

**WATER UTILITY RULES & REGULATIONS
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WATER UTILITY GENERAL PROVISIONS

A. APPLICABILITY OF WATER RULES AND RATE SCHEDULES

These rules apply to the water service area of the Water Utility Division of the Public Works Department inside and outside the incorporated boundaries of the city, except as may be otherwise provided by specific schedules herein or prescribed by the Covina City Council. The Public Works Director or designee thereof shall interpret the Water Rules and Rate Schedules. In the event of any dispute or disagreement regarding their interpretation, the appeal process outlined in Section B of these General Provisions shall be followed.

B. APPEAL PROCESS

Any person desiring to appeal water fees, charges and/or requirements, other than charges for monthly service and usage, shall submit a letter of appeal to the Director of Public Works. The appeal will be reviewed and considered by the Director. Decisions of the Director may be appealed to the City Manager upon request of the applicant. Decisions of the City Manager may be appealed to the Covina City Council. The decision of the City Council shall be final.

Any person disputing a monthly service bill must follow Rule No. 15, "Disputed Bill Appeal Process."

C. SPECIAL CONDITIONS OF SERVICE

The Director of Public Works or designee thereof may establish and enforce charges for furnishing water to any installation of a character not adequately provided for by these Water Rules and Rate Schedules, provided that such charges shall be consistent with current rates and charges established by the City Council.

D. UTILITY PROPERTY

No person shall interfere or tamper with any Utility service, meter, fire hydrant, valve, or appurtenant facility nor shall any person trespass upon the public property of the Utility without written permission from the Director of Public Works.

E. APPLICATION FOR SERVICE

Before any water will be supplied by the Utility to any person or premises within the Utility's service area, the owner or occupant of the property shall make a written application for service upon forms provided by the Finance Department of the city.

RULE NO. 1
ADOPTION OF WATER RULES AND DEFINITIONS

The following Water Rules are effective within the water service area of the Covina Municipal Water District as approved by the City Council.

A. All Water Rules herein set forth are subject at all times to change. Reasonable effort will be made to issue revised copies whenever any changes so occur. Copies of the Water Rules in effect will be kept up-to-date and on-file in the offices of the Water Utility Division of the Public Works Department, the Development Services Division of the Public Works Department, and the City's Finance Department. Customers or others contemplating any expenditures or activities governed by these Water Rules should assure themselves that they have the latest correct information by visiting, telephoning or otherwise contacting one of these offices.

B. For the purpose of these Rules, the following terms shall be construed to have the prescribed meanings:

ADEQUATE SUPPLY: That quantity of water required to satisfy maximum day and peak hour demands, including fire flow demands, for a facility or development requesting water service.

APPLICANT: A person, persons, firm, association, government agency, corporation or other concern who indicates a desire to obtain water service from the Water Utility.

APPROVED BACKFLOW PREVENTION ASSEMBLY: An assembly currently listed by the "Foundation for Cross Connection Control and Hydraulic Research" as having a Certificate of Approval.

AUXILIARY WATER SYSTEM: Any water system or supply on or available to a premise other than the potable water supply of the Water Utility Division.

BACKFLOW PROTECTION: The installation of an approved backflow prevention assembly for the purpose of protection against the hazards of a cross-connection.

BASIC AREA: All that area within or outside the city limits of the City of Covina and served by the Water Utility Division.

BATTERY: A metering installation consisting of two or more water meters operated in parallel as substitute for a single, larger water meter.

BUILDING OFFICIAL: The Building Official of the City of Covina.

CITY: City of Covina

CITY COUNCIL: The City Council of the City of Covina.

COMMERCIAL ZONES: Areas designated by the City of Covina Planning Department, including C-P, C-1, C-2, C-3, C-3A, C-4, C-5, C-R, TC-P, TC-C, RD, R-TP, and R-R.

CONTAMINATION: A degradation of the potable water supply by the introduction of any foreign substance that may result in hazard to the public health through poisoning or spread of disease. A “high hazard” classification.

CROSS-CONNECTION: Any unprotected actual or potential link or connection between a potable water supply and any source or system containing an objectionable substance.

CUSTOMER: The person, persons, firm, association, government agency, corporation or other concerns who use, are entitled to use or benefit from the use of water from the Water Utility.

DATE OF PRESENTATION: The date upon which a bill or notice is mailed or electronically transmitted by the Water Utility to the customer.

DEGREE OF HAZARD: A condition derived from the evaluation within a water system. May be classified as “high hazard” or “low hazard”.

DIRECT CONNECTION: A cross-connection consisting of water piping tightly connected to a water system having a foreign substance (non-potable supply).

DIRECTOR: The Director of the Public Works Department of the City of Covina or designee thereof.

DIVERSION: The unauthorized acquisition of water service by means of tampering with the Utility’s system or facilities in anyway so as to obtain unmetered water service.

DOMESTIC WATER SERVICE: Potable water service commonly referred to as Residential, Commercial, Industrial or Institutional, excluding fire protection service and irrigation service.

FIRE PROTECTION SERVICE: Water service utilized solely for fire suppression.

FRONTAGE: Those actual distances measured in feet, along parcel/lot lines which abut all adjacent public streets or City of Covina easements.

INDIRECT CONNECTION: A cross-connection consisting of piping used to fill an open receptacle with water.

INDUSTRIAL ZONES: Areas designated as industrial by the City of Covina Planning Department, including M-1.

INTERIM WATER SERVICE: Temporary water service for commercial or construction uses with a maximum two-year period.

IRRIGATION WATER SERVICE: Water service utilized solely for commercial agriculture or landscape enterprises.

NEW RETAIL WATER SERVICE: The installation of a new meter for commercial, industrial or institutional property where water service has not previously been provided.

OFF-SITE: Those water mains and appurtenances necessary to connect on-site tract or individual facilities to the existing distribution system where adequate capacity is available to meet the requirement of the new service, and water mains and appurtenances along any remaining frontage.

ON-SITE: Those water mains and appurtenances within the boundary of tract maps, parcel maps or developments to provide the requirements of new water service (subdivisions, shopping centers, industrial parks, lots, etc.).

PERSON: Any individual, partnership, corporation, public agency or other organization operating as a single entity.

POTABLE WATER: Water that has been reviewed and approved for human consumption by the State Department of Public Health.

PREMISE(S): All real property, buildings and appurtenances upon an integral parcel of land undivided by a street, highway or other public thoroughfare.

PROGRAM SPECIALIST: The designated individual(s) possessing current certification issued by the American Water Works Association or other applicable regulatory agency for a Cross-Connection Control Specialist.

RESIDENTIAL ZONES: Areas designated by the City of Covina Planning Department, including A-1, A-2, E-1/2, E-1, E-2-1/2, E-5, R-1-20,000, R-1-10,000, R-1-8,500, and R-1-7,500.

SERVICE PROTECTION: An approved backflow prevention assembly installed on the customer side of the service connection to protect the Water Utility public water supply.

TITLE 17: That portion of California state law, the California Code of Regulations, addressing "Drinking Water Supplies".

UTILITY: The City of Covina, Public Works Department.

WATER SERVICE CONNECTION (WATER SERVICE LATERAL): The pipeline lateral extending from the Water Utility's water main, to and including the water meter, together with the necessary valves, fittings and water meter vault

WATER UTILITY: The City of Covina, Public Works Department, Water Utility Division.

RULE NO. 2

CHARACTER OF WATER SERVICE

The Water Utility shall endeavor to provide a dependable supply of potable water from available sources, in quantities adequate to meet the reasonable anticipated and projected needs of its customers.

Generally, the Water Utility shall attempt to maintain operating pressures at the water service connection of not less than thirty (30) pounds per square inch. Pressures may be lower at times of maximum demand, or because of unusual elevations or other special conditions.

The Water Utility sets certain requirements and design standards to be consistent with requirements of the Fire Department regarding water main fire flows and spacing of fire hydrants as required in the Uniform Fire Code, and as amended in the Covina Municipal Code.

All applicants for water service shall have given implied consent to such conditions of pressure and service as may from time to time exist, and to hold the Water Utility harmless from, or on account of, any damage caused by, or arising out of, low pressure or high pressure, fluctuations of pressure, or interruptions of service.

The character of service available at a premise must be ascertained by inquiry at the Water Utility Division offices, 534 North Barranca Avenue, Covina, CA, 91723; telephone (626) 384-5230. It shall be the applicant's responsibility to ascertain the pressure at the applicant's premises and to install and maintain any booster pumps, pressure regulators, and relief valves as required. As defined in the current applicable Uniform Plumbing Code, as adopted by the City, Section 608.2, when static water pressure inside a building is in excess of eighty (80) pounds per square inch, an approved type of pressure regulator and pressure relief valve shall be installed and properly maintained by the applicant so that the water pressure is reduced to eighty (80) pounds per square inch or less.

RULE NO. 3
ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

A. ESTABLISHMENT OF CREDIT – ALL CLASSES OF SERVICE

Before receiving utility service, each applicant will be required to provide identification acceptable to the Water Utility and pay all prior delinquent City of Covina utility billings in full, for which the applicant is legally responsible. The Water Utility may require verification of date of tenancy.

In addition, each applicant will be required to establish credit by making a monetary guarantee such as a cash deposit to secure the payment of bills for water utility services as prescribed in Rule No. 4, “Deposits and Service Turn-on Charge”.

B. RE-ESTABLISHMENT OF CREDIT – ALL CLASSES OF SERVICE

A customer who fails to pay water utility bills before they become delinquent as prescribed in Rule No. 5, “Rendering and Payment of Bills”, and who further fails to pay such bills within 15 days after distribution or mailing of a discontinuance of service notice for nonpayment of bills, shall be required to pay said bills, as well as any other prior unpaid bills for this or any other address, and re-establish their credit as prescribed in Rule 4. This Rule shall apply regardless of whether or not service has been discontinued for such nonpayment.

C. INDIVIDUAL LIABILITY FOR JOINT SERVICE

Where two or more persons join in one application or contract for utility services, they shall be jointly and severally liable thereunder and shall be billed by means of a single bill mailed to the person designated on the application to receive the bill.

Whether or not the Water Utility obtains a joint application for service, adults who occupy a premise and receive the benefit of service are responsible jointly and severally for the payment of the bills for water utility services used, unless the Utility, in writing, acknowledges that one or more of the adult occupants is not responsible. Those receiving benefit of service at a premises may include the applicant, i.e. the customer of record, and/or a number of other adults, such as in the case with multiple roommates. When the applicant, i.e. the customer of record, vacates the premises, the remaining adults who benefited from the utility services can be held liable for the utility billings incurred during the period they resided at the premise. The Utility may deny or discontinue service for nonpayment of a delinquent bill when the Utility determines that the applicant or one or more of the adults or roommates continue to occupy the premise.

