ORDINANCE NO. 2025-02 REGARDING DISTRICT WATER SYSTEM FACILITIES

OF THE AUBURN VALLEY COMMUNITY SERVICES DISTRICT

ESTABLISHING RULES, REGULATIONS, RATES, AND CHARGES GOVERNING THE USE, OPERATION, AND MANAGEMENT OF ALL FACILITIES; AND REVOKING ALL PREVIOUS WATER ORDINANCES AND RESOLUTIONS TO THE EXTENT THEY ARE INCONSISTENT WITH THIS ORDINANCE

BE IT ENACTED BY THE BOARD OF DIRECTORS OF THE AUBURN VALLEY COMMUNITY SERVICES DISTRICT, that the Board does hereby establish and adopt the following rules, regulations and procedures, rates and charges governing the use, operation and management of District water system facilities as follows:

SECTION I – DEFINITIONS

1. Applicant means the owner or his/her authorized agent making application for water and sewer service.
2. Accessory Dwelling Unit (ADU) means an attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
3. Board means the Board of Directors of the District.
4. Building is any structure that is (a) over one hundred twenty (120) square feet in area or requires a County building permit, (b) used for human habitation or as a place of business or recreation, and (c) contains sanitary sewer and/or water facilities.
5. Building Sewer Service is the portion of the sewer pipe beginning at the foundation wall of any building and running to the property line where it is connected to the sewer lateral.
6. Building Water Service is the portion of the water pipe beginning at the foundation wall of any building and running to the property line where it is connected to the water lateral.
7. Code means the District's Code of Ordinances.
8. Commercial use of a building or parcel means that its owner or tenant is engaged in a trade or business, including, but not limited to, hotels, motels, restaurants, stores, service stations, schools, churches, professional offices, recreational activities and, government services and facilities.
9. Contractor is an individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done.
10. Cost means the cost of labor, material, transportation, supervision, legal, engineering and all other necessary overhead expenses.
11. County means the County of Placer.
12. Cross-Connection means any physical connection between the piping system from the District Lateral and any other water supply that is not, or cannot be, approved as safe and potable for human consumption, whereby water from the unapproved source may be forced or drawn into the District distribution system.
13. Customer is the owner of the premises to which water and sewer service is provided through the District's water and sewer systems and named on the invoice for water and sewer service charges.
14. Days means calendar days unless otherwise stated.
15. District means Auburn Valley Community Services District.
16. District Code means the codification of all District ordinances.
17. Dwelling or Dwelling Unit means one (1) or more habitable rooms within a building that (a) are designed and/or used as independent living space for one (1) family; (b) have facilities for living, eating and sleeping; (c) have no more than one (1) kitchen and at least one (1) bathroom; and (d) have access to each other from within the building.
18. Engineer is the Engineer appointed by and acting for the Board and shall be a California Registered Civil Engineer.
19. Fixture Unit is a unit of measure used to express hydraulic loading imposed on water supply and sanitary sewer drainage piping as specified in the Uniform Plumbing Code and California Plumbing Code.
20. Garbage is solid waste from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
21. Guest House means a building (a) with sleeping space; (b) that is detached from a single-family residential dwelling on the same parcel; (c) that may include a bathroom and other living space (but not kitchen facilities); and (d) that shall not be rented or otherwise used for residential occupancy independent from the principal residence. All water and sewer service to the guest house shall be common to, dependent upon and associated with the main dwelling.
22. Manager means a General Manager appointed by the Board, or the person(s) designated by the Board of Directors to manage the day-to-day operations of the District in lieu of, or in the absence of the General Manager.
