. Payment of connection fees constitutes acceptance of a new service connection application by the District. No fees will be refunded after connection.

A. **Units Inside of District**. Water connection fees shall be charged as shown in the current Schedule of Service Charges. Each dwelling of multiple dwellings on a single parcel shall constitute a separate unit. Mixed use services that has been determined to be billed as residential will be billed one connection charge for each residential unit and each equivalent residential unit per 39 fixture units of commercial service. Fractions will be rounded to nearest whole number, example: 58 fixture units = 1.49 and rounded to 1.0 units, 59 fixture units = 1.51 and rounded to 2.0 units. The minimum equivalent residential unit amount shall be 1.0, (one)

B. **Fire Protection**. Fire protection connection charges shall be assessed as shown in the current Schedule of Service Charges.

C. **Units Outside of District**. Persons desiring connection of property located outside the District to the water system of the District shall pay to the District a connection charge at the rate of one and one-half (1½) times the minimum charge for a District customer. Nothing in this ordinance shall require the District to serve properties located outside the District.

D. **Remodeling Connection Charges**. If remodeling necessitates upgrade of the water meter connection fees shall be charged equal to the fee for that meter size as described in Item A above minus the water connection fee for the existing meter size. All existing residential connections are deemed ¾ inch unless a connection fee has been paid to the District for an upgrade.

E. **Plan Check Fee**. In accordance with the District's most recently adopted revision of the Uniform Plumbing Code, a plan check fee shall be required for all plans requiring the District's approval. Each plan revision requiring rechecking shall necessitate the charge of an additional plan check fee. Plan checking is performed for both water and sewer considerations concurrently. Only one plan check fee is collected per set of drawings, even if both water and sewer systems are affected. Plan check fees shall be invoiced at a rate as shown in the current Fee Schedule, and are subject to change from time to time at the discretion of the Director of Public Works.

F. **Inspection Fee.** Inspection fees shall be at rate as shown in the current Fee Schedule.

5.19 Subdivisions

A. **Application.** Any person desiring to provide a water system within a tract of land that they propose to subdivide shall make written application to the District. Such application shall contain streets dedicated and accepted by the County and/or all utility extensions to service the project or subdivision.

B. **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 final map, and of the plans, profiles and specifications for the street work therein.

C. **Investigation.** Upon receiving the application, the District Engineer shall make an investigation and review the 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 therefore.

D. **Specifications and Construction.** The size, type and quality of materials and location of the lines shall be specified by the Engineering Department and the actual construction by a contractor acceptable to supervised and inspected by the District.

E. **Adjustment.** Adjustments of any substantial difference between the estimated and actual number of feet of line installed shall be made at or before the completion of the installation, and any excess shall be refunded and any shortage will be paid to the District.

F. **Property of District.** All facilities shall be the property of the District and the total amount of credits and refunds shall not exceed the original deposit.

G. **Connections.** The subdivider shall, at their cost, provide all connections to houses constructed by them, as herein provided.

H. **Plan Checking Fee.** Any person requiring approval of plans by the District, or desiring plan checking shall pay to the District the following fee or fees. Plan checking fees shall be invoiced at a rate as shown in the current Fee Schedule. If any portion of the plans after being checked is required to be redrawn or rechecked, the Applicant shall pay additional plan check fees.

5.20 Will Serve Letters

A. **Standards for Granting or Denial of Requests for "Will-Serve" Letters.**

(1) No "will-serve" letters shall be issued by the District for any project if, in the judgment of the Board, it is likely that the District will be unable to permit the project to be connected to the District's water system when application is made for connection. In making this determination, the Board shall take into account the estimated amount of water that will be required to serve the entire project at full development, the additional connections the District is likely to have made to its water system before application for connection for the project can properly be made, and the amount of water the District is likely to have available at that time.

(2) No "will-serve" letters shall be issued for any project if, in the judgment of the Board, the effect of permitting the project to be connected to the District's water system is that it will be likely to prevent others who have already obtained "will-serve" letters from the District, and who have proceeded with the development of their projects without unreasonable delay, from being able to have their projects connected to the District's water system. In making this determination, the Board shall take into account the projects for which such letters are outstanding, the current status of those projects, and the dates on which "will-serve" letters were issued by the District with respect to those projects.

B. **Effect of "Will-Serve" Letter.** The issuance of a "will-serve" letter by the District or previously paid connection fees shall not obligate the District to reserve a connection for the project for which the letter has been issued, nor shall it confer any special preference or entitlement for connection to or service from the District. This section is declarative of the District's existing policy and practice with respect to "will-serve" letters.

C. **Procedure for Consideration of Requests for "Will-Serve" Letters.**

(1) Requests for "will-serve" letters shall be considered by the Board on a case-by-case basis. Any person requesting a "will-serve" letter from the District shall submit a written request therefore to the District. The request shall include the following information:

a. It shall identify by name, mailing address, telephone number and email the person requesting a "will-serve" letter from the District.

b. It shall identify by lot, block, subdivision, assessor's parcel number, and service address, the property with respect to which the "will-serve" letter is requested.

c. It shall state the existing zoning classification of the property and, if any zoning change is proposed, the proposed zoning classification of the property.

d. It shall state the number of any residential units, and the approximate number of square feet and the type of use of any commercial space to be included in the project.

e. It shall disclose the anticipated starting and completion dates for the construction of the project.

D. **Standards for Granting or Denial of Applications for Connections.**

(1) Applications for connections shall be considered by the District on a first-come, first-served basis without reservation. Except as otherwise expressly provided herein and in subparagraphs B through C of this Section, applications shall be entitled to priority based on the date the application is filed and all applicable District connection fees are paid; provided, however, that notwithstanding the foregoing or any other provision of this Ordinance No. 4, approval of an application shall continue to be effective only if the applicant commences construction within one hundred eighty (180) days unless the District grants an extension of time. Time extensions may be granted where the applicant shows the delay in commencement of construction has been caused by an occurrence beyond their control and which is not attributable to their fault or neglect. All applicants shall be required to complete construction within the time limit set forth in Article 5.15 of this Ordinance.

(2) Applications for connections shall not be granted unless the District has sufficient water to serve the connection without substantial risk of impairing service to existing customers. In making its determination, the impact of any required water conservation practices shall be taken into account.

(3) Notwithstanding subparagraphs above, this Section shall not be construed to prohibit the District from granting an application to any applicant who assigns to the District water rights to a quantity of water equal to the projected water demand of the requested water service.

E. **Required Assignment of Water Rights.**

(1) In addition to compliance with all other standards for granting applications for connections, all applicants for multi-family residential, tourist accommodation unit, public service and commercial developments shall be required to assign to the District any and all water rights for the parcel which may be used to help meet the projected water demand of the applicant's project.