In addition, the Utility may deny or discontinue service to an applicant at a new address if a delinquent utility billing remains unpaid from a prior service address, in which the Utility has determined that the applicant was a roommate.

RULE NO. 4
DEPOSITS AND SERVICE TURN-ON CHARGE

A. DEPOSITS

Deposits will be required for all customers to establish or re-establish credit as set forth in Rule No. 3.

B. AMOUNT OF DEPOSIT TO ESTABLISH SERVICE

A minimum deposit is required to establish water utility service for all classes of customers. The amount of deposit required to establish service will be equal to twice the estimated average monthly bill for water service as established by the City Council. The amount of deposit required for Utility furnished metering and backflow equipment shall be as defined in Rule 8.

C. AMOUNT OF DEPOSIT TO RE-ESTABLISH SERVICE

If service is terminated for any reason other than customer requested turn-off, or if a notice of discontinuance has been given, the customer will be required to pay a deposit, or an additional deposit, equal to the delinquent amount. In no case shall the amount of deposit be less than the minimum deposit as set forth in Appendix A – Water Fees and Charges Schedule.

If service is terminated, cut off, or discontinued more than twice in any twelve month period, the customer will be required to pay a deposit equal to twice the delinquent amount in addition to all other amounts due, including late payment penalties and charges.

D. PAYMENT OF DEPOSIT

1. Deposits are due upon application for service.
2. Deposits will not be used as payment for past-due bills to avoid discontinuance of service.

E. RETURN OF DEPOSIT

1. Upon discontinuance of service, the Utility shall apply the customer's deposit and accrued interest, if any, to the unpaid bills and refund the balance by mail.
2. The Utility may apply the deposit to the customer's account at any time upon request, provided the customer's credit may otherwise be established in accordance with Rule No. 3.

F. INTEREST ON DEPOSITS

1. At the sole discretion of the City Council, deposits may be held in either interest or non-interest earning accounts. If held in an interest earning account, simple interest as

established annually by the City Council will be accrued for the period that the deposit is held by the Water Utility.

2. If a customer's deposit is held in an interest earning account and the interest earned has grown to a sizeable amount, the Utility may apply the interest to the customer's active account at any time.

G. SERVICE TURN-ON CHARGE

1. A standard service turn-on fee shall be charged for turning on a new water service during normal working hours on the same day that application for service is approved. There will be an additional charge for after-hours or special appointment turn-on service when specifically requested by the customer and for re-establishment of service when service was disconnected due to non-payment. A service charge will be assessed for each additional field visit required to complete the service turn-on order. There is no charge for turning on a new water service during normal working hours of the workday following the day that service is approved.

2. The Utility shall not be liable for any loss or damage caused by the improper installation, maintenance, or malfunctions of any water apparatus or appliance, or for damage caused by turning on and off of water service by the Utility forces.

RULE NO. 5
RENDERING AND PAYMENT OF BILLS

A. GENERAL

Water meters shall be read as nearly as possible at regular intervals. Such regular meter readings normally shall be monthly but may be at other intervals as established at the direction of the Utility. If for any reason water service is not metered, or if the meter is inaccessible or cannot be read, or if the meter fails to register correctly, the CCF (one hundred cubic feet) consumption shall be estimated by the Utility as follows:

1. Previous consumption by metered service to the premises; or
2. The average consumption for the corresponding billing periods during which the meter is known to have registered correctly; or
3. The consumption as registered by a substitute meter; or
4. By giving consideration to the nature of use, volume of business, seasonal demand, and any other factors that may assist in determining such consumption.

B. PRORATION OF BILLS

Rate schedules stated on a monthly basis are related to a 30-day consumption interval as a standard month. Whenever actual meter read intervals differ from a standard monthly period, bills computed from monthly schedules will be subject to a prorating on a 30-day basis. In computing and rendering regular bills, minor variances between actual read intervals and any established regular read interval need not be considered in accordance with the following:

1. Where bills are regularly rendered monthly, computation from monthly rate schedules may be made directly whenever actual read intervals do not vary by more than four (4) days (greater or lesser) from the standard monthly interval.
2. On opening accounts, the Water Utility may omit the initial billing when such billing period is less than fifteen (15) days on monthly accounts.

C. READINGS OF SEPARATE WATER METERS NOT COMBINED

For the purpose of computing charges, each water meter upon the customer's premises shall be considered separately, and readings of two or more meters shall not be combined as equivalent to measurement through one meter.

D. TIME AND MANNER OF PAYING BILLS

Bills are due and payable on presentation and become delinquent 20 days after billing. After a bill is past due, the Water Utility may discontinue water service and turn off the water after giving appropriate written notice in accordance with Rule No. 7 and California law.

E. RETURN CHECK OR DRAFT

The City of Covina will assess a return item charge for a check, draft, or any other form of payment that is returned from or rejected by the bank for any reason. If the check was returned for payment on a prior notice for disconnection, service may be terminated without further notice.

F. PENALTY FOR NONPAYMENT OF BILL

The City of Covina will assess a basic penalty for nonpayment of a bill by the date due of ten percent (10%) of each billing period's charges.

G. LIABILITY FOR VACANT/INACTIVE PROPERTY

In case no water is used through the meter, or property becomes vacant, the regular monthly minimum rate shall be charged to, collected from and paid by the owner of the property, or the applicant for service, whether water was used or not as long as an active service account is registered at the location.

RULE NO. 6
METER INVESTIGATION AND ADJUSTMENT OF BILLS

A. GENERAL

1. Whenever the correctness of any bill for water service is questioned, the Utility shall investigate it. The customer has ten (10) days from the bill's date of presentation to question its correctness. After that period the bill is considered payable as rendered.

2. In cases where there are inaccuracies of recording of water use, or bills reflecting clerical or meter errors, or in disputed cases where water consumption, dates, or other provisions are subject to exact determination, proper adjustments in the billing shall be authorized by the Director or designee thereof.

3. In cases where consumption, dates or other factors required for application of rate schedules or other provisions are not subject to exact determination or are in question, or in disputed cases relative to service or rate application, the Utility shall establish such factors by tests, analysis, and investigations to determine if the proper basis for making an adjustment, if any. The customer may appeal all adjustments as described in Rule No. 15.

4. In all cases above, the following limitations shall apply:

a. Overcharges shall not be recomputed and credited to any account for a period in excess of three (3) years prior to the discovery of any error, or the date the bill was questioned, whichever occurs earlier.

b. Undercharges shall not be recomputed and billed to residential accounts for a period in excess of three (3) years prior to the discovery of an error, provided that the amount to be collected shall not exceed two (2) billing periods.

c. Undercharges shall not be recomputed and billed to non-residential accounts for a period in excess of three (3) years prior to the discovery of an error.

B. METER INVESTIGATIONS

1. Meter Verification Read

Whenever the accuracy of a water meter is questioned, the customer may request that the meter be re-read. Upon such request, the Utility shall review the customer's service history to determine if the current consumption charges are uncharacteristic. If this review determines that the current water usage appears to be uncharacteristic, the Utility shall re-read the meter. If the current consumption does not appear to be uncharacteristic, the customer shall have the option of paying a service fee for a special read of the meter. If the original meter reading is found to be in error, the service charge will be removed.

If the re-read is the result of an access problem, refer to Rule No. 17.

2. Meter Test

Whenever the accuracy of a water meter is questioned, the customer may request that the meter be examined and tested by the Utility. Upon such request and payment by the customer of all required fees and deposits, the Utility shall examine and have the meter tested by an independent party.

If the meter is found to register over two percent (2%) more than actually passes through it under conditions of normal operation, another meter shall be substituted and all deposits and fees refunded to the customer. If no error is found, or if an error factor is found, but less than two percent (2%), all deposits and fees shall be retained.

C. ADJUSTMENT OF BILLS FOR METER ERROR

1. Misread or Estimated Bills

When a water meter is found to have been misread or estimated incorrectly, the Utility shall correct the reading and adjust the customers account. A corrected bill for the last billing period involved in the correction may be sent.

2. Fast Meters

When a water meter is found to be more than two percent (2%) fast, the Utility shall credit to the customer the overcharge based on the corrected meter readings for the period in which the meter was in use, not exceeding six (6) months, unless it can be shown that the error was due to some specific cause, the date of which can be fixed. In this case, the overcharge shall be computed back to such time, but not exceeding three (3) years.

3. Slow Meters

When a meter is found to register more than two percent (2%) slow, the Utility may render a bill in accordance with Section A-4 for water consumed but not charged by bills previously rendered.

4. Non-registering Meters

If a previously properly registering meter fails to register during any period the customer shall be charged with an average consumption as shown by the meter when in use and registering correctly during a corresponding season. If no corresponding seasonal history is available, the Utility shall estimate consumption based on actual usage after the meter has been replaced, using seasonal variation. Additional adjustment may be made after customer provides acceptable verbal or written proof to the satisfaction of the Utility. Undercharges shall be computed in accordance with Section A-4.

D. DIVERSION

The collection limitation provisions of this Rule shall not apply to situations where it is determined that diversion is involved as noted in Rule No. 16.

RULE NO. 7
DISCONTINUANCE AND RESTORATION OF WATER SERVICE

A. CUSTOMER'S REQUEST FOR SERVICE DISCONTINUANCE

When customers desire to terminate their responsibility for service, they shall give the Utility not less than two (2) working days' advance notice of their intention, state the date on which they wish the termination to become effective, and provide access to the water meter. A field visit service charge will be assessed for each additional trip after the original attempt to turn service off required to complete the turn-off request.

If a new application is not made for service, and the water meter serves more than one premises, and premises are occupied, the Utility will read the meter on the date requested and notify the occupants of their rights by posting a 15-day Notice. Any resident has the right to prevent this discontinuance by applying for service to the water meter in their own name. Responsibility for service, for any customer making application, will begin with that date and reading. There will be a charge for posting of the notice which will be the liability of the customer making application.

Customers may be held responsible for all services furnished at the premises until two (2) working days after receiving a request for discontinuance of service by the Utility or until such time as the Utility has received an application for new service, provided access is available.

In the event access is not provided, the customers discontinuing shall be held liable for all consumption until access is provided.

B. DISCONTINUANCE FOR UNSAFE EQUIPMENT AND STRUCTURES

The Utility shall not provide service to any premises where the use or connections may be detrimental to the water service rendered by the Utility to other customers or to the Utility's facilities. Service shall also be discontinued and shall not be provided for any structure declared as unsafe or uninhabitable by the Building Official.

C. DISCONTINUANCE FOR USE OF WATER WITHOUT APPLICATION

When a new occupant who has not applied for water service takes possession of a premise and finds the water service turned on, the occupant shall notify the Utility of such findings within one (1) working day.

