

**RULE NO. 21**

**WATER SERVICE RULES, FEES, CHARGES AND RATES**

**I. METERED WATER RATES, FEES AND CHARGES**

In addition to any fees, charges or rates established in the preceding Rules, the following shall apply as to water service:

**A. AVAILABILITY OF WATER SERVICE:**

Water service is available from the District to Customers for real property within the service area and legal boundaries of the Sun Valley General Improvement District, per the Rules and/or Regulations of the Sun Valley General Improvement District.

In addition to compliance with all other standards for granting applications for connections, all applicants whose property was annexed after 1990 shall be required to assign to the District water rights necessary to meet the projected water demand of the applicant's project, as required by the District's water rights policy.

**B. APPLICABILITY OF WATER RULES, RATES, FEES AND CHARGES:**

The rules, fees