23. Multi-Family Residential Dwelling means: 1) a building or a portion of a building used and/or designed as residences for two (2) or more families living independently of each other; or 2) two (2) or more detached single-family dwellings on a single parcel where all of the single-family dwellings and the lot are under common ownership, provided that one of the units is not a secondary residential dwelling. Multi-Family Residential Dwelling includes half-plex structures (a half-plex is a single dwelling unit that is half (1/2) of a two (2) unit building where a property line separates the two (2) units), duplexes, triplexes, and fourplexes (attached dwellings under one ownership with two (2), three (3), or four (4) dwelling units respectively in the same building), and apartments (five (5) or more units under one (1) ownership in a single building).
24. Owner means the person owning in fee, or the person in whose name the legal title to the premises appears, by deed duly recorded in the County Recorder's office, or the person in possession of the premises or buildings under claim of, or exercising acts of ownership over same for himself or herself, or as executor, administrator, guardian or trustee of the owner. The owner is considered the customer with respect to the responsibilities described in the Code unless agreed to otherwise by the District in accordance with Section 5.03(d).
25. Permit means any written authorization required pursuant to any rule, regulation, or ordinance of the authority having jurisdiction.
26. Person means any human being, firm, company, partnership, association, and private, public, or municipal corporation; the United States of America; the State of California; districts; and all political subsections and governmental agencies thereof.
27. Plumbing System includes all plumbing fixtures including traps, waste and vent pipes and all sanitary sewage and water pipes within the property lines of the premises.
28. Premises means a lot or parcel of real property under one ownership. Apartment houses, motels, office buildings and structures of like nature are classified as a single premises.
29. Secondary Residential Dwelling means a second permanent dwelling that is accessory to a primary dwelling on a parcel. A secondary residential dwelling may be either a detached or attached dwelling unit which provides complete, independent living facilities for one family. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary dwelling. All water and sewer service to the secondary residential dwelling shall be independent of the primary dwelling.
30. Sewage is any combination of water-carried waste from buildings and industrial establishments connected to the District's sewer collection system.
31. Sewer Cleanout is a capped pipe which provides access to a sewer service or lateral from the ground level to allow cleaning of the pipe.
32. Sewer Collection System is all facilities including manholes, cleanouts, gravity mains, force mains and laterals in streets, highways, alleys and easements for collection, pumping, treating and disposing of sewage under the jurisdiction of the District.
33. Single-Family Residential Dwelling means a building designed for and/or occupied exclusively by one family on one (1) parcel. The single-family residential dwelling may have an associated guest house and/or an associated secondary residential dwelling.
34. Street is any public highway, road, street, avenue, alley, way, easement or right- of-way.
35. Water Conserving Faucet means any faucet equipped with an aerator or other flow reducing device limiting flow to a maximum of 2.2 gallons per minute.
36. Water Conserving Shower Head means a shower head equipped with a flow reducing device limiting flow to a maximum of 2.5 gallons per minute.
37. Water Conserving Toilets means a tank-type toilet designed for a maximum 1.6 gallon flush or a water closet equipped with an approved flushometer valve designed for a maximum 1.6 gallon flush.
38. Water Conserving Urinal means a urinal and associated flushometer valve which uses no more than one (1.0) gallon of water per flush.
39. Water Curb Stop is a valve located at the property line used to turn off supply to the building water service.
40. Water Meter and Meter Box are installed at the property line and used to measure the volume of water used by a residential or commercial building.
41. Water Distribution System is all facilities including valves, fire hydrants, curb stops, meter boxes, mains and laterals in streets, highways, alleys and easements for the distribution of water and fire protection under the jurisdiction of the District.