In the event the occupant turns on the water service, or fails to notify the Utility of finding the water service turned on within one (1) working day of occupancy, the occupant will be billed for the consumption back to their move-in date and the owner shall be billed for any unresolved usage. If the premises are unoccupied, or the Utility has not been notified of a new tenant by the owner, property manager, occupant or other representative of the owner, and water service is in use, the owner of the property shall be held responsible for payment of the bill. It is

the responsibility of the owner to verify that the utility service has been transferred into the name of the new occupant and to settle disputes of responsibility between the occupant and owner.

In the event that the occupant is charged for usage where the amount charged will be determined by the Utility, the amount billed will be based upon either the meter reading or on the basis of the estimated consumption for the length of time service was received by the occupant without proper application.

When the Utility finds that water is being used without proper application, the Utility may terminate the service without notice. Any amounts due in excess of the amount billed to the occupant shall be billed to the owner.

Only authorized Utility personnel are permitted to turn the service on at the meter. If the occupant self-initiates or restores water service, a self-restoration fee shall be imposed.

D. DISCONTINUANCE FOR NONPAYMENT OF BILLS

1. Past Due (Delinquent) Bills

Bills will be considered past due (delinquent) if not paid within 20 days after the date of mailing.

2. Discontinuance of Service Notice

When a bill for water service has become past due and a discontinuance of service notice has been issued, service may be discontinued if the bill is not paid within the time required by such notice. A customer's deposit to establish credit will not be used as payment to avoid discontinuation of service.

The Utility shall make a reasonable effort to contact an adult person occupying or residing at the premises of the customer by telephone or personal contact at least twenty-four (24) hours prior to any termination of service, except that, whenever telephone or personal contact cannot be accomplished, the Utility shall give, by mail, in person, or by posting in a conspicuous location at the premises, a notice of termination of service, at least 48 hours prior to the termination. If the property is posted to meet this requirement, there shall be a charge for posting the notice of termination.

Any residential customer who has initiated a complaint or requested an investigation within ten (10) days of the date of presentation of a contested bill shall not have service discontinued for nonpayment while an investigation is pending. Customer may be required to pay an estimated bill, per Rule No.15.

3. Discontinuance of Residential Service Dangerous to the Health of the Customer

The Utility will not terminate residential service for nonpayment upon certification by a licensed physician and/or surgeon that said termination will be life threatening; documentation

that the customer is financially unable to pay for service within the normal payment period; and declaration by the customer of willingness to enter into an amortization agreement with the Utility for the delinquent amount due.

4. Inability to Pay Residential Utility Bill

Any residential customer who has, within thirteen (13) days of mailing of a Delinquent Notice, made a request for an extension of the payment period of a bill asserted to be beyond the means of the customer to pay in full during the normal period for payment, shall be given an opportunity for review of the request by the Finance Manager or designee thereof. The review shall include consideration of whether the customer shall be permitted to amortize the unpaid balance of the account over a reasonable time, not to exceed 12 months.

A customer shall not have utility services discontinued for nonpayment if they are complying with an amortization agreement entered into with the Utility provided the customer also keeps current their account for utility services as charges accrue in each subsequent billing period. However, service may be terminated to any customer who does not comply with an installment payment agreement or keep current the account for utility services as charges accrue in each subsequent billing period.

The Utility shall make available to customers, upon request, information regarding agencies and/or organizations that may provide financial assistance.

If a residential customer fails to comply with an amortization agreement, the Utility shall not terminate service without giving notice to the customer at least forty-eight (48) hours prior to termination of the conditions the customer is required to meet to avoid termination, but, such notice shall not entitle the customer to further investigation by the Utility.

5. Discontinuance for Unpaid Utility Bill at Previous Address

A customer's service may be discontinued for nonpayment of a bill for service previously rendered them at any location served by the Utility provided such bill is not paid within fifteen (15) days after presentation of a Delinquent Notice.

6. Discontinuance of Service When Trying to Avoid Payment of Utility Bill

The Utility may discontinue or deny service for nonpayment of a bill where the Utility determines that the same person or persons continue to occupy the service address. However, the Utility will not deny service to the renters of a premise whose owners or prior unrelated tenants have delinquent unpaid bills.

7. Discontinuance of Service Due to Fraud

The Utility may refuse or discontinue service if the acts of the customer or the conditions upon the customer's premises are such as to indicate intent to defraud the Utility.

8. Discontinuance of Service at More Than One Location

If a customer is receiving service at more than one location, service at any or all locations may be discontinued if bills for service at any location are not paid within the time specified above, except that a residential service account shall not be discontinued for failure to pay bills for non-residential service.

9. Discontinuance of Service when Utility's Business Office is Closed

Service will not be discontinued by reason of delinquency in payment for utility services on any Saturday, Sunday, legal holiday, or at any time during which the business office of the Utility are not open to the public.

10. Discontinuance of Service at Individually Metered Multi-unit Residential Structures and Mobile Home Parks

Where utility service is provided to residential occupants in a multi-unit residential structure, mobile home park, or permanent residential structure in a labor camp, as defined by Section 17008 of the Health and Safety Code, and the owner, manager, or operator is listed by the Utility as the customer of record, the Utility shall make every good faith effort, when the account is in arrears, to inform the occupants by means of a notice that service will be discontinued.

(1) A fifteen (15) day notice of discontinuance shall inform the tenants of their right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

(2) The tenant must establish credit to the satisfaction of the Utility. However, where a tenant is establishing service under the provisions of this section and prior service for a period of time is a condition for establishing credit with the Utility, residence and proof of prompt payment of rent or other credit obligation acceptable to the Utility for that period of time is a satisfactory equivalent.

There will be a charge for a field notification.

11. Discontinuance of a Service at a Master Metered Multi-unit Residential Structure

For discontinuance of service to residential occupants in a multi-unit residential structure who are master metered by the Utility:

(1) A written 15-day notice of discontinuance shall be posted on the door of each residential unit prior to discontinuance; except that if it is not reasonable or practicable to post the notice on the door of each residential unit, the Utility shall post two copies of the notice in each accessible common area and at each point of access to the structure or structures. The

notice shall be in English and, to the extent practical, in the language that the Utility determines is the primary language spoken by a significant number of the residential occupants.

The notice will specify:

- (a) The date on which service will be discontinued.
- (b) That the occupants have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.
- (c) What the occupants are required to do to prevent the termination of service or to reestablish service.
- (d) The estimated monthly cost of service.
- (e) The title, address, and telephone number of a representative of the Utility who can assist the occupants in continuing service.
- (f) The address and telephone number of a legal services project as defined in Section 6213 of the Business and Professions Code which has been recommended by the local county bar association.

(2) The Utility is not required to make service available to the occupants unless each occupant or a “representative of the residential occupants” agrees to the terms and conditions of service and meets the requirements of law and the Utility’s Rules and Schedules. However, if one or more of the occupants or the representative of the residential occupants are willing and able to assume the responsibility for subsequent charges to the account to the satisfaction of the Utility, or if there are physical means, legally available to the Utility, of selectively terminating service to those occupants who have not met the requirements of the Utility’s Rules and Schedules or for whom the representative of the occupants is not responsible, the Utility shall make service available to those occupants who have met those requirements or on whose behalf those requirements have been met. As used herein, “representative of the residential occupants” does not include a tenants’ association.

(3) Credit must be established to the satisfaction of the Utility. Where prior service for a period of time or other demonstration of credit worthiness is a condition for establishing credit with the Utility, residence and proof of prompt payment of rent or other obligation during that period of time acceptable to the Utility is a satisfactory equivalent.

(4) Where the Utility furnished service under a Residential Rate Schedule to a multi-unit residential structure through a master meter, the Utility may not discontinue service in any of the following situations:

- (a) While an investigation by the Utility of a customer dispute or complaint is pending.

(b) When the customer has been granted an extension of the period for payment of a bill.

(c) For an indebtedness owed by the customer to any other public agency or when the obligation represented by the delinquent account or other indebtedness was incurred with any public agency other than the Utility.

(d) When a delinquent account relates to another property owned, managed, or operated by the customer.

(e) When a public health or building officer certifies that disconnection would result in a significant threat to the health or safety of the residential occupants or the public.

There will be a charge for posting the field notice.

12. Discontinuance of Service at Commercial Food and Medical Facilities

Every reasonable effort will be made to ensure that service terminations for nonpayment of commercial food and medical facility customers occur outside of the customer's normal business hours to prevent the creation of health and safety concerns for members of the general public.

E. RESTORATION OF SERVICE

1. Amount Due to Restore Service

All past due bills at the time of reconnect, applicable service charges, late payment penalties, and a deposit shall be paid by the customer prior to restoration of service. In addition, the City and/or Utility may require an inspection of water facilities prior to reconnection at the customer's expense. "After hours" for fee assessment purposes are hours outside the following windows: 6:00 a.m. to 4:30 p.m. Monday through Friday.

2. Funds Verification Fee

If it is necessary to verify funds prior to reconnection, an additional service charge may be assessed. If funds cannot be verified, the Utility may require secured funds prior to reconnect.

3. Re-establishment of Service Deposit

If service is terminated, or if a notice of discontinuance has been given, the Utility will require the customer to pay a deposit or an additional deposit as specified in Rule No. 4.

4. Reconnect Service Charge

All charges are cumulative and each trip to the premises will incur additional charges. In order to restore service discontinued under the provisions above, there shall be a charge for the expense of turning the service on.

5. Self-Restoration Service Charge

In the event anyone has turned on the water service after it has been turned off for any of the above reasons, there shall be a charge in addition to other amounts due from the customer before service is restored.

6. Administrative Fee

If water diversion occurs, an additional service charge will be assessed, as prescribed in Rule No. 16, "Water Diversion".

7. Water Meter Removal

If the meter is removed, a service charge will be billed in addition to other amounts due. Re-installation of meters removed due to non-payment and/or self-restoration activities by the customer will only be scheduled during the District's normal business hours. Off-hours re-installations are not available without the prior approval of the Director.

RULE NO. 8
TEMPORARY WATER SERVICE

A. APPLICABILITY OF RULE

Temporary water service shall be provided for:

1. Fairs, circuses, bazaars, temporary restaurants and other establishments not of a permanent nature.
2. Interim Water Service (commercial agricultural uses).
3. Construction purposes.

B. USES AND APPLICATIONS

1. Temporary Water Service

Temporary water service normally shall be furnished subject to a charge which shall cover the actual costs of installing and removing the required connections, including overhead and administrative expenses. Customer and consumption charges shall be at the applicable tariff in effect.