(2) All applicants for multi-family residential, tourist accommodation unit, public service and commercial developments are required to assign water rights to IVGID in an amount sufficient to support the proposed development as a condition of project approval (i.e., issuance of will serve letter, sign off on condo plat, approval of plans, etc.) Water rights assigned to IVGID as a condition of project approval will not revert back to the applicant that assigned these rights. All assignment of water rights to IVGID shall be completed and approved by State's Engineers Office prior to IVGID approval of final plans. Water rights shall be dedicated to IVGID with the appropriate permit conditions as defined by the Director of Public Works and the District Water Management Policy.

F. **Procedure for Consideration of Applications for Connections.**

(1) Applications for Single Family Residential connections shall continue to be processed by staff. All other applications for connections shall be considered by the Board on a case-by-case basis. Applications to be considered by the Board shall be made on the District's regular application form and shall include the following additional information:

(2) The Applications shall state the existing zoning classification of the property and, if any zoning change is proposed, the proposed zoning classification of the property.

(3) The Application shall state the number of any residential units, and the approximate number of square feet and the type of use of any commercial space to be included in the project.

(4) The Application shall disclose the anticipated starting and completion dates for the construction of the project.

ARTICLE 6 - APPLICATION FOR REGULAR WATER SERVICE WHEN MAIN EXTENSION AND/OR CAPACITY ENHANCEMENT ARE REQUIRED

6.01 Application for Main Extension and/or Capacity Enhancement

The following rules are established for making main extensions and/or capacity enhancement:

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

B. **Investigation**. Upon receipt of the application, the Director of Public Works shall make an investigation and review the survey of the proposed extension and/or enhancement and shall report their finding to the Board, including the estimated cost thereof.

C. **Ruling.** The Board shall thereupon consider said application and report, and after such consideration, reject or approve it.

D. **District Lines.** All extensions thus provided for, in accordance with those regulations, shall be and remain the property of the District.

E. **Dead-End Lines.** No dead-end lines shall be permitted, except at the discretion of the District Engineer, and in cases where circulation lines are necessary they shall be designed and installed by the Applicant, or their suitably qualified representative, as a part of the cost of the extension.

6.02 General

All costs and expenses incident to the installation and connection of any water service or other work for which a permit has been issued shall be borne by the Applicant, and shall be in addition to all fees, service and connection charges provided for in the District Water Ordinance. The Owner shall indemnify District for any loss or damage that may directly or indirectly be occasioned by the work. All work shall be made by or be authorized by the District.

6.03 Determination

If, in the opinion of the Board, the cost of a water main extension and/or enhancement is in excess of what the Board is prepared to advance, or it questions the economic advantage to the District of making such advance, then the entire cost of such improvement, including all off-site costs made necessary to provide the necessary service, shall be borne by the Applicant, subject to the Refund Agreement provided in Article 6.04 following.

6.04 Refund Agreement

A. Any property owner who shall subsequently apply for a permit to connect to said main extension and/or capacity enhancement shall pay to the District his proper pro rata of the cost thereof, the amount of which shall be determined by the Director of Public Works. The amount so paid shall be refunded by the District to the original applicant.

B. Upon termination of a ten (10) year period, any pro rata share shall become the property of the District.

ARTICLE 7 - GENERAL USE REGULATIONS

7.01 Number of Services per Premises

The Applicant may apply for as many services as may be reasonably required for his premises provided that the pipeline system for each service is independent of the others and that they not be interconnected.

7.02 Water Waste

A. No Customer shall knowingly or negligently cause Water Waste within the District service area. Where water is wastefully or negligently used on a property, the District may discontinue the service if such conditions are not corrected within 72-hours after giving written notice to the customer, owner or designated property manager. Where the amount of Water Waste is determined by the Director of Public Works or their designee to be excessive and presents an immediate or substantial risk of continued water loss, the District may discontinue service without providing the 72-hour notice period.

B. If service is disconnected due to failure to stop the waste, a turn-off fee and turn-on fee (service call) will be charged. If the violation occurs again, the service may be disconnected and may not be restored until corrections are made to stop the waste. Continued violations may result in continued turn-offs. Fees and penalties are shown in the current Fee Schedule.

7.03 Responsibility for Equipment on Customer Premises

All appurtenances installed by the District on private property for the purpose of rendering water service shall remain the property of the District and may be maintained, repaired or replaced by the Public Works 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 attributes. No payment shall be made for placing or maintaining said attributes on private property. Easements and rights-of-way are to be kept free of encroachment of any kind, and District shall have access to such areas, and any obstructions or encroachments in these areas shall be removed at the expense of the Customer and/or Owner. All meters and meter boxes must be clearly marked and accessible at all times and are to be kept free of encroachment of any kind. Any obstructions, encroachments and/or inaccessibility conditions will be removed at the Customer's and/or Owner's expense, and shall become a charge on the customer's bill. The District has no responsibility to return the site to anything but its natural, un-landscaped condition.

7.04 Damage to Water Distribution System

The Customer shall be liable for any damage to the water distribution system when such damage is from causes originating on the premises by an act of the Customer and/or Owner or their tenants, agents, employees, contractors, licensees or permittees, including the breaking or destruction of locks or tags 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. Damage to water system would also include, but not be limited to, damage to meter boxes, fire hydrants, water valves, lids, vaults and boxes, removal of meter location stakes, service lines and distribution system.

7.05 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 and/or Owner liable for any damage to its property occasioned by such ground-wire attachments. Bonding to the House Piping copper water line will be accepted in accordance with the electrical code.

7.06 Customer Service Valve on the Customers Property

The Owner shall provide a valve on their side of the service installation, as close to the meter location as practicable, to control the flow of water to the piping on their premises. Only IVGID staff are authorized to use the meter curb stop to turn water on and off.

7.07 Relief Valves, Expansion Tanks and Regulating Valves

As a protection to the Customer's or Owner's plumbing system, a suitable pressure relief valve, expansion tank and pressure regulating valve must be installed and maintained at the Customer's or Owner's expense. When check valves or other protective devices are used, the relief valve and an expansion tank shall be installed between the check valves and the water heater.

7.08 Service Size

Where increased meter and service sizes are required, the main is to be exposed by the Owner's contractor, and all work to be performed by the Owner's contractor, including supplying all materials. The District will endeavor to provide the location of the main.

7.09 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 a dangerous unprotected cross-connections exist. Services will not be restored until such defects are corrected and inspected by the District.

7.10 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 District.

7.11 Ingress and Egress

Representatives from the District shall have the right of ingress and egress to the Owner's premises at reasonable hours for any purpose reasonably connected with the furnishing of water service.

7.12 Non-Existent Services

Where District Service Lines do not exist from the main to the property line, the Applicant is responsible for service line installation and costs under the Ordinances, Rules and Regulations of the District.

7.13 Pools and Tanks

When a large quantity of water is desired for filling a swimming pool or for other purposes, prior notice must be given to the District. Permission to take such water quantities of water will be given only if

it can be safely delivered through the District's facilities and no risk to the public water system is determined. Written approval is required from the District prior to using large water volumes.