SECTION II - GENERAL PROVISIONS

1. Applicability. The rules and regulations contained in this section shall govern all work performed respecting waterworks of the District.
2. Purpose. This section is intended to provide certain minimum standards and requirements for design, methods of construction, and use of materials in water facilities hereafter installed, altered or repaired.
3. Inspection by District. The Manager or such other person as may be designated by the Board or Manager shall perform the duties of inspecting the installation, connection, maintenance and use of all water laterals and services and other water facility works in the District.
4. Pressure Conditions. All water service customers shall be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection, and to hold the District harmless for any damages arising out of low pressure or high pressure conditions or interruptions in service.
5. Operation of District Property by District Personnel. No one except an employee or representative of the District shall at any time or in any manner operate or tamper with curb stops, water meters, mainline valves, fire hydrants or any other part of the District's water distribution system.
6. Pools and Tanks. When an abnormally large quantity of water is desired for any purpose, arrangements must be made with the District prior to taking such water. When initially filling a swimming pool/large tank the person may not fill it using District water but must truck in the water unless written permission has been obtained from the District. Permission to take water in unusual quantities will be given only if it can be safely delivered through the District's facilities and if other customers are not inconvenienced thereby.
7. 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 owner or any tenants, agents, employees, contractors, licensees or permittees in installing, maintaining, operating or interfering with such equipment. It shall be unlawful for any owner of a house, building, or property connected to the District's water distribution system to maintain a water service where leakage is occurring. 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, either originally or when turned on after a temporary shutdown.
8. Supply to Separate Structures. Each single-family residential dwelling, secondary residential dwelling, multi-family residential dwelling, half-plex, commercial building or other separate structure for which application for water service is made shall have a separate water service. Fire protection for a single family and secondary residential dwellings shall be provided by the building service pipe. Fire protection for a multi-family residential dwelling, half-plex or commercial building shall be provided by a separate dedicated service pipe. The water pipe for each service shall be independent of the others and shall not be interconnected. No owner shall supply water to other than the owner's premises.
9. Supply to Accessory Dwelling Unit (ADU). An ADU shall share a water service lateral and meter with the primary residential dwelling on the same parcel. If utilizing an existing water lateral and the lateral is determined to have insufficient capacity, the property owner shall upgrade the size of the service lateral to the main line at their expense.
10. Damage to Water System Facilities. The owner shall be liable for any damage to the District's water distribution system when such damage is from causes originating on the owner's premises by an act of the owner or his tenants, agents, employees, contractors, licensees or permittees, including but not limited to the breaking or destruction of locks by the owner or others on or near a service and any damage to a service that may result from hot water or steam from a boiler or heater on the owner's premises. The District shall be reimbursed by the owner for any such damage within thirty (30) days of presentation of a bill.
11. Ground-Wire Attachments. No person shall attach any ground wire or wires to any plumbing system which is or may be connected to a service, lateral or main belonging to the District unless such plumbing system is adequately connected to an effective driven ground installation on the premises. The District will hold the owner liable for any damage to its property occasioned by such ground wire attachments.
12. Interruptions in Service. The District shall not be liable for damage which may result from an interruption in service from a cause beyond its control. Temporary shutdowns may be made by the District to make improvements and repairs. Whenever possible and as time permits, all customers affected will be notified prior to making such shutdowns. The District shall not be liable for any damages which may result from any such shutdown, whether or not notice is given, or for interruption, shortage or insufficiency of supply, or for any loss or damage occasioned thereby, if caused by accident, act of God, fire, strikes, riots, war or any other cause not within its control.
13. Meter Installation. A water meter shall be installed as part of all new service connections to the District's water distribution system. Each single-family residential dwelling, each dwelling unit in a multi-family residential dwelling and each space in a commercial building shall be separately metered. The size of the piping, meter and related equipment shall be based upon the demand determined by the water supply fixture unit count and/or fire sprinkler system flow in accordance with Appendix A of the California Plumbing Code, American Water Works Association Manual M22 and other factors deemed relevant by the District.
14. Costs of Installation of Building Water Service. All equipment associated with installation of the water service including piping, valves, fittings, meter box, meter and endpoint shall be approved in advance by the District and supplied and installed by the applicant at his expense. It shall be the duty of the person doing the work to notify the District that said work is ready for inspection. Such notification shall be given not less thanforty-eight (48) hours, not including weekends and holidays**,** before the work is to be inspected. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the District before giving the above notification. The District reserves the right to determine the location of the meter box as necessary to be accessible to the District. Until the District inspects and approves the installation, water shall not be provided to the premises. Once installed, the meter box and meter shall become the property of the District who shall be responsible for the operation, maintenance, repair and replacement of the meter and related equipment. The remaining components of the building service shall remain the owner's property.
15. Testing New Building Water Service. All new building water services shall be tested by the applicant in accordance with District's requirements prior to issuance of a Certificate of Occupancy by the County. The test section shall be from the meter box to the stop & drain valve (inclusive).
16. Testing of Existing Water Service and Installation of Meter Box.
17. All building water services, stop & drain valves and backflow prevention assemblies (if installed) serving single-family residential dwellings, multi-family residential dwellings, and commercial buildings shall be tested for leakage, and a water meter box installed (if not already present), when any of the following conditions occurs:
    1. Remodeling of the house, building or property resulting in an increase of more than 50% of its habitable space;
    2. Installation of additional plumbing fixtures in the house, building or property served;
    3. Change of use of the house, building or property serviced from residential to commercial, or from non-restaurant commercial to restaurant commercial;
    4. Upon repair or replacement of all or part of the building water service;
    5. Upon addition to a structure of living space, construction of a guest house or installation of plumbing in garages;
    6. Sale of the house, building or property served (prior to the close of escrow); or
    7. Determination of the District that the testing is required for the protection of the public health, safety and welfare.
18. The owner shall test the water service in accordance with the District's requirements. If the water service is found to be leaking, the owner shall be responsible for making any necessary repairs or replacement prior to the close of escrow or issuance of a Final Inspection by the County. The costs of repair or replacement shall be borne by the owner. Following any repairs or replacement of the water service the owner shall retest the water service and request a re-inspection of the repair work by the District to verify correction of the leak. Any backflow prevention assembly shall be tested in accordance with applicable District Ordinances. The owner shall conduct all required testing, and corrective work and notify the District not less than forty-eight (48) hours, not including weekends and holidays, prior to such testing and corrective work. Work conducted without such notice shall not satisfy the requirements of this Section.
19. All equipment associated with installation of the meter box including valves, fittings and the meter box itself shall be approved by the District and provided and installed by the owner at the owner's expense.
20. The District shall have the power to waive the building water service line testing requirement if the water service line was initially installed within the prior eight (8) year period or tested within a prior five (5) year period. The waiver shall not be available for any service line or stop & drain valve more than 30 years old.
21. Nothing herein shall constitute a warranty by the District of the soundness or ability of the water service to accomplish its purpose or remain in compliance with District Code.
22. The owner may be required to pay a re-inspection fee per the current Board adopted fee schedule for each re-inspection conducted pursuant to this Section.