2. Temporary Service – Fire Hydrant Water Meters

a. Water may be withdrawn from appropriately marked fire hydrants through a fire hydrant water meter rented from the Utility upon payment of all required fees and deposits.

b. The Utility reserves the right to remove a customer from use of a fire hydrant if the use is causing disturbance to the water system.

c. Rental and consumption charges shall be in accordance with the rate schedule approved by the City Council.

d. Customers may obtain fire hydrant (construction) water meters at the Utility's offices at 534 North Barranca Avenue. Construction meters may only be installed or moved from one location to another by Utility personnel. Each requested set, move or relocation of a construction meter shall require a service fee to be billed to the customer.

e. Fire hydrant water meters shall be returned to the Utility's offices on any workday between the 15th and the 20th of each month to be read for billing purposes. Meters picked up between the 15th and the last day of the month need not be returned during the current month. In addition to all other charges, an estimated monthly charge shall be made to cover cost of billing each month for each meter not returned for reading.

f. All water taken from the water system must be through a Utility approved fire hydrant water meter.

g. Return of a deposit is subject to the payment for water used at the applicable rate, and the return of the fire hydrant water meter in satisfactory condition. A deduction from the deposit may be made to cover the cost of necessary repairs to, or replacement of the meter, and for other fees and charges.

3. No person shall remove or interfere with any fire hydrant operating nut. A penalty as set forth in Appendix A shall be billed or subtracted from a deposit if the operating nut is removed from the fire hydrant, in addition to any other sanction which might be available to the Utility.

4. Temporary Service – Backflow Prevention Assemblies

All water withdrawn from fire hydrants for purposes other than fire fighting shall be in strict compliance with Rule No. 13, “Cross-Connections and Pollution of Supply”. Withdrawal of water shall be through an approved backflow prevention assembly which is acceptable to the Director or designee thereof except where it has been determined by the Director that a pollution hazard does not exist.

Customer-owned backflow assemblies must be presented to the Backflow Program Specialist for inspection and approval before they may be utilized.

5. Fire Hydrants

Fire hydrants are provided for the primary use of the Fire Department in extinguishing fires.

a. If the Utility grants permission to other persons or organizations to withdraw water from fire hydrants, the applicant acknowledges his/her demand is secondary to the needs of the Fire Department.

b. No permanent attachment or rigid-connections are permitted on any fire hydrant. The Utility may require a double outlet fitting with independent valves between the fire hydrant and applicant’s connection.

c. No water, except for fire fighting, shall be taken from any fire hydrant so designated by the Utility.

d. The cost of repairing damage to a fire hydrant and related equipment, or to the water system due to water hammer, or to careless or improper use of a fire hydrant or equipment, shall be paid by the person or organization whose name appears on the permit or meter application, at the election of the Utility.

C. INTERIM WATER SERVICE

1. Interim water service for parcels that will be under interim or temporary commercial agricultural use.
2. Water service shall be for commercial agricultural purposes only, including annual and/or seasonal crops.
3. Interim water service will be provided to a property or premise for a maximum two-year period.
4. Applicant/owner shall pay applicable Water Service Connection and Meter Charges, and water service removal charges (cut and plug).
5. Applicant/owner shall execute a recordable agreement approved by the City Attorney regarding the interim water service (Interim Service Agreement) and pay a processing fee as set forth within Appendix A prior to any service being provided.
6. Consumption charges will be levied in accordance with the appropriate published tariff.
7. Interim Water Service provisions shall not apply to wholesale nursery operations.

RULE NO. 9
SHORTAGE OF SUPPLY AND INTERRUPTION OF DELIVERY

A. INTERRUPTION OF DELIVERY

The Utility shall exercise reasonable diligence and care to furnish and deliver a continuous and sufficient supply of water to all customers and to avoid any shortage or interruption of service. The Utility shall not be liable for interruptions, shortage or insufficiency of supply, or any loss or damage occasioned thereby.

B. TEMPORARY SUSPENSION OF WATER SERVICE

The Utility reserves the right to temporarily suspend the delivery of water whenever it may be necessary for the purpose of making repairs or improvements to its system. The making of such repairs or improvements will be constructed as rapidly as feasible and, whenever possible, at such times as shall cause the least inconvenience to customers. In all cases of such interruptions of water service, the Utility will make a reasonable attempt to give advance notice to customers who may be affected.

C. SHORTAGE OF WATER SUPPLY

In the event of any actual or threatened shortage of water supply, and during the period of such shortage, the Utility shall apportion the available supply of water among its customers in the most equitable manner possible to continue service fairly and without discrimination, except that preference shall be given to such services essential to the public interest and to the preservation of life and health.

D. DROUGHT OR SUPPLY DISRUPTIONS – WATER CONSERVATION

1. This Rule establishes permanent water conservation standards intended to alter behavior related to water use efficiency at all times and further establishes three levels of water supply shortage response actions to be implemented during times of declared water shortage or declared water shortage emergency, with increasing restrictions on water use in response to worsening drought or emergency conditions and decreasing supplies.

2. The following words and phrases whenever used in this Rule shall have the meaning defined by this section:

a. “Person” means any natural person or persons, corporation, public or private entity, governmental agency or institution, including all agencies and departments of the city of Covina or any other user of water provided by the city of Covina.

b. “Landscape irrigation system” means an irrigation system with pipes, hoses, tubing, spray heads, or sprinkling devices that are operated by hand or through an automated system.

c. “Large landscaped areas” means a lawn, landscape, or other vegetated area, or combination thereof, equal to or greater than one (1) acre of irrigable land.

d. “Single pass cooling systems” means equipment where water is circulated only once to cool equipment before being disposed.

- e. "Potable water" means water which is suitable for drinking.
- f. "Recycled water" means the reclamation and reuse of non-potable water for beneficial use as defined in Title 22 of the California Code of Regulations.
- g. "Billing unit" means the unit of water used to apply water rates for purposes of calculating water charges for a person's water usage and equals 100 cubic feet of water.

3. The provisions of this Rule apply to any person in the use of potable water provided by the city of Covina. The provisions of this Rule do not apply to the following:

- a. Uses of water necessary to protect public health and safety or for essential government services, such as police, fire and other similar emergency services.
- b. The use of recycled water, with the exception of Section 13.06.040(A) of the Covina Municipal Code.
- c. The use of water by commercial nurseries and commercial growers to sustain plants, trees, shrubs, crops or other vegetation intended for commercial sale.

4. The following water conservation requirements are effective at all times and are permanent. Violations of this Rule shall be considered waste and an unreasonable use of water.

a. Limits on watering hours. Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of 9:00 a.m. and 5:00 p.m. Pacific Time on any day, except by use of hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing, shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

b. Limit on watering duration. Watering or irrigating of lawn, landscape, or other vegetated areas with potable water using a landscape irrigation system or water device that is not continuously attended is limited to no more than fifteen minutes watering per day per station. This subsection does not apply to landscape irrigation systems that exclusively use very low-flow, drip-type irrigation systems when no emitter produces more than two gallons of water per hour and weather based controllers or stream rotor sprinklers that meet a seventy percent efficiency standard.

c. No excessive water flow or runoff. Watering or irrigating lawn, landscape, or other vegetated area in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch is prohibited.

d. No washing down hard or paved surfaces. Washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards, and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive, self-closing shut-off device, a low-volume, high-pressure cleaning machine equipped to recycle any water used, or a low-volume, high-pressure water broom.

e. Obligation to fix leaks, breaks, or malfunctions. Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the water user's plumbing or distribution system for any period of time after such escape of water should have reasonably been discovered and corrected and in no event more than seven days of receiving notice from the city is prohibited.

f. Re-circulating water required for water fountains and decorative water features. Operating a water fountain or other decorative water feature that does not use re-circulated water is prohibited.

g. Limits on washing vehicles. Using water to wash or clean a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not is prohibited, except by the use of a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing, shut-off nozzle or device. This subsection does not apply to any commercial car washing facility.

h. Drinking water served upon request only. Eating or drinking establishments, including but not limited to a restaurant, hotel, café, cafeteria, bar, or other public place where food or drinks are sold, served, or offered for sale, are prohibited from providing drinking water to any person unless expressly requested. This subsection does not apply to permanently installed public drinking fountains.

i. Commercial lodging establishments must provide guests option to decline daily linen services. Hotels, motels and other commercial lodging establishments must provide customers the option of not having towels and linen laundered daily. Commercial lodging establishments must prominently display notice of this option in each bathroom using clear and easily understood language.

j. No installation of single pass cooling systems. Installation of single pass cooling systems is prohibited in buildings requesting new or increased capacity water service.

k. No installation of non-re-circulating in commercial car wash and laundry systems. Installation of non-re-circulating water systems is prohibited in new commercial conveyor car wash and new commercial laundry systems.

l. Restaurants required to use water conserving dish wash spray valves. Food preparation establishments, such as restaurants or cafes, are prohibited from using non-water conserving dish wash spray valves.

m. Commercial car wash systems. Effective on January 1, 2011, all commercial conveyor car wash systems must have installed operational re-circulating water systems, or must have secured a waiver from this requirement from the city.

5. A Level 1 Water Supply Shortage exists when the City Manager or designee thereof determines that due to drought or other water supply conditions, a water supply shortage or threatened water supply shortage exists and a consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration of a Level 1 Water Supply Shortage condition, mandatory Level 1 conservation measures identified in this Rule shall become effective immediately.

In addition to the prohibited uses of water identified in Section 4, the following water conservation requirements shall be in effect during a declared Level 1 Water Supply Shortage:

a. Watering or irrigating of lawn, landscape, or other vegetated area with potable water is limited to three days per week on a schedule establishes and posted by the Director of Public Works. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the Director of Public Works. This subsection does not apply to landscape irrigation zones that exclusively use very low-flow drip irrigation systems when no emitter uses more than two gallons of water per hour. This subsection also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing, shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

b. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within seventy-two hours of notification by the city unless other arrangements are made with the city.

6. A Level 2 Water Supply Shortage exists when the City Manager or designee thereof determines that due to drought or other water supply conditions, a water supply shortage or threatened water supply shortage exists and a consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration of a Level 2 Water Supply Shortage condition, mandatory Level 2 conservation measures identified in this section shall become effective immediately.

In addition to the prohibited uses of water identified in Sections 4 and 5, the following additional water conservation requirements shall be in effect during a declared Level 2 Water Supply Shortage:

a. Watering or irrigating of lawn, landscape, or other vegetated area with potable water is limited to two days per week on a schedule establishes and posted by the Director of Public Works. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the Director of Public Works. This subsection does not apply to landscape irrigation zones that exclusively use very low-flow drip irrigation systems when no emitter uses more than two gallons of water per hour. This subsection also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing, shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

b. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within forty-eight hours of notification by the city unless other arrangements are made with the city.

c. Filling or re-filling ornamental lakes or ponds is prohibited except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a supply shortage level.

d. Using water to wash or clean a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not, is prohibited except by the use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing, shut-off nozzle or device, by high-pressure/low-volume wash systems, or at a commercial car washing facility that utilizes a re-circulating water system to capture or reuse water.

e. Re-filling or more than one foot and initial filling of residential swimming pools or outdoor spas with potable water is prohibited.