Failure to secure written approval from the District for large volume demand, will be subject to violation as determined by the District.

7.14 Responsibility for Equipment

The Owner 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, Owner or of any of their tenants, agents, employees, contractors, licensees or permittees in installing, maintaining, operating or interfering with such equipment. The District shall not be responsible for damage to property caused by faucets, valves and other equipment that are open when water is turned on at the meter, either originally or when turned on after a temporary shutdown. Costs of repairs, replacements or disruption of services shall be borne by the Owner.

7.15 Use of Siphons

No siphon of any nature shall be operated from any service connected to the District's system.

7.16 Periods of Water Shortage

The District shall have the right to restrict the use of and apportion its available water supply during any emergency or other threatened or existing water shortage and may prohibit use of such water during such periods for specific uses which the District may from time to time find to be nonessential.

7.17 Uniform Plumbing Code/IAPMO

A. The following Uniform Plumbing Code provisions are made a part of this ordinance.

B. By this Ordinance revision all reference to and use of the current adopted version of the Uniform Plumbing Code and the International Association of Plumbing and Mechanical Officials (IAPMO) Installation Standards, as approved by the Director of Public Works and all other ordinances or parts of ordinances in conflict with the hereafter adopted new ordinance revision are herewith and hereby repealed.

C. District Ordinances 2 and 4, as accepted and amended, supersede any UPC requirements and definitions which differ.

7.18 Responsibility for Loss or Damage

A. The District will not be responsible for any loss or damage caused by any negligence or wrongful act of a person or their authorized representative in installing, maintaining, operating or using any or all appliances, facilities or equipment for which water service is supplied.

B. The person will be held responsible for damage to the District’s facilities and other property resulting from the use or operation of appliances and facilities on Customer’s premises, including damage caused by broken or leaking connection lines or internal plumbing, steam, hot water, chemicals, electrical connections, pressure, etc.

C. Contractors, Owner's agents, or other persons responsible for damage to District property shall be required to pay for repair, replacement or other compensation resulting from such damages.

D. The District assumes no responsibility for loss or damage due to water loss or pressure. The District merely agrees to furnish such capacity in its general distribution system as required by the Nevada NRS rules and regulations. The District will endeavor to give reasonable notice to customers before curtailment of services. However, the District shall not be liable for shutdown or variations to the system that occur without prior notice by the District.

ARTICLE 8 - METERS

8.01 Meter Charge

Meters will be installed on all services. This ordinance establishes the minimum meter size to be one (1) inch. Upon required change of size by the District or by customer request for upgrade from the previous standard of 3/4" meter size (or for any size upgrade that has properly been invoiced), flat rate services will not be allowed. Meter charges, will be billed in accordance with the current Fee Schedule.

A. All meter charges are based upon materials and labor costs, and are subject to change at the direction of the Director of Public Works if increased or decreased labor and materials costs so warrant. Only duly authorized District employees or contractors with a State of Nevada class "A" license issued by the State of Nevada Contractors Board pre-approved by the District Engineer will be authorized to install Service Connections. Meter installations of larger than 2 inches will be charged at actual cost of the meter.

8.02 Meter Installations

All Service Connections shall include the installation of approved water metering devices. New construction and/or upgrades of meter size within the District are 1-inch minimum. Meters will be installed at the property line and shall be owned by the District and installed and removed at its expense. The installation of meters for approved fire protection services shall be at the discretion of the District. The District will pay no rent or other charge for a meter or other facilities, including connections. The seal of any meters sealed by the District shall not be altered or broken except by one of its authorized employees or agents.

8.03 Change in Location of Meters

Meters moved or raised for the convenience of the Owner will be relocated at the Owner's expense. Meters moved to protect the District's property will be moved at its expense.

8.04 Adjustment for Meter Errors - Over Registering

If a meter tested at the request of a Owner is found to be registering greater than actual consumption the Customer shall be refunded no more than six months of overbilling. Owner-requested meter testing that does not demonstrate any malfunction or results outside of manufacturer specifications shall be subject to a service charge as per the fee schedule.

8.05 Adjustment for Meter Errors - Under Registering

If a meter tested at the request of a Customer is found to be registering less than actual consumption the District may bill the Customer for the amount of the undercharge for no more than six months.

8.06 Non-Registering Meters

If a meter is found to be not registering, the charges for service shall be based on the estimated consumption. Such estimates shall be made from previous consumption for a comparable period or by such other method as is determined by the District and its decision shall be final.

ARTICLE 9 - BILLING

9.01 Billing

The regular billing period will be at the discretion of the District.

9.02 Meter Reading

Meters shall be read as nearly as possible on the same day of each billing period.

9.03 New Connections

Upon connection to the District's water distribution system, the applicable service charges shall begin immediately following installation of the water meter.

9.04 Disconnection

When requested by Owner, applicable service charges shall be discontinued only upon physical disconnection from the distribution system as defined by Article 10 of this Ordinance.

9.05 Transfer of Ownership

A. Services are not discontinued upon transfer of ownership. District will not prorate charges on account upon transfer of ownership. Upon notification of pending sale or transfer of a property, District will obtain final water meter consumption reading on the date specified by the title company. If notification is not received from the title company for a final read the current property owner is liable for the previous charges on the account.

B. The Owner or their agent is responsible for providing a minimum of two (2) business days' notice for a transfer of ownership. Service fees in accordance with the current Fee Schedule will be assessed against the Owner if they fail to provide the required minimum notice.

C. The District will provide up to two (2) final reads during administration of a discrete ownership transfer. A service charge per current fee schedule will be assessed for each additional final read request over the allowed two final read requests.

D. Compliance Inspection**.** A compliance inspection shall be required in connection with each Point of Sale transfer of ownership. The Owner or their agent shall be responsible for scheduling the inspection with the District. The inspection may include, but is not limited to, inspection of cross-connections, backflow prevention devices, pressure regulators, backwater valves, and other water and sewer system components as determined by the District. A compliance inspection fee in accordance with the current Fee Schedule shall be assessed to the Owner for each transfer of ownership, regardless of whether deficiencies or violations are identified during the inspection

9.06 Person Responsible for Payment

All charges, fees and amounts due and payable shall be billed to the Owner of the premises, whether or not the Owner is also the occupant. For the purposes of the Ordinance, determination of lot or parcel ownership shall be based upon the latest records of the Assessor's Office of Washoe County.

Bills for the base rate for water service shall be rendered at the beginning of each billing period and are payable upon presentation. Charges for consumption are billed in arrears.

9.07 Penalties

All charges shall become due and payable upon presentation. Payments not received or postmarked by the U. S. Post Office on the envelope in which the payment was mailed by the last day of the billed cycle shall become delinquent on the first day of the next billing cycle. All charges which become delinquent shall be subject to a penalty of ten percent (10%) for the first month delinquent. Customers' payments shall be applied to their oldest balances due including penalties first.