SECTION III - WATER CONSERVATION

1. Water Conservation and Management Requirements. To preserve the natural resources within the District, water conservation must be practiced on a regular, year- round basis. The following water conservation measures shall be implemented by customers at all times:
2. Water from the District's water distribution system shall not be allowed to pool, pond or run-off of applied areas;
3. Water leaks from any owner equipment and facilities shall be immediately repaired;
4. Water shall not be allowed to continually run in any unoccupied premises;
5. Potable water shall not be applied to any driveway or sidewalk;
6. Using a hose that dispenses potable water to wash a motor vehicle, unless the hose is fitted with a shut-off nozzle, is prohibited;
7. Using potable water in a fountain or decorative water feature, unless the water is recirculated, is prohibited;
8. Irrigation with potable water outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Buildings Standards Commission and the Department of Housing and Community Development is prohibited.
9. Enforcement of District Water Conservation and Management Requirements. In the event of a violation of one of the requirements of Section 11.01, the District shall provide customers with written notice of such violation and that they are subject to administrative action up to including discontinuance of service if the violation is not corrected within forty-eight (48) hours of receipt of the notice, notwithstanding any other provision of the Code to the contrary. Such service shall be reconnected only upon payment of the reconnection fee set forth in District Ordinances.
10. Water Conservation Requirements for Buildings and Dwellings. For new buildings or dwellings, the following plumbing fixture and device requirements shall be met:
11. New Single and Multi-Family Residential Dwellings. Single and multi-family residential dwellings shall be equipped with approved water-conserving devices (toilets, urinals, showers and faucets) as all such devices are defined in this Ordinance; and
12. New Commercial Buildings. All new commercial buildings shall be equipped with approved water-conserving devices (toilets, urinals, showers and faucets). Self-closing valves shall be installed on all bathroom sinks.
13. Water Conservation Requirements for Replacement or Installation of Plumbing Fixtures and Devices in Existing Buildings or Dwellings. All plumbing fixtures and devices replaced or installed in any existing building or dwelling within the District service area shall meet the requirements for that particular dwelling or building as set forth in Section 11.03.
14. Installation of Water Conservation Plumbing Fixtures and Devices. Prior to the sale or the remodel of any property triggering a water or sewer service test, all installed plumbing fixtures and devices (toilets, kitchen and bathroom faucets and showerheads) shall meet the definitions of Water Conserving Plumbing Fixtures. The owner shall request an inspection by the District of the plumbing fixtures and devices at least ten (10) days prior to the scheduled date for the close of escrow or at such time as required by the District.