7. A Level 3 Water Supply Shortage condition is also referred to as an 'Emergency' condition. A Level 3 condition exists when the City Manager or designee thereof declares a water shortage emergency and notifies residents and businesses that a significant reduction in consumer demand is necessary to maintain sufficient water supplies for public health and safety. Upon declaration of a Level 3 Water Supply Shortage condition, the Director of Public Works will implement the mandatory Level 3 conservation measures identified in this section.

In addition to the prohibited uses of water identified in Sections 4, 5 and 6, the following water conservation requirements shall apply during a declared Level 3 Water Supply Shortage Emergency:

a. Watering or irrigating lawn, landscape, or other vegetated area with potable water is prohibited. This restriction shall not apply to the following categories of use, unless the Director of Public Works has determined that recycled water is available and may be applied to the use:

(1). Maintenance of vegetation, including trees and shrubs, that are watered using a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing shut-off nozzle or device.

(2). Maintenance of existing landscape necessary for fire protection.

(3). Maintenance of existing landscape for soil erosion control.

(4). Maintenance of plant materials identified to be rare or essential to the well-being of protected species.

(5). Maintenance of landscape within active public parks and playing fields, day care centers, golf course greens, or school grounds, provided that such irrigation does not exceed two days per week according to the schedule established in Section 13.06.060(B)(1) and time restrictions in Section 13.06.040(A) and (B).

(6). Actively irrigated environmental mitigation projects.

b. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within twenty-four hours of notification by the city unless other arrangements are made with the city.

c. Upon declaration of a Level 3 Water Supply Shortage Emergency condition, no new potable water service will be provided, no new temporary meters or permanent meters will be provided, and no statements of immediate ability to serve or provide potable water service, such as will-serve letters, certificates, or letters of availability, will be issued, except under the following circumstances:

(1). A valid, unexpired building permit has been issued for the project; or

(2). The project is necessary to protect the public health, safety, and welfare, or

(3). The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the Director of Public Works. This subsection does not preclude the resetting or turn-on of meters to provide continuation of water service or the restoration of service that has been interrupted for a period of six months or less.

d. The Director of Public Works, in his or her sole discretion, may discontinue service to consumers who willfully violate provisions of this section.

e. Upon the declaration of a Level 3 Water Supply Shortage condition, the city will suspend consideration of annexations to its service area. This subsection does not apply to boundary corrections and annexations that will not result in any increased use of water.

8. The existence of a Level 1, Level 2 or Level 3 water supply shortage conditions will take effect on the tenth day after the date the shortage is declared. Within five days following the declaration of the shortage level, the Director of Public Works or designee thereof must publish a notice of the declaration of water supply shortage in a newspaper used for publication of official notices, post the notice in the same location and manner as other official notices of the

City are posted, and use whatever means are reasonably available, including but not limited to the City's website, the emergency telephone notification system, and regular billing statements, to notify customers of the shortage declaration.

9. If, due to unique circumstances, a specific requirement of this Rule would result in undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water users, the person or property owner may apply for a waiver to the requirements as provided in this section.

The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water use due to specific and unique circumstances of the user or the user's property.

a. Application for waiver must be on a form prescribed by the city and accompanied by a non-refundable processing fee in an amount set by resolution of the Covina city council.

b. The application must be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.

c. An application for waiver will be denied unless the Director of Public Works finds, based on the information provided in the application, supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the city, all of the following:

(1). The waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses;

(2). Because of special circumstances applicable to the property or its use, the strict application of this chapter would have a disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally;

(3). The authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the city to effectuate the purpose of this chapter and will not be detrimental to the public interest; and

(4). The condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent, or general in nature.

The Director of Public Works or designee thereof must act upon any completed application no later than ten days after submittal and may approve, conditionally approve, modify, or deny the waiver. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise at the time a waiver is approved, the waiver will apply to the subject property or use during the period of the mandatory water supply shortage condition. The decision of the Director of Public Works may be appealed in accordance with the General Provisions.

10. At the sole discretion of the Utility, any violation of this Rule may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty days or by a fine not exceeding one thousand dollars, or by both.

At the sole discretion of the Utility, in lieu of prosecution as a misdemeanor, any violation of this Rule may result in a penalty being assessed to a person's water utility bill, as follows:

a. First Violation. The city will issue a written warning and deliver a copy of this ordinance either by mail or by hand delivery to the property.

b. Second Violation. A second violation within the preceding twelve calendar months is punishable by the levying of an assessment of \$50.00 upon the responsible person's water bill.

c. Third Violation. A third violation within the preceding twelve calendar months is punishable by the levying of a non-compliance assessment of \$100.00 upon the responsible person's water bill.

d. Fourth and Subsequent Violations. A fourth and any subsequent violation is punishable by the levying of a non-compliance assessment of \$250.00 upon the responsible person's water bill.

e. Water Flow Restrictor. In addition to or in place of any non-compliance assessments, the Utility, in its sole discretion, may install a water flow restrictor device of approximately one gallon per minute capacity for services up to one and one-half inch size and comparably sized restrictors for larger services forty-eight hours after written notice of intent to install a flow restrictor is issued.

f. Discontinuing Service. In addition to or in place of any non-compliance assessments and/or the installation of a water flow restrictor, the Utility may, in its sole discretion, disconnect a customer's water service for willful violations of mandatory conservation measures contained within this chapter.

A person or entity that violates any of the provisions of this Rule is responsible for payment of the Utility's charges for installing and/or removing any flow restricting device and for disconnecting and/or reconnecting service per the Utility's schedule of charges then in effect. The charge for installing and/or removing any flow restricting device must be paid to the Utility before the device is removed. Nonpayment will be subject to the same remedies as nonpayment of basic water rates.

Each day that a violation of this Rule occurs is a separate offense.

A consumer may appeal a Notice of Violation or violation penalty assessment by filing a written appeal as prescribed within the Utility's General Provisions.

RULE NO. 10
WATER SYSTEM AND FEE REQUIREMENTS

A. GENERAL

1. Applicability of Rule

a. Water system installations shall be made in accordance with the provisions of this Rule.

b. See Rule No. 8, "Temporary Water Service," for provisions applicable to installations for temporary services.

c. Water service fees and charges will be determined in accordance with the provisions of this Rule and Rule No. 11.

2. Design and Construction of Water Facilities

a. All design and construction shall be in accordance with the Utility's standard plans and specifications.

b. Water facilities within private developments shall only be accepted for maintenance by the Utility if authorized by the Director. Developers may request that water facilities within their private developments be accepted for maintenance by the Utility subject to the following:

(1) Easements (30 foot minimum width) shall be provided to the City for water mains and access across the entire width of private streets and with adequate additional easements provided for water system appurtenances (meters, hydrants, etc.).

(2) Standard concrete six-inch (6") curbs and gutters shall be constructed within the development; and

(3) Compliance with any special requirements of the Utility.

c. Specific methods to meet adequate fire flow requirements specified by the Fire Department or other agencies exercising jurisdiction over the facilities will be determined by the Director.

d. No sewer, gas, electric, cable television, or any other service pipe or conduit shall be installed nearer than two feet (2') to any water service pipe, main or meter.

3. Ownership of Water Facilities

Water distribution system installations, however provided, shall become property of and under the control of the Utility.

B. INSTALLATION OF ON-SITE WATER FACILITIES

1. Applicability

a. The developer/owner shall have the responsibility for the installation of on-site water facilities within the boundaries of subdivisions, shopping centers, industrial parks or lots as shown on the record map.

b. Water fees and charges related to the installation of on-site water facilities shall be paid prior to commencement of work. Work shall commence within six (6) months of payment of all water fees and charges or the water fees and charges which are in effect when work is commenced shall apply.

c. Water facilities, which become the property of the Utility, shall generally be located within the public right-of-way. Water facilities will only be permitted within easements at the discretion of the Director.

2. Installation of On-Site Water Facilities by Developer/Owner

a. Developer's/Owner's Responsibilities

The developer/owner shall have the responsibility for engineering, constructing, sanitizing and testing of the pipelines, appurtenances, service laterals and installation of water meter vaults, in accordance with the Utility's standard plans and specifications and are subject to Utility inspection and acceptance. The developer/owner shall pay to the Utility the established charges as set forth in Section C.2 of this Rule.

(1) Engineering shall be by a civil engineer registered in the State of California and shall include submission of a full set of detailed improvement plans to the Utility along with a plan check fee.

(2) After all changes, modifications and additions requested by the Utility have been made on the water plans and the same have been approved, developer/owner shall supply a complete set of original plans to the Utility. Said original plans shall become the property of the Utility.

(3) The developer/owner shall have the required installation performed by a licensed contractor and shall furnish a cash deposit or faithful performance bond in an amount equal to 100% of the estimated cost of installation. Cash deposit or bondable estimated installation costs shall be based upon the estimated construction cost of the water system and applicable fees and charges.

(4) All laboratory analyses required in connection with chlorination and sanitizing of the newly-installed systems shall be performed by a state of California laboratory licensed and certified to perform such tests. All charges in connection therewith shall be borne by the developer/owner with test results forwarded to the Utility.

(5) All Utility fees and charges must be paid prior to commencing construction of water facilities.

b. City Provided Services

The City shall provide services including engineering plan review, inspection, setting of water meters and water system connections to the existing water mains.

(1) The submitted water plans will be examined for conformance with the Utility's standard specifications and other requirements. Errors and omissions, if any, will be indicated on the plans and they will be returned to the engineer for correction.

(2) Utility personnel or their agents will inspect water facilities installed by the developer's/owner's contractor to ensure compliance with the water plans and specifications.

(3) Utility forces will schedule and set all water meters upon filing of the appropriate water service application form and payment of water fees by the applicant.

c. Reimbursement of Pipe Oversizing

(1) If at the Utility's request, the developer/owner is required to install a pipeline of a larger diameter than normally necessary for the development, the developer/owner shall be reimbursed for the difference in price between the required size and the larger diameter pipe in accordance with B.2.c. of this Rule.

(2) Payments for pipe oversizing will be made upon acceptance of the installed pipeline.

(3) Under no circumstances will reimbursements be made for eight-inch (8") or smaller pipelines in single family residential zones or twelve-inch (12") or smaller in all other zones.

(4) Sizing of water facilities will include consideration of Fire Department requirements.

d. Acceptance and Release

(1) The security given for faithful performance of the work, whether cash or bond, may be released, in part, upon final completion and acceptance of the water facilities by the Utility and upon delivery to the Utility of a complete set of "As Built" plans for all water system improvements constructed; except that an amount equal to ten percent (10%) of the surety bond, but not less than \$1,000 will be held to cover the costs of possible maintenance, repair and replacements. Final release shall be made one (1) year after acceptance of the water system.

(2) If the developer/owner fails to complete all of the specified improvements in accordance with the approved water plans and specifications within twelve (12) months of commencing said work, the Director may order such work performed by Utility forces or agents and may utilize the cash deposit, if furnished, or call upon the surety company for funds to cover reimbursement.

C. INSTALLATION OF OFF-SITE WATER FACILITIES (WATER MAIN EXTENSIONS AND REPLACEMENTS)

1. General

a. Developers/owners shall be responsible for the off-site water main extensions and replacements necessary to reach and front their properties/developments from existing Utility facilities having adequate capacity. Replacement of water mains shall be required when existing water mains are undersized or inadequate to supply domestic and/or fire flows to/for proposed developments.

b. The Director reserves the right to have off-site water facilities installed by Utility forces at the expense of developer/owner based upon actual cost of water main installation.

c. The Director is authorized to execute water main reimbursement agreements on behalf of the Utility for water main installations paid for or constructed by developers/owners. The purpose of these agreements is to provide partial or full reimbursement to developers/owners who pay for or install off-site water facilities.

d. The water main reimbursement agreements shall contain brief descriptions of the properties to be served with water, the length and location of water mains, as well as the total estimated costs. These agreements shall remain in effect for a maximum of twenty (20) years, after which no further reimbursement will be made.

Water main reimbursement agreements shall be executed for a value over five hundred dollars (\$500.00). Reimbursements shall be computed by dividing the total cost of the improvement by the lineal footage installed to determine a frontage foot cost. Reimbursement payments for water main extension shall not exceed the total construction cost of the improvements as provided in the Water Main Reimbursement Agreement.

2. Water Main Extensions (Installation by Utility Forces)

a. If water main extensions are installed by Utility forces, developers/owners shall pay to the Utility the actual cost of water main extensions including appropriate construction, engineering and administration charges.

b. Engineering and installation shall not commence until the Utility has actually received payment for the estimated cost of work. Work shall commence within six (6) months after receipt of total estimated cash payment. If commencement of work is delayed for more

than six (6) months by circumstances outside the control of the Utility, developers/owners may be required to pay additional estimated costs.

c. Developers/owners will receive either a partial refund or an invoice to cover the actual costs of water main extensions after all final costs are known.

3. Water Main Extensions (Installation by Developers/Owners)

Developers'/owners' appropriately licensed contractors are subject to the Utility's approval prior to scheduling the construction of water main extensions. All fees and charges shall be paid prior to commencement of work. Requirements shall conform to those established within Section B.2 of this Rule.

4. Water Main Relocations

Developers/owners shall be responsible for relocating existing water main(s) which would not be located within paved roadways of streets or would have pipe cover of less than three feet (3') or more than ten feet (10') as a result of a developer's/owner's improvements. Relocations shall be in accordance with the Utility's requirements and at developer's/owner's expense.

D. SPECIAL PROVISIONS

1. General

a. Special Provisions have been enacted for development within temporary/remote water service locations and for water service locations outside the city limits and shall take precedence over General Provisions of this Rule.

b. With Utility approval, Special Provisions may apply to allow temporary/remote (off-site location) water service connections not fronting the property being served.

c. Special Provisions shall only apply to the above listed areas as outlined herein. General Provisions of this Rule shall apply to all other areas.

d. All other provisions of the Water Rules shall apply to the above-listed areas except as modified by these Special Provisions.

2. Temporary/Remote Water Service – Temporary Off-Site Location

Upon approval of the Utility, water may be provided through a temporary/remote service connection from the nearest existing main of adequate size, subject to fulfillment of the following conditions:

a. Applicant shall pay all applicable fees and charges.

b. Applicant shall secure any public and/or private easements deemed necessary by the Utility to facilitate temporary/remote water service.

c. Applicant shall execute a recordable agreement approved by the City Attorney regarding the temporary/remote water service.

3. Installations or Connections Outside City Limits

In territories served by the Utility outside the city limits, no fire hydrant shall be installed and connected with the mains of the Utility until approval has been granted by the fire department having jurisdiction in the territory to be served.

RULE NO. 11
WATER SERVICE CONNECTIONS, WATER METERS AND RELATED APPARATUS

A. GENERAL

1. Water Service Connections shall front the individual lots or parcels they serve and shall be constructed within the public right-of-way or within Utility approved easements as determined by the Director.

a. More than one water service connection per parcel/lot shall require the advance approval of the Utility and may require the installation of an approved backflow prevention assembly.

b. One water service connection servicing more than one parcel/lot shall require the advance approval of the Utility and may require the installation of an approved backflow prevention assembly.

c. When the water meter and water meter vault cannot reasonably be located in the public right-of-way, they shall be located on the customer's premises adjacent to the crossing of the service laterals with the property line or such other location as may be agreed upon by the customer and the Director.

d. No rent or other charge shall be levied against the Utility for water service connections which must be located on customer's property.

e. New water service connections and fire hydrant connections will not be allowed from transmission mains twelve inches (12") in diameter, or larger.

2. Except for the Center Court development or any other development covered by a separate agreement, the Utility shall own and maintain all water service connections up to and through the rear water meter union whether located on private property or in the public right-of-way.

3. Customers shall, at their own expense and risk, furnish, install and maintain all apparatus and appliances which are required to receive, control, regulate and utilize the pressure and flow of water as furnished by the Utility. The Utility shall not be liable for any loss or damage caused by the improper installation, maintenance or malfunction of such apparatus. The Utility shall not be responsible for damage or inconvenience occasioned by the misuse of water after it has left the water meter, nor for any damage caused by turning on and off of water service by Utility forces.

4. The Utility shall not be liable for any damage to the customer's plumbing caused by tree roots or any other natural causes.

5. As provided for by Section 608.2 of the Uniform Plumbing Code, as adopted by the City, when static water pressure inside a building is in excess of eight (80) pounds per square inch, an approved type pressure regulator and pressure relief valve shall be installed and properly

maintained by the applicant so that the water pressure is reduced to eighty (80) pounds per square inch or less.

6. Customers shall compensate the Utility for any and all damage to water service connections under the Utility's ownership that is caused by carelessness or neglect by the customer.

7. It shall be customers' or property owners' responsibility to maintain free and clear access for the Utility's representatives to all water meters, water meter vaults, backflow prevention assemblies, fire hydrants and other water facilities supplying their premises.

8. Inasmuch as ownership of all water service connections as described in Section A.2 above is vested in the Utility, only authorized representatives and employees of the Utility are permitted to connect or disconnect the service lateral to the water main or to turn the service on or off at the water meter. Tampering with the service lateral or water meter in any way by unauthorized persons is a violation of these Rules and may result in a penalty and/or the discontinuance of water service.

9. Whenever a customer, property owner or representative thereof has requested a water service connection to be removed, abandoned, or disconnected at the water main, said person shall sign a release waiving all rights and interest in the water service connection. Re-establishment of service to the premises shall be evaluated and charged as a new water service connection, with all applicable fees and charges due.

10. All Utility customers shall install, at their own expense, a shut-off valve inside the property line of the property to be served to allow the customer to shut off the water to the premises without tampering with the Utility's facilities or requiring Utility personnel to respond to the location to disconnect service at the meter for on-site plumbing repairs.

B. WATER SERVICE CONNECTIONS FOR INDIVIDUAL PREMISES

1. Upon payment of the applicable fees and charges and completion of the appropriate application forms, the Utility shall furnish, install and maintain the service lateral, water meter and water meter vault.

2. Applicants for individual off-site water service connections four inches (4") or larger have the option of requesting the Utility's forces install the required connections, if approved in advance by the Director. If Utility forces install said connections, the applicant shall pay to the Utility the applicable charges prior to the work being scheduled for completion.

3. Bacteriological Testing for Water Meters Two Inches (2") or Larger and Fire Protection Services

Customer piping served by a water meter two inches (2") or larger and Fire Protection Services will not be tested until a twenty-four (24) hour period between the final flushing and the taking of bacteriological samples is completed. Following this period, the contractor shall have a

qualified laboratory approved by the Utility perform bacteriological tests. Samples shall be taken in the field and transported to the laboratory by a laboratory technician or by a representative of an approved testing firm. A minimum of one (1) successful bacteriological test per five hundred feet (500') of water main will be required. All samples must be absent for total Coliform and E. coli/fecal bacteria and have a heterotrophic plate count of less than two hundred (200).

All laboratory testing shall be at the contractor's expense. One copy of the test results shall be mailed directly to the Utility from the laboratory.

A flushing testing charge will be collected in advance of each installation requiring bacteriological testing. The fee will be established by resolution of the City Council and a separate fee shall apply each and every time flushing testing is required. The flushing testing charge will allow a maximum flushing time of ninety (90) minutes.

C. WATER SERVICE CONNECTIONS IN SUBDIVISIONS (TRACT MAPS), PARCEL MAPS, RECORDS OF SURVEY, SHOPPING CENTERS, MOBILE HOME PARKS AND INDUSTRIAL DEVELOPMENTS

1. Water service connections within the development shall be installed in conjunction with the other on-site water facilities under the provisions of Rule No. 10. Water meter charges as specified in Rule No. 10 shall apply.

2. Work shall commence within six (6) months of payment of all water fees and charges or the fees and charges which are in effect when work is commenced shall apply. All fees and charges which are applicable shall be paid prior to commencement of installation.

3. Stationary steam boilers, hydraulic elevators, power pumps or any similar apparatus may not be directly connected to the water system without the prior written approval of the Director.

D. RELOCATION AND REPLACEMENT OF WATER SERVICE LATERALS

1. Water relocation or moving of water service laterals shall be performed by Utility forces at the customer's expense. The charges shall be estimated by the Utility. Maximum lateral relocation shall be five feet (5').

a. The charges to relocate water service connections shall be at actual cost of relocation.

b. If at the customer's request the water service lateral must be extended or shortened, it will be done at customer's expense.

2. Water service laterals which are or become defective without fault on the part of the customer shall be replaced at the Utility's expense. When a defective water service lateral is

scheduled for replacement, the customer may obtain a larger size meter by paying the difference between the cost of the water meters, in addition to any other applicable charges.

3. When a customer requests a water meter size increase with no change to the water service lateral, the difference in water meter costs plus fifty dollars (\$50.00) will be charged in addition to any other applicable fees.

4. Charges for relocating fire hydrants and Fire Protection Services shall be levied when such relocation is for the convenience of the customers or is necessitated by improvements initiated by them. These charges shall include costs for labor, materials and overhead expenses. The charge for replacing a Fire Protection Service shall be the charge for a new service.

E. REPAIR OF WATER FACILITIES

The Utility shall, at its own expense, make all repairs necessary to Utility-owned and operated water mains, meters and pipelines. The Utility will not make any repairs nor do any work whatsoever on water pipelines beyond the meter connection.

The cost of repairing water facilities damaged by persons other than Utility personnel shall be actual labor, material, equipment and overhead costs for each incident. This charge may be waived at the Director's discretion.

F. FIRE PROTECTION SERVICE – USAGE

1. Fire hydrants are provided primarily for the purpose of extinguishing fires and may only be opened and used by authorized personnel of the fire department or the Utility.

2. Private fire protection system services shall be used only for the discharge of water to extinguish fires and shall be equipped with a backflow device detector assembly and bypass meter. It shall be unlawful to install any taps, hose bibs or other outlets for the use of water for any other purpose. The taking of water from a private fire system or any unauthorized use shall constitute cause for the discontinuance of the water supply at that service or the installation at the customer's expense of a fully-metered water service connection with enforcement of the applicable water rates to such water meter.

3. The Fire Protection Service to a premise shall be subject to the same backflow prevention regulations and requirements as the domestic water service to the property.

4. The Utility shall determine the degree of hazard associated with the Fire Protection Service connection. When backflow protection is necessary, the following installation will be applicable:

a. Fire Protection Service Connection Above-Ground: the Utility installation shall generally include tapping the water main, laying a service lateral, and installing an above-ground riser and flange.

b. All piping, valves, regulators and attachments on the applicant's side of the riser flange shall be the applicant's responsibility to install and maintain.

c. An approved double-check detector assembly (DCDA) or an approved reduced pressure principle detector assembly (RPDA) shall be furnished and installed by applicant. The location of this assembly must be approved by the Utility's Backflow Program Specialist. The assembly is the property of the customer and it is the customer's responsibility to test and maintain the unit. The detector meter on the bypass piping of the detector assembly becomes the property and maintenance responsibility of the Utility. This water meter shall be protected by a steel enclosure with a hinged meter reading lid. The steel enclosure shall be approved in advance by the Utility prior to fabrication and shall be primed and painted as approved by the Utility.

5. Every person authorized to open a fire hydrant must replace the cap on the outlet after they are done with the use of the hydrant. Any leaks, breaks or damage noticed at the time of use must be reported immediately upon discovery to the Utility.

G. TEMPORARY WATER SERVICE CONNECTIONS FOR AGRICULTURAL USES

Temporary water service connections as determined by the Director may be provided for parcels of land that are to be under agricultural uses.

H. COMMERCIAL/INDUSTRIAL/INSTITUTIONAL IRRIGATED LANDSCAPE

1. The installation of separate water meters to measure the volume of water used exclusively for landscape purposes is required for all new retail water services.

2. This requirement does not apply to either of the following:

- a. single-family residential connections; or
- b. connections used to supply water for the commercial production of agricultural crops or livestock.

3. This requirement applies only to a service connection that serves property with more than 5,000 square feet of irrigated landscape.

RULE NO. 12
WATER SUPPLY THROUGH MASTER METERING AND RESALE OF WATER

A. MASTER METERING

No water shall be served to two or more separate parcels of property through a common water meter unless covered by a Master Water Meter Agreement. At the discretion of the Utility, water supply through a master water meter may be permitted for the following types of developments:

- Apartment complexes
- Condominiums/townhouses
- Shopping centers
- Industrial parks
- Trailer/mobile home parks

B. RESALE OF WATER

No customers shall resell any of the water received by them from the Utility except as may be authorized by a Master Water Meter Agreement and then only at rates not in excess of those prescribed in the Utility's rate schedule for like service. Water used by customers shall be restricted to use on the premises specified in their applications for service. The provisions of this Rule shall not apply to commercial water vending machines licensed for operation by the Public Health Department.

The Utility reserves the right and power to contract separately with any person for the sale and delivery of water within or outside the city limits, at wholesale, at times, places and prices agreed upon by resolution of the city council.

C. USE OF WATER SERVICE CONNECTION WHEN PROPERTY IS SUBDIVIDED

When property with an existing water service connection is subdivided, the water service connection shall be considered as belonging to the lot or parcel of land which it will continue to serve. If the existing water service connection does not abut the lot or parcel which it will continue to serve, it shall be at customers' expense and responsibility to have the connection relocated adjacent to the lot or parcel where its use will continue. The charges for any relocations shall be in accordance with Rule No. 11.

RULE NO. 13
CROSS-CONNECTIONS AND POLLUTION OF SUPPLY

A. AUTHORITIES AND RESPONSIBILITIES

1. It is the responsibility of the Utility to protect the public water supply system from contamination due to potential or actual unprotected cross-connections. The achievement of a cross-connection control program accomplishes this goal as required by State regulations. This Rule adopts by reference Title 17, incorporating Sections 7583 through 7605 of the California Code of Regulations entitled, "Regulations Relating to Cross-Connections" herein. Dual water systems (auxiliary water) shall be considered as a recycled water system.

2. Under the direction of the Director, the Program Specialist is recognized as responsible for applying and enforcing the Utility's Cross-Connection Control Program.

3. Unprotected cross-connections with the Utility's potable water supply are prohibited. The Utility's Program Specialist shall conduct necessary surveys of customer water uses to evaluate the potential degree of hazard to the potable water supply. It shall be the customer's responsibility to comply with the Utility's backflow protection requirements as a condition of receiving or continuing to receive water service. Whenever the Program Specialist decides backflow protection is necessary, an appropriate approved backflow prevention assembly shall be provided, installed and maintained at the expense of the customer. The type of service protection shall be suitable to prevent backflow for the actual or potential degree of hazard that exists on the customer's premises. All potable water service connections entering the premises, buildings, or structures shall be protected. A water service used exclusively for fire protection shall be evaluated separately.

4. The Utility will maintain a list of approved backflow prevention assemblies. The type of backflow protection (listed in increasing level of protection) that may be installed includes: a double-check valve assembly (DC), a reduced pressure principle assembly (RP), and an air-gap separation (AG). The customer may select a higher level of protection than required by the Utility.

B. SURVEYS AND NOTIFICATIONS

1. New Service Connection: The Utility shall review all requests for permanent and temporary services to decide if backflow protection is needed. Plans must be submitted to the Utility upon request for review of potential unprotected cross-connection hazards as a condition of service from a new service connection. If it is decided that a backflow prevention assembly is necessary to protect the Utility's potable water system, the required assembly must be installed and tested before service will be established.

2. Existing Service Connection: The Utility may require an on-premise inspection or re-inspection survey to evaluate the cross-connection hazards of any premise to which it serves water. The Utility will request an inspection appointment with each affected customer. Any

customer who cannot or will not allow an on-premise inspection of the water piping system shall be required to install the approved backflow prevention assembly the Utility considers necessary.

a. The Utility will notify the customer of the survey inspection findings, listing any required corrective actions. A period of thirty (30) days will be given to complete all corrective actions requested, including installation of an approved backflow prevention assembly. A thirty (30) day extension may be granted at the discretion of the Program Specialist in situations having extenuating circumstances.

b. A second notice will be sent to each customer who does not take the required corrective action prescribed in the first notice. The second notice will give the customer an additional two (2) week period to complete the required action. If the required corrective actions have not been completed by the end of the two (2) week period, the Utility may suspend water service to the affected customer without further notice until the required corrective actions are completed.

C. TEST AND INSPECTION

1. A customer may obtain a list of currently approved backflow prevention assemblies from the Utility. All approved backflow prevention assemblies shall be installed in a manner as prescribed in Section 7603, Title 17. The location of the assembly shall be above-grade as close as practical to the water service connection. The Utility's Backflow Program Specialist must approve the location of the backflow prevention assembly installed for service protection.

2. An annual testing notice and list of certified backflow prevention assembly testers will be sent to notify the water customer when an assembly needs to be tested. The notice shall contain a date when the testing must be completed and results submitted to the Utility.

3. No assembly shall be placed into service unless it is functioning as required. Testing of backflow assemblies shall only be conducted by competent backflow prevention assembly testers certified by the Director of Public Health, County of Los Angeles. Testing and maintenance costs are the responsibility of the water customer. The approved backflow prevention assembly must be tested immediately after installation, relocation or repair and at least annually after that. More frequent testing than once a year may be required if considered necessary by the Utility. The Utility will provide an initial no-cost testing where backflow protection is installed at a site for service protection.

4. The water customer will receive a written notice of any requirement to test the backflow prevention assembly from the Utility:

a. The Utility will notify each affected water customer approximately two (2) weeks before the scheduled testing month for the backflow prevention assembly installed on their service connection. The written notice will include a list of certified testers and Test Report form to be completed by the certified tester of the customer's choosing. This notice will give the water customer thirty (30) calendar days to have the assembly tested and submit the Report form to the Utility showing satisfactory testing results of the assembly have been completed. The

testing and maintenance report of backflow prevention assembly shall be submitted to the Utility within fifteen (15) days from the completion of the work. Whenever a test shows a malfunction, the assembly shall be repaired within fifteen (15) days of observed failure and shall be retested.

b. A second notice, including a list of certified assembly testers, shall be sent to each customer not having their backflow prevention assembly tested within the time limit prescribed in the first notice. The second notice will give the customer an additional two (2) week period to complete the testing. If testing has not been completed by the end of this two (2) week period, the Utility shall, at its sole discretion, either suspend water service to the affected customer without further notice until the testing is satisfactorily completed, or shall arrange for the testing and any needed repair to the assembly and bill the customer of record for the actual costs of testing and repair of the assembly. The charge will be billed to the customer on the City's utility billing.

5. Approval must be obtained from the Utility before a backflow prevention assembly is removed, relocated or replaced.

a. Removal: The use of an assembly may be discontinued and the assembly removed from service upon presentation of sufficient evidence to the Utility to verify that a hazard no longer exists and is not likely to be created in the future.

b. Repair: An assembly may be removed for repair provided another approved backflow prevention assembly is temporarily installed or the water use is discontinued until the repairing of the unit is completed. A retesting of the unit will be required following the assembly repair.

c. Relocation: Relocation of an approved backflow prevention assembly is acceptable with prior approval of the water utility. The new location must satisfy all installation requirements. A retesting of the unit will be required following the assembly relocation.

d. Replacement: An assembly may be removed and replaced provided the customer's use is discontinued until the replacement assembly is installed. All replacement assemblies must be approved by the Utility and be appropriate for the degree of hazard involved.

D. WATER SERVICE TERMINATION

1. To ensure the health and safety of all customers of the domestic water system, the procedure for terminating water service shall be initiated when the Utility encounters customers that represent a clear and immediate hazard to the potable water supply that cannot be immediately eliminated. Conditions or water uses that create a basis for water service termination shall include, but not be limited to, the following:

a. Refusal or unnecessary delay in installing, testing, repairing or replacing a required approved backflow prevention assembly.

Termination Procedure: The Utility will terminate service after two (2) written notices have been sent specifying needed corrective action and the period for compliance. If the corrective action has not been completed within the allowed time, the water service may be terminated.

b. Direct or indirect connection between the potable water system and a sewer line.

Termination Procedure: Reasonable effort will be made to advise the customer of the intent to terminate the water service. The water service will be turned off and the service valve locked. The service will remain inactive until correction of the violation has been approved by the Utility.

c. Unprotected Direct or Indirect Connection between the potable water system and a system or equipment containing contaminants or an auxiliary water system.

Termination Procedure: The same as Rule No. 13 D.1.b above.

d. A situation that presents an immediate health hazard to the public water system.

Termination Procedure: The same as Rule No. 13 D.1.b above.

RULE NO. 14
TURN-ON AND TURN-OFF OF WATER SERVICE FOR REPAIR BY CUSTOMER

1. Customer requests to the Utility for turn-off or turn-on of water service for the purpose of making repairs or changes to their plumbing at times other than normal working hours will be billed a minimum service call charge, as set forth within Appendix A.
2. The service call charge may be waived at the discretion of the Director if the turn-off or turn-on is necessitated by an emergency over which the customer had no control. The Utility shall have the sole discretion of determining the validity of such an emergency.
3. Upon completion of the emergency repair, the customer must also install a shut-off valve on their property as required by Rule No. 11 before water service will be restored to the property.

RULE NO. 15
DISPUTED BILL APPEAL PROCESS

A. Customers who believe their water bill is in error must first contact the Finance Department by telephone, in writing, or in person within ten (10) days of the bill's date of presentation and initiate a complaint or request an investigation concerning the bill.

Utility services will not be discontinued for nonpayment of a disputed bill pending the outcome of a timely requested investigation. The Utility may require that an amount equal to an average bill for a comparable period of time be deposited with the Utility pending outcome of the investigation and will require, at a minimum, that all undisputed portions of the bill be paid by their due date. Failure to make the deposit or partial payment as and when due shall constitute abandonment of the complaint or request for investigation. Subsequent utility bills, which are not disputed, must be paid to the Utility within the time allowed to avoid discontinuance of service.

B. If, after contact with the Finance Department representative, the customer believes the bill is still incorrect, the customer must, within ten (10) days after receiving the explanation from the Finance Department representative, contact the Finance Director by phone or send a written statement regarding the billing dispute to the Finance Director, 125 East College Street, Covina, CA 91723.

C. A Review Manager will be designated to conduct an investigation of the customer's billing dispute and the investigation may involve other staff at a higher level in the organization. The investigation will include consideration of whether the customer may amortize the unpaid balance over a reasonable period of time, not to exceed twelve (12) months, but usually over a shorter time period.

D. Any customer, whose complaint or request for investigation regarding a bill for utility service results in an adverse determination by the Review Manager, may appeal such determination, after receiving the explanation by the Review Manager, by sending a written statement within ten (10) days of mailing the explanation setting forth the reasons why the customer believes the investigation is incorrect. The customer must send this statement to the Director of Public Works, 125 East College Street, Covina, CA 91723.

Upon timely receipt of the written statement, the Director of Public Works or designee thereof will determine if the Review Manager's investigation was thorough and complete in addressing the aspects of the billing dispute. The results of this determination will be communicated to the customer in writing.

E. If the billing dispute is not satisfactorily resolved with the Director of Public Works or designee thereof, the customer may request a review by the City Manager by sending a written statement within five (5) days of receiving the Director of Public Works' determination to: City Manager, 125 East College Street, Covina, CA 91723. Upon timely receipt of this written statement, the City Manager will make his/her determination and communicate the same to the customer in writing.

F. If the customer is still not satisfied with the findings of the City Manager, the customer may appeal to the City Council. The appeal must be submitted in writing to the City Manager together with the reasons for the dispute within ten (10) days of receipt of the City Manager's determination. In the absence of a timely filed appeal, the City Manager's determination shall be final. Upon receipt of a timely appeal, the matter will be scheduled for review by the City Council and the customer shall be informed in writing of the date and time of the appeal hearing. A written decision of the City Council shall be delivered to the customer by personal delivery or certified mail within fifteen (15) days following the appeal hearing.

RULE NO. 16 WATER DIVERSION

A. GENERAL

It is unlawful for any person to supply water to any other person other than the occupants of the premises of the consumer.

Water diversion is presumed to be caused by the customer receiving the benefit of service from the diversion.

B. UTILITY'S RIGHT TO DISCONTINUE SERVICE

Whenever the Utility has determined that water diversion is occurring or a hazardous condition exists at a given location, the Utility shall investigate and may disconnect the service immediately, without notice.

C. RESTORATION OF SERVICE

In order to restore service discontinued under the provisions of Section B above, the customer shall be required to pay, in advance, all of the following:

1. The higher of the minimum fee plus material or time plus material.
2. Charges for estimated usage during the period in which the water diversion occurred, based on provisions of Rule No. 5.
3. Charges for discontinuance and restoration of service as covered in Water Rule No. 7, payment of deposits and entire current bill.

The customer may also be required to make corrections to the service and obtain a permit for inspection and clearance and/or provide access for inspection of meter and meter facilities to determine if the diversion has been removed.

D. APPEAL BY CUSTOMER

Any portion of the charges set forth in this Rule that is disputed by the customer may be appealed pursuant to the provisions of Rule No. 15.

E. THEFT OF SERVICE

The customer benefiting from diversion shall be assessed a fee to make the Utility whole for labor and materials involved in investigating and making any required corrections.

F. CRIMINAL PENALTIES

Theft of utility services is punishable under California Penal Code Sections 487, 496, 498, 591, 592, and 593 and may result in liability under California Civil Code Sections 1882 through 1882.6.

RULE NO. 17
UTILITY'S RIGHT OF ACCESS

A. RIGHT OF ACCESS

The Utility shall at all times have the right of safe ingress to and egress from the customer's premises at all reasonable hours for any purpose reasonably connected with the supplying of water service and the exercise of any and all rights secured to it by law or these Rules.

The customer is responsible for providing and maintaining unobstructed access for the Utility to all Utility-owned facilities located on the premises.

Failure to permit access and/or to allow work on the Utility's facilities is grounds for termination of service. This work includes the periodic reading of meters, maintenance or replacement of the service and metering facilities, and other necessary work on the Utility's water facilities including removal after termination of service.

If safe access to the meter is not provided for any reason, including without limitation locked doors, fences, insufficiently restrained pets or vegetation, the Utility will notify the customer of access problems in writing.

If the Utility is required to make an appointment or other arrangement to read the meter more than once during any 12-month period, a charge will be made for each appointment thereafter. Repeated failure to provide access may result in installation of remote metering devices at the Utility's sole discretion. The customer shall bear responsibility for all costs related to the installation and on-going operational cost for remote metering devices.

B. FIRE HYDRANTS

Fire hydrants are provided for the primary use of the Fire Department in extinguishing fires.

1. Clearance: Fire hydrants shall have a minimum clearance of three feet (3') in all directions.

2. Location: Fire hydrants installed by the Utility shall be installed within public rights-of-way or on public property except that in private developments fire hydrants may be installed within public easements where beneficial use is determined by the Fire Department and the Utility and providing the fire hydrant and gate valve are accessible at all times.

APPENDIX A
WATER UTILITY SERVICE FEES AND DEPOSITS

Service Activity	Fee
Fire flow availability	\$125.00
Water meter test	Appropriate meter set fee + \$35
Initial service turn-on - next business day	No Charge
Initial service turn-on - same day (subject to scheduling)	\$50.00
Initial service turn-on - after hours	\$120.00
Late payment fee	10% of delinquent amount
Broken lock/damage	Actual cost
Pressure test	\$50.00
Meter re-read	\$30.00
Initial fire hydrant meter set and removal	\$80.00
Each additional set and removal	\$40.00
Removal of operating nut from fire hydrant	\$30.00
Construction water in new developments	Per rate structure in effect for meter provided
Interim Service Agreement preparation and processing fee	\$1,000.00
Delinquent account field notification	\$25.00
Multi-unit delinquent account field notification	\$25.00 plus \$2.00 per each additional notice
Trip charge for additional field visit	\$15.00
Delinquent reconnect fee - next business day	\$50.00
Delinquent reconnect fee - after hours	\$120.00
Additional fee if customer has self-restored	\$100.00
Reconnection charge/additional - meter removed	Appropriate meter set fee
Turn-off and turn-on of water service for repair by customer - first time - emergency	No Charge
Turn-off and turn-on of water service for repair by customer - planned	M-Th 6:00 am - 4:30 pm - No Charge
Turn-off and turn-on of water service for repair by customer - planned	M-Th 4:30 pm - 6:00 am - \$120.00
Turn-off and turn-on of water service for repair by customer - planned	Fridays, Weekends, Holidays - 6:00 am - 4:30 pm - \$50.00; 4:30 pm - 6:00 am - \$120.00
Turn-off and turn-on of water service for repair by customer - all subsequent emergency calls	Same as planned
Deposits	
Meter set - 3/4" and 5/8"	\$350.00
Meter set - 1"	\$400.00
Meter set - 1-1/2"	\$600.00
Meter set - 2"	\$850.00
Meter set - 3" - 8"	Deposit based on completed cost estimate
Meter & service installation - 1" service with 3/4" meter	\$3,000.00
Meter & service installation - 1" service with 1" meter	\$3,100.00
Meter & service installation - 1-1/2" service with 1-1/2" meter	\$4,000.00
Meter & service installation - 2" service with 2" meter	\$4,300.00
Meter & service installation - 3"-8" service with 3" - 8" meter	Deposit based on completed cost estimate
Fire line and backflow valve - 4" line	\$8,500.00
Fire line and backflow valve - 6" line	\$10,250.00
Fire line and backflow valve - 8" line	\$15,000.00
Fire line and backflow valve - 10" line	Deposit based on completed cost estimate

APPENDIX A
WATER UTILITY SERVICE FEES AND DEPOSITS

Meter size change - 5/8" or 3/4" to 1"	\$150.00
Meter size change - 1" to 3/4"	\$100.00
Meter size change - 1-1/2" to 1"	\$200.00
Meter size change - 2" to 1"	\$215.00
All other size changes	Deposit based on completed cost estimate
Fire hydrant installation - 6" hydrant	\$19,500.00
Fire hydrant meter rental - 3" meter	\$500.00
Minimum deposit - residential (initial service)	Twice the average monthly bill; \$80 minimum
Minimum deposit - all other classes (initial deposit)	Three times the average monthly bill
Minimum deposit - delinquent reconnection - all classes	Equal to the delinquent amount
Minium deposit - delinquent reconnection - chronic delinquent account	Twice the delinquent amount