9.08 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.

9.09 Billing of Separate Meters Not Combined

Separate bills will be rendered for each meter installation except where the District has, for its own convenience, installed two or more meters in place of one meter. Where such installations are made, the meter readings may be combined for billing purposes.

9.10 Water Used Without Service 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.

9.11 Damages Through Leaking Pipes and Fixtures

Owner or Owner's agent must be present at the property at the time scheduled by the Owner or Owner's agent for the District to turn on the water service unless a written form of consent and release of liability is submitted to the District prior to turning on the meter. The District will in no case be liable for

damages occasioned by water leaking or running from open or faulty fixtures, or from broken or damaged pipes or any other appurtenances within or outside of the building structure.

9.12 Policy for Appeal for Relief from Excessive Water Charges

A. Customers are responsible for equipment as defined in this Ordinance. When customers, through no fault of their own, have incurred excessively high water bills due to breaking of water lines from freezing during the winter, natural disaster or construction activities not under contract by the property owner and the detection and correction of such a break could not have reasonably been accomplished in time to avoid the excessive water usage, the following policy shall apply.

B. An IVGID water customer who has an uncontrollable loss of water may apply to the District for relief under this policy once every five years and only if the account is in good standing (meaning no lien on the property and no past due balance). The Director of Public Works will review the matter and determine if the high overage was a result of an undetectable condition and was not a direct result of negligence or inattention of the property owner. Upon such a determination, the District will make an adjustment or credit the utility bill an amount equal to 75% of the Tiered water consumption caused by the leak that exceeds the seasonal monthly average when the leak occurred. If the water did not reach the sewer system then an adjustment will be made equal to the sewer consumption caused by the leak that exceeds the annual average or a minimum of 3,000 gallons, whichever is larger. When calculating the residential variable sewer consumption for non-irrigation months the monthly usage for the adjusted billing period(s) will be included. This is the usage that is used to cap the residential customer's summer sewer rate. The minimum adjustment is $200.

C. In order to qualify for relief under this policy repairs must conform to Uniform Plumbing Code and IVGID Standard Specifications for Construction.

D. Requests must be submitted in writing stating: address of property where leak occurred, was property occupied at the time of the leak, cause of leak, date leak was discovered, date leak was repaired, copies of repair invoices and receipts, letter of explanation if repairs made by customer, photographs and other information that may be required by the District. Written requests must be submitted within 45 days of the billing date. The maximum period of time allowable for relief is two (2) consecutive months of consumption.

If a leak occurs during an exceptional winter and repairs are not feasible due to winter conditions or access, the District may grant an extension for submitting proof of repair up to May 31st following the leak incident. The original request for relief must still be submitted within 45 days of the billing date, but the adjustment will not be applied until proof of repair is received. During any such extension period, payment of the full balance due remains required in accordance with this Ordinance. The burden of communication and providing proof of repair lies with the customer. Any request for adjustment or extension is void if proof is not received by May 31st.

E. Typical leaks that may be eligible for credit of tiered water consumption and Sewer Use charges include underground or unseen, unknown leaks occurring in underground piping between the meter and the structure and pipes under the structure that can be accessed through a crawl space, leaks that are part of an irrigation system, broken irrigation backflow devices caused by freezing, broken hose bibs and garden hoses, faulty humidifiers or boilers, faulty fill valves on pools and water features, plumbing damaged by construction related to the property, plumbing or fixture failures due to pressure fluctuations, faulty backflow preventers, or other issues that do not drain into the sewer system.

F. Typical leaks that may be eligible for credit of tiered water consumption charges but not Sewer Use charges include leaking toilets, leaking faucets, or other issues that drain into the sewer system.

G. Excess water use or leaks resulting from accidental water use, and the continuous use of water to prevent pipes from freezing, or any other type of normal use are not eligible for reimbursement.

9.13 Checks and Electronic Funds Transfers (EFT) not honored by Bank

Checks and electronic funds transfers presented in payment of bills that are returned by a bank shall be treated as though no payment had been made, and an administrative charge as shown in the current Fee Schedule will be levied by the District, plus any additional charges received from the bank. The Customer must reimburse the District for any returned check/electronic funds transfer fees charged by a bank to the District. Accounts with returned EFTs may no longer be eligible for the EFT payment option. Discontinuance of the EFT payment option shall be at the discretion of the Director of Public Works.

9.14 Collection by Suit

A. **Suit.** As an alternative to any of the other procedures herein provided, all unpaid rates and charges and penalties herein provided may be collected by suit. As an additional procedure, District shall have all rights as provided by law.

B. **Costs.** Defendant shall pay all costs of suit in any judgment rendered in favor of District, including a reasonable attorney's fee.

9.15 Collection with Other Utility Charges

A. **With Utility Charges of District.** Where the person charged is a user of another utility owned and operated by the District, or through a Service Administration Solid Waste Fee, the charges may be collected together with and not separately from the charges for the other utility service(s) rendered by it. They may be billed upon the same bill and collected as one item at the discretion of the District.

B. **Discontinuance of Service upon Delinquency.** Upon delinquency, the other utility service shall be discontinued until full payment of the account charges and penalties thereon and the charges for re-continuance of service, has been received by the District.

9.16 Adjustment for Billing Errors

If a billing error is identified resulting from a meter reading error, meter registration error (including over-registering or under-registering), non-billed period or other administrative or billing error not caused by the Customer, the District shall correct the billing error.
When an error results in overbilling, the Customer shall be credited or refunded for the overbilled amount for a period not to exceed six (6) months. When an error results in underbilling, the District may recover the underbilled amount for a period not to exceed six (6) months.
Billing adjustments related to meter registration errors shall be consistent with Article 8 of this Ordinance

9.17 Service Rates

A. **Rates.** For all users within the District, Residential, Irrigation and Commercial rates as shown in the current Schedule of Service Charges shall apply. The Board of Trustees shall set the water service charges by resolution.

(1) **Non-District Service**. Where water service is provided for Customers not within the boundaries of the Incline Village General Improvement District, a service charge of two hundred percent (200%) of bulk water for construction.

(2) **Fire Protection.** Public fire protection rates shall be billed to the responsible fire protection agencies at the rate determined in the contract between the District and the fire protection agency.

B. **Multi-Unit Residential Accounts.** The charge for multi-unit residential accounts using common meters shall be determined by multiplying the number of units by the fixed and capital improvement charge for a residential unit plus the administrative customer service account charge, plus variable and excess charges, plus defensible space charge in accordance with the current Schedule of Service Charges. Mixed use service that has been determined to be billed as residential will be billed one base charge for each residential unit and each equivalent residential unit per 39 fixture units of commercial service. Fractions will be rounded to nearest whole number, example: 58 fixture units = 1.49 and rounded to 1.0 units, 59 fixture units = 1.51 and rounded to 2.0 units. The minimum equivalent residential unit amount shall be 1.0, (one).

C. **Bulk Water for Construction.** Where water is required for construction and obtained from fire hydrant or other location required by the District, a charge shall be made as shown in the current Fee Schedule as measured by the water meter installed for that purpose.

D. **Call-Out Service Charges**. A Customer requesting District assistance with Customer-related water issues (e.g., interior water leak, problem with irrigation system, water shut off at meter because customer cannot locate the customer service valve or in support of a Customer repair, etc.) will be billed a service Call charge in accordance with the current fee schedule, at the discretion of the Director of Public Works.

ARTICLE 10 - DISCONTINUANCE OF SERVICE

10.01 Customer's Request for Discontinuance of Service

A Owner's water and sewer service shall only be discontinued under a Washoe County demolition permit. All water and sewer charges will be discontinued when the conditions of the demolition permit have been met for discontinuation of service up to and including the removal of the water meter and the capping of the sewer line.

10.02 Customer's Request for Shut Off and Turn On of Service

A Customer may have their water service shut off by contacting the District. There will be no reduction in the monthly water or sewer charges during the shut off of service. The shut off and turn on will be charged a total of one (1) service call if the water meter is accessible and the work is performed during business hours. If the shut off and turn on is requested after business hours, then the Customer will be charged individually for each service call to shut off and turn on the water as per the service call rate in the current Fee Schedule. If the water meter is inaccessible, the Customer will be billed additional labor and equipment charges for making the meter accessible for shut off and turn on.

10.03 For Non-Payment of Bills

A Customer's service may be discontinued for non-payment of a bill for service furnished if the account becomes delinquent, provided the District has given the Customer at least five (5) days prior written notice of such intention. During the discontinuance for non-payment, full monthly charges will apply. Written notice postings will be billed a posting service charge, in accordance with the current Fee Schedule.

10.04 Liability for Bills

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 or competent jurisdiction for the amount thereof.

10.05 Resumption of Service Charge

Where service has been discontinued for violation of these rules or for nonpayment of bills, the cost of discontinuing and resuming service shall be at the expense of the Customer.

A. **Made During Regular Business Hours.** The Utility will endeavor to resume service during regular business hours on the day of the request, if conditions permit; otherwise, the District will endeavor to resume service on the next regular business day following the day the request is made.

B. **Made at Other Than Regular Business Hours.** When a Customer has requested that the service be resumed at a time outside of regular business hours, the District will reasonably endeavor to resume service if practicable under the circumstances but will be under no obligation to do so, unless an emergency exists. A charge based on costs, including overtime rates, shall be billed to the customer for services rendered outside of regular business hours.

C. **Presence of Owner or Authorized Representative**. During requested resumption of service, the Owner or their authorized representative is required to be on site, unless a written form of consent and release of liability allows the District to turn the meter on.

10.06 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.

10.07 Cross-Connections

Water service may be refused or discontinued to any premise where a cross-connection exists that is in violation of State, Federal or local laws.

10.08 Fraud or Abuse

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

10.09 For Noncompliance with Rules

The District may discontinue service to any Customer for violation of these rules after it has given the Customer at least five (5) days written notice of such intention. In case of emergency, unauthorized use, water waste, or where safety of water supply is endangered, service may be discontinued or curtailed immediately without notice.

ARTICLE 11 - PUBLIC FIRE PROTECTION

11.01 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 secure a permit from the District, prior to use and shall operate the hydrant in accordance with instructions issued by the District. Unauthorized use of hydrants will be prosecuted according to law.

11.02 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.

11.03 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, the property owner 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 12 - PRIVATE FIRE PROTECTION SERVICE

12.01 Payment of Cost and Ownership

The Applicant for private fire protection service shall pay the total actual cost of installation of the service from the distribution main to the Owner's premises to meet the requirements of the District. Requirements of the District include, but are not limited to, detector check meter, meter box, valve and valve box, and construction materials acceptable to the District. The District is not responsible for any Private Fire Protection Service. The Customer shall be responsible to maintain the entirety of the Private Fire Protection Service from the point of connection at the District's water distribution main.

12.02 Prohibitions

A. There shall be no connection between a fire protection system and any other water distribution system on the premises.

B. District water supply is prohibited for use for any connection to rooftop sprinklers, exterior wildfire, perimeter spray, active soaking, ember defense, or similar fire suppression systems.

12.03 Use

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

12.04 Water Used for Fire Fighting not to be Charged

A. In those instances wherein private fire protection is provided from a metered domestic water service line, the volume of water used for fire protection (fire fighting) will be estimated and that estimated volume shall be deducted from the monthly domestic service meter reading - during which the fire protection use was incurred.

B. Estimation will be based on the averaging of the domestic water service meter reading of the 3 months before the fire. This average shall be the basis for determining the volume of fire fighting water consumed for which there will be no charge.

12.05 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 and backflow protection are available. The regular water rates will be applied.

12.06 Violation of Agreement

If water is used from a private fire service in violation of the agreement or of this Ordinance, the District may discontinue and remove the service at Owner's expense.

12.07 Water Pressure and Supply

The District assumes no responsibility for loss or damage due to lack of water or water 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.

12.08 Rules

The following rules shall apply to fire service connection:

A. **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 District shall charge all fees associated with each service connection.

B. **Backflow Prevention**. The District reserves the right to require installation of an approved backflow prevention assembly at the Owner's expense.

12.09 Responsibility of Equipment

A. The Owner 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 for private fire protection service, 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. This shall include but not limited to valves, detector check meter, meter box, valve box and service piping.

ARTICLE 13 - TEMPORARY SERVICE

13.01 Duration of Service

Temporary Service Connections shall be disconnected and terminated within six (6) months after installation unless an extension of time is granted in writing by the District. Deposit for hydrant meter rental shall be forfeit if meter is not returned within six (6) months.

13.02 Deposit

The Applicant, in advance, shall deposit the estimated cost of installing and removing the facilities required to furnish said service exclusive of the cost of salvageable material.

13.03 Installation and Operation

All facilities for temporary service to the Customer connection shall be inspected by the District and shall be operated in accordance with its instructions.

13.04 Responsibility for Meters and Installations

The Owner 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 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. If application has been made for water connection services, the customer must arrange to make water connection in a timely manner to avoid use of the fire hydrant.

13.05 Supply From Fire Hydrant

An Applicant for temporary use of water from a fire hydrant must secure a permit, as provided in Article 11.01, therefore from the District and pay the regular fee charged for the use of a meter to be installed on said hydrant; provide himself with a hydrant wrench necessary to operate such hydrant and a proper air gap installed on the connected equipment, and pay for the water used in accordance with the meter readings, at the rates prescribed by the District.

13.06 Unauthorized Use of Hydrants

Tampering with any fire hydrant for the unauthorized use of water there from, or for any other purpose, is a misdemeanor, punishable by law.

13.07 Credit

The Applicant shall pay the estimated cost of temporary service in advance or shall be otherwise required to establish credit.

ARTICLE 14 - PUBLIC AND PRIVATE COMMUNAL WATER SYSTEM CONSTRUCTION

14.01 Permit Required

No person shall construct, extend, or connect to the District's Water System without first obtaining a written permit from District and paying all fees and connection charges and furnishing bonds as required. The provision of this section requiring permits shall not be construed to apply to contractors constructing water systems and appurtenances under contracts awarded and entered into by District.

14.02 Plans, Profiles and Specifications Required

The application for a permit for Public Water System construction shall be accompanied by complete plans, profiles and specifications, complying with all applicable ordinances, rules and regulations of

the District, prepared by a Professional Engineer registered in the State of Nevada, showing all details of the proposed work based on an accurate survey of the ground. The application, together with the plans, profiles and specifications, shall be examined by the District Engineer who shall approve them as filed or require them to be modified as they deem necessary for proper installation.

14.03 Easements or Rights-of-Way

In the event that an easement is required for the extension of the Public Water System or the making of connections, the Applicant shall procure and have accepted by the Board a proper easement or grant of right-of-way sufficient in law to allow the laying and maintenance of such extension or connection. Easements or rights-of-way are reserved for the servicing of utilities, and no structure or building shall be placed within or over easements or rights-of-way, nor shall these areas be occupied or used in any manner as to restrict or deny access for repairs or maintenance, and all costs of removing land surfaces, landscaping or other occupancies shall be charged to the property owner. It shall be the property Owner's responsibility to reinstate any surface improvements removed as part of the utility maintenance.

14.04 Persons Authorized to Perform Work

Only properly licensed contractors shall be authorized to perform the work of Public Water System construction within the District. The District will not accept dedication of any Public Water System, or portions thereof, unless the construction has been performed by the holder of a Class A contractor's license issued by the Nevada State Contractor's Board. All terms and conditions of the permit issued by the District to the Applicant shall be binding on the Contractor.

14.05 Compliance with Local Regulations

Any person constructing a water system within a street shall comply with all State, County, District or city laws, ordinances, rules, and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof, and shall obtain all permits and pay all fees required by the department having jurisdiction.

14.06 Protection of Excavation

The Applicant/Contractor shall maintain such barriers, lights and signs as are necessary to give warning to the public at all times that a water system is under construction and of each dangerous condition to be encountered as a result thereof. They shall also likewise protect the public in the use of the sidewalk against any such conditions in connection with the construction of the water system. Streets, sidewalks, parkways and other property disturbed in the course of the work shall be reinstalled in manner satisfactory to the District and the County or any other person having jurisdiction there over.

14.07 Design and Construction Standard

A. Minimum standards for the design and construction of water systems within the District shall be in accordance with IVGID's Standard Specifications for Construction heretofore or hereafter adopted by District, copies of which are on file in the District office. The District Engineer may permit modifications or may require higher standards where unusual conditions are encountered.

B. Reproducible "Record" drawings, in PDF format, stamped and prepared by a Professional Engineer registered in the State of Nevada, showing the actual location of all mains, house connections, hydrants, valves and appurtenances, shall be filed with the District before final acceptance of the work.

14.08 Completion of Water System Required

Before any acceptance of any water line by the District, the water line shall be tested and shall be complete in full compliance with all requirements of IVGID's Standard Specifications for Construction and to the satisfaction of the District Engineer.

ARTICLE 15 - CAPITAL IMPROVEMENT CHARGE

15.01 Capital Improvement Charge

A water capital improvement charge shall be billed to each residential, irrigation and commercial water service, as shown in the current Schedule of Service Charges.

The capital improvement charge represents each customer's contribution to the overall capital improvement of the total utility infrastructure for replacement and upgrade. Annually, the long term capital improvement costs are adjusted in the Capital Improvement Plan to meet the needed utility replacements and upgrades. The capital improvement charge may be adjusted annually by the Board of Trustees during the review and approval of the annual Capital Improvement Plan and Annual Budget.

15.02 Date of Commencement

The monthly water capital improvement charge is to take effect July 1, 1992.

15.03 Unimproved Parcels

The Water Capital Improvement Charge will also apply to undeveloped parcels. The charge shall be due when an application for connection to the water system of the District is made. The total retroactive Capital Improvement Charge is shown in the current Schedule of Service Charges. Larger services will be adjusted higher by the capacity ratio.

ARTICLE 16 - BACKFLOW AND CROSS CONNECTION REGULATIONS

16.01 General Policy

A. Purpose. The purpose of this Article is:

(1) To protect any public potable water supply of the District from the possibility of contamination or pollution by isolating within the customer's internal distribution system or the customer's private water system such contaminants or pollutants which could backflow into the public water systems; and

(2) To promote the elimination or control of existing cross-connections, actual or potential, between the consumer's in-plant potable water system and non-potable water system, plumbing fixtures and industrial piping systems; and

(3) To provide for the maintenance of a continuing Cross Connection Control Program which will systematically and effectively prevent the contamination or pollution of all potable water systems within the jurisdiction of District. This program shall also meet the requirements of the Safe Drinking Water Act Amendments of 1986 Public Law 99-339, Nevada Administrative Code section 445A.67185 to 67255, and the current adopted version of the Uniform Plumbing Code as approved by the Director of Public Works, and meets all of the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern

California (hereinafter referred to as USCFCCC&HR), and the American Water Works Association manual M14 with AWWA C506-84 Standards for reduced pressure principle assemblies, double check valve assemblies, spill proof vacuum breakers, atmospheric vacuum breakers, air gaps, and pressure vacuum breaker backflow prevention devices including any existing or future amendments.

B. **Responsibility.** The Director of Public Works, or his/her designee, shall be responsible for the protection of the public potable water system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in the judgment of said Director of Public Works, an approved backflow prevention assembly is required at the customer's water service connection, or within the customer's private water system, the Director of Public Works or his/her designated agent shall give notice in writing to said customer to install such an approved assembly(s) at specific locations on the customer's premises. Immediately upon receipt of the notice, the customer shall install such assembly at the customer's sole expense. Failure or refusal on the part of the consumer to make such installation and to have such tested yearly, or as required by the District by a certified backflow prevention assembly tester approved by the District's backflow administrator and maintained in good working order shall constitute grounds for discontinuing water service to the premises until such requirements have been satisfactorily met.

C. **Non-Liability of District.** The District shall not be responsible for any loss or damage directly or indirectly resulting from or caused by the proper, improper, or negligent installation, operation, use, repair, or maintenance of, or interfering with, any protective device by any customer of the District or any other person.

D. **Shared Responsibility.** Customers must share in the responsibility for the protection of the potable water system. Customers must maintain their water piping system so that pollutants do not backflow into the District water mains. It is also the customer's responsibility to report any possible hazard that may affect the District water mains. Reports should be made to the Director of Public Works as soon as a hazard is detected.

16.02 Backflow Definitions

A. **Approved.** Accepted by the Director of Public Works as meeting an applicable specification contained in this ordinance, or as suitable for the proposed use.

B. **Auxiliary Water Supply.** Any water supply on or available to the premises other than the District's approved public water supply and which is within District's water service area shall constitute an auxiliary water supply. Any intakes from Lake Tahoe or groundwater supply wells that are within the District's water service area that are not in direct control of District shall constitute auxiliary water supplies.

C. **Backflow.** The reversal of normal flow of water caused by either back-pressure or back-siphoning.

D. **Approved Backflow Prevention Devices.** An assembly or means to prevent backflow that has been manufactured in conformance with the standards established by the American Water Works Association titled:

(1) AWWA M14 and C506-84 Standards for Reduced Pressure and Double Check Valve Backflow Prevention Devices and spill proof vacuum breakers, pressure vacuum breakers and air gaps; and have met the laboratory and field performance specifications of the USCFCCC&HR established by Specifications of Backflow Prevention

Assemblies, Section 10 of the most current issue of the Manual of Cross Connection Control.

(2) Any AWWA and USCFCCC&HR standards and specifications, including existing and future amendments, are hereby adopted by the District and made a part hereof by reference.

(3) The following testing laboratory has been qualified by the Director of Public Works to test and certify backflow preventers.

a. Foundation for Cross Connection Control and Hydraulic Research

b. University of Southern California, Los Angeles, California

E. **Air-gap.** The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing, fixture, or other device and the flood level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically, above the overflow rim of the vessel, and in no case less than one inch. Any air gap placed near sidewalls, ribs or similar obstructions shall be a distance greater than three times the diameter of the effective opening.

F. **Reduced Pressure Principle Assembly.** An assembly of two independently acting approved check valves with resilient seated shut off valves together with a hydraulically operating, mechanically independent differential pressure relief valve located between the two check valves and properly located test cocks for testing each valve. The entire assembly shall meet the design and performance specifications as determined by laboratory and field evaluation programs resulting in the approval of said assembly by the USCFCCC&HR. The assembly shall operate to maintain the pressure in the zone between the two check valves at an acceptable level less than the pressure on the public water supply side of the assembly. At the cessation of a normal flow, differential relief valves shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved, these assemblies must be readily accessible for in-line testing and maintenance and be installed in a location where no part of the assembly will be submerged.

G. **Double Check Assembly Valve.** An assembly of two independently operating approved check valves with resilient seated shut-off valves on each end of the check valves. The assembly must also meet the specifications for approval by the USCFCCC&HR, plus properly located test cocks for the testing of each check valve. The entire assembly shall meet the design and performance specifications as determined by a laboratory and field evaluation program resulting in an approval by the USCFCCC&HR. To be approved, these assemblies must be readily accessible for in-line testing and maintenance.

H. **Pressure Vacuum Breaker Assembly.** This assembly shall include an approved internally loaded check valve and a loaded air opening to atmosphere on the discharge side of the check valve between two resilient seated shut-off valves. This assembly may only be used in irrigation systems that do not inject contaminants into the irrigation systems. Use will be limited to irrigation systems only.

I. **Contamination.** An impairment of the quality of the potable water by materials to a degree which creates an actual or potential hazard to the public health.

J. **Cross-Connection.** Any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems, one of which contains potable water and the other

non-potable water or industrial fluids of questionable safety, through which, or because of which backflow may occur into the potable water system.

K. **Hazard, Degree of.** The term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

(1) Hazard - Health. Any condition, device, or practice in the water supply system and its operation which could create or may create a danger to the health and well being of the water consumer.

(2) Hazard - Pollution. An actual or potential threat to the physical properties of the water system or the consumer's potable water system, which constitutes a nuisance or is aesthetically objectionable or could cause damage to the system or its appurtenances, but which is not dangerous to human health.

L. **Spill-Resistant Vacuum Breaker.** An assembly containing an independently operating internally loaded check valve and independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly is to be equipped with a properly located resilient seated test cock, a properly located bleed/vent port and tightly closing resilient seated shut-off valves attached to each end of the assembly. This assembly is designed to protect against a non-health hazard (i.e., pollutant) or a health hazard (i.e., contaminant) under a back-siphonage condition only.

16.03 Requirements

A. **Policy.**

(1) No water Service Connection to any premises may be installed or maintained by the District unless the water supply is protected as required by State laws and regulations and this ordinance. Service of water to any premises may be discontinued by the District if a backflow prevention assembly has been removed, bypassed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

(2) The Customer's system shall be open for inspection at all reasonable times to authorized representatives of District to determine whether cross-connections or other structural or sanitary hazards exist. When such a hazard becomes known, the Director of Public Works may deny or discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with state law and local ordinances relating to plumbing and water supplies and any regulations adopted pursuant thereto.

(3) An approved backflow preventer shall be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line, wherever the following conditions exist:

a. In the case of premises having an auxiliary water supply, the public water system shall be protected by installing an approved backflow preventer in the service line appropriate to the degree of hazard. No cross-connection between the auxiliary water supply and the public water system shall be made.

b. In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing an approved backflow preventer in the service line appropriate to the degree of hazard.

c. In the case of premises having (1) internal cross-connection that cannot be permanently corrected or controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected by installing an approved backflow preventer in the service line.

d. Any customer wishing to fill water trucks or other equipment shall fill out a District application for service and have that equipment inspected and approved by a representative of the District. An approved air-gap must be installed before filling from the potable water supply. Violation of this section shall result in a fine shown in the current Fee Schedule and disqualification from service.

(4) A customer's service may be discontinued for non-compliance, provided the District has given the Customer at least five (5) working days prior written notice of such intention. During the discontinuance for non-compliance, full monthly charges will apply. The District will bill the customer for posting a written notice of non-compliance in accordance with the current Fee Schedule. Water shut-off and turn-on charges due to non-compliance will apply in accordance with the current Fee Schedule.

B. **Type of Backflow preventer.** The type of backflow preventer required shall depend upon the degree of hazard which exists as follows:

(1) Where there is an auxiliary water supply, a minimum of a double check valve assembly will be required.

(2) Where there is any pollution hazard, the public water system shall be protected with a minimum of an approved double check valve assembly.

(3) Where there is any health hazard, the public water system shall be protected by an approved air gap or an approved reduced pressure principle assembly. Hospitals, sewage treatment plants and structures with chemical additives in fire sprinkler systems are examples of these type premises.

(4) Where access is denied or is impossible or impractical to make a cross-connection survey, the public water supply shall be protected with an approved air gap or an approved reduced pressure principle assembly depending on the degree of hazard.

C. **Approval Required.** Any backflow preventer required herein shall be a model and size approved by the Director of Public Works. Any below-grade applications must be approved by the District prior to installation.

D. **Inspections.**

(1) It shall be the joint duty of the District and the Customer at any premises where backflow prevention assemblies are installed to have certified inspections and operational tests made upon installation and at least once a year thereafter or as determined necessary by the Director of Public Works. In those instances where the Director of Public Works deems the hazard to be great enough he may require testing at more frequent intervals. All inspections and tests shall be performed by a certified District employee or certified cross connection tester. All testers shall be approved by the District and carry a current Backflow General Testers license approved by the State of Nevada and the District. All testers will follow the rules and procedures of the current adopted version of the Manual of Cross Connection Control issued by USCFCCC&HR. The District requires that a 3.0 PSID buffer be maintained on all reduced pressure assemblies. The District reserves the right to disqualify any tester from testing within the District for failure to adhere to the policies and standards set forth by the District and this Ordinance. All gauges shall meet the requirements of the current adopted version of The Manual of Cross Connection

Control and be calibrated on an annual basis to meet manufacturers' recommendations. The current calibration records shall be submitted with any test performed within the District. It shall be the responsibility of the Director of Public Works to make sure the tests are made in a timely manner, all test forms shall be submitted to the District's Compliance Division within two (2) business days. All extensions must be approved by the District. The customer shall bear the cost of the inspection, repairs and testing. Records of testing and repairs shall be kept by the District Public Works Department when said work is completed for a period of five years.

(2) Industrial, commercial, residential, multi residential and all other properties with backflow devices installed and requiring testing according to this Ordinance shall provide access upon request to any authorized representative of the District to perform such testing or provide acceptable test results to the District from an approved State of Nevada backflow tester, pre-approved by the Director of Public Works, of the customer's choice.

(3) Industrial, commercial, residential, multi residential and all other properties that are in process of transfer of ownership are subject to inspection(s) for backflow, reverse flow, pressure regulator or any equipment related to cross connection control in order to ensure suitable protection to the District water system. Charges for cross connection inspections performed by the District shall be a minimum rate, or actual cost, labor and materials, as determined by the Director of Public Works and/or in accordance with the current Fee Schedule. The Owner is responsible for payment of charges related to cross connection inspections.

(4) It shall be the joint duty of the District and the Customer at any premises where there is an auxiliary water supply to have a cross-connection survey completed upon installation and at least once a year thereafter or as determined necessary by the Director of Public Works. In those instances where the Director of Public Works deems the hazard to be great enough he/she may require a cross-connection survey at more frequent intervals. All cross-connection surveys shall be performed by a certified District employee or certified specialist approved by the District. All specialists shall be approved by the District and carry a current Backflow Specialist license approved by the State of Nevada and the District. All specialists will follow the rules and procedures of the current adopted version of the Manual of Cross Connection Control issued by USCFCCC&HR. The District reserves the right to disqualify any specialist from performing cross-connection surveys within the District for failure to adhere to the policies and standards set forth by the District and this Ordinance. It shall be the responsibility of the Director of Public Works to make sure the cross-connection surveys are made in a timely manner, all survey results shall be submitted to the District compliance department within two (2) business days. All extensions must be approved by the District. The customer shall bear the cost of the cross-connection survey. Records of cross-connection survey shall be kept by the District Public Works Department when said work is completed for a period of five years.

E. **Charges for Backflow Testing.** Charges for backflow testing/repairs performed by the District shall be a minimum rate, or actual cost, labor and materials, as determined by the Director of Public Works and/or in accordance with the current Fee Schedule. Owner is responsible for payment of related charges.

F. **Exclusions.** All presently installed backflow prevention assemblies which do not meet the requirements of this section, but which were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements, be excluded from the requirements of these rules so long as the Director of Public Works is satisfied that they will protect the public water

system. Whenever such device is moved, removed, or requires more than minimum maintenance or when the District finds that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of this section. Any plumbing improvements requiring a building permit will require that the rules of this ordinance be observed.

ARTICLE 17 - WATER CONSERVATION REQUIRED UNDER CERTAIN EMERGENCY CONDITIONS

17.01 General Policy

When in the opinion of the Board of Trustees circumstances require water conservation by District customers, the Board may impose one or more of the following conditions after consideration of those circumstances at a regular public hearing after notice to the customers as provided for in NRS 318.199.

A. Limited Conservation

(1) Restrict watering to evening and morning hours. Watering is allowed between the hours of 7 p.m. and 11 p.m., and between 5 a.m. and 9 a.m. There is no restriction to hand watering using hoses with self-closing nozzles.
(2) Prohibit wash-down of driveways, sidewalks, parking lots and other impervious surfaces.

B. Moderate Conservation

(1) All items under Limited Conservation.
(2) Restrict landscape irrigation to alternate days. Odd-numbered addresses allowed to water on odd-numbered calendar days; even-numbered addresses allowed to water on even-numbered calendar days. No irrigation allowed on the 31st day of the month.
(3) Limit use of water from fire hydrants to actual fire fighting use.
(4) Hand-washing of vehicles allowed only with hoses equipped with self-closing nozzles.

C. Strict Conservation

(1) All items under Moderate Conservation.
(2) No landscape or lawn irrigation under any circumstances.
(3) No new lawn or landscape installation.
(4) No wash-down of automobiles, trucks, vans or other motorized equipment except at commercial washing facilities that recycle wash water.
(5) Impose an excess consumption charge of 300% of the existing rate per 1,000 gallons for water use in excess of the base rate.

D. Circumstances Under Which Conservation May be Required

(1) The Board, upon its findings that one or more of the following emergency conditions are present, may impose any or all of the above-mentioned restrictions:
    a. Water scarcity condition exists or is likely to exist.
    b. Failure of water production, storage or distribution system(s).
    c. Demand for service in excess of the District's authorized water rights.
    d. Order of any agency of the federal, state or local government having jurisdiction in such matters.
    e. Any other condition that may require such action.

ARTICLE 18 - LANDSCAPING

18.01 Intent

The intent of this section is to implement landscaping standards which will result in the conservation of water, and eliminate water waste.

18.02 Applicability

This section applies to all new construction, remodeling where the building and deck footprint increases by more than 15%, any irrigation meter application, all Washoe County irrigation system permit applications, and/or an improvement requiring an increase of the service line or meter.

18.03 Requirements

All applicants must submit a landscaping plan as part of the permit process. The landscaping plan must identify turf coverage, irrigation systems, plant selections, water features, maintenance schedules, and installer/owner information.

18.04 Design and Construction Standards

Minimum standards for the planning, design, and construction of landscape irrigation systems within the District shall be in accordance with the District's "Landscaping Requirements" copies which are on file in the District Public Works Office. The District Engineer may permit or require modifications where special or unusual conditions are encountered.

18.05 Completion of Work Required

Before final approval of the work, or turn-on of the irrigation system, the landscape plan shall be complete in full compliance with all the requirements of the District's "Landscaping Requirements".