SECTION IV - FIRE HYDRANTS

1. Use of Fire Hydrants. Fire hydrants are for use by the District or by the local organized fire protection agency. Other parties desiring to use fire hydrants for any purpose must first obtain written permission 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.
2. Relocation of Fire Hydrant. If an owner or other party desires a change in the size, type or location of a hydrant, they shall bear all costs of such changes, without refund. Any change in the location, type or size of a fire hydrant must be in accordance with all local laws, rules, regulations and ordinances, and must be approved by the local fire protection agency and the District.
3. Keep Hydrants Clear. Adjacent property owners must keep the area around the hydrant clear of any vegetation or structures/objects that restrict the ability of authorized personnel from accessing the hydrants. Hydrants shall only be painted by District personnel or authorized contractors.

SECTION V - APPLICATION, FACILITY FEES, RATES AND CHARGES

1. Connection Permit Required. No person shall uncover, make any connections with or opening into, use, alter or disturb any portion of the District's water distribution system or perform any work on any water service until a Connection Permit has been issued by the District pursuant to the District's rules and regulations for the issuance of said Connection Permit, as such may be amended from time to time.
2. Application for Connection Permit. Persons desiring a connection to the District's water distribution system shall make application to the District on forms provided by the District for that purpose. The applicant shall give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. The District may require plans, specifications or drawings and such other information as may be deemed necessary.
3. Compliance with Approved Application. After approval of the application and issuance of the Connection Permit, no change shall be made in the location of the water service or meter, materials, or other details from those described in the completed application or as shown on the plans and specifications submitted with the application except with written permission from the District.
4. Agreement. The applicant's signature on the application shall constitute an agreement to comply with all of the provisions, terms and requirements of the Code, rules and regulations of the District, as such may be amended from time to time, the construction specifications, and the plans and specifications he has filed with his application, if any, together with such corrections or modifications as may be made or permitted by the District, if any. Such agreement shall be binding upon the applicant and may be altered only by the District upon the written request for the alteration from the applicant.
5. Time Limit on Connection Permit. If connection to the District's water distribution system is not made within the effective period of the Placer County building permit, the Connection Permit shall become void and no further work shall be done unless an extension of time is granted by the Board. The District shall refund the facility fee paid by the applicant less 10% for administrative costs if the Connection Permit is not extended.
6. Facility Fee for Connection to District Water System. In addition to all other charges of the District, a water facility fee established by the Board shall be collected for each connection at the time an application for service is submitted.
7. Service Charges. Water service charges established by the Board are hereby imposed upon each property receiving water service from the District. The Board shall adopt, maintain and publish a schedule of rates for water service, subject to modification from time to time, in accordance with the limitations and procedures set forth in controlling law and District ordinances and related resolutions.
8. Service Outside of District Boundaries If an owner desires water service for property located outside District boundaries, the owner shall be required to annex that property to the District through procedures of the Placer County Local Agency Formation Commission (LAFCO) prior to being granted water capacity for the property. The applicant shall be responsible for the processing and payment of all fees charged by LAFCO. District charges for its participation in the annexation process are separate from and in addition to the LAFCO charges and shall be paid in full to the District prior to the time that any such annexation is finalized.

SECTION VI - EFFECTIVE DATE OF ORDINANCE, AND REVOCATION OF PRIOR WATER ORDINANCES INCONSISTENT HEREWITH

This Ordinance shall become effective 30 days from the date of its adoption.

In the event of any inconsistency existing between this Ordinance and any prior Ordinance of the District, that most recent in time shall be deemed controlling, unless the District directs otherwise.

The clerk of this District is authorized and directed to cause this Ordinance to be duly posted as required by law.

PASSED AND ADOPTED at an adjourned regular meeting of the Board of Directors and held on October 15, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

AUBURN VALLEY COMMUNITY SERVICES DISTRICT

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ President of the Board of Directors

ATTEST:

Clerk of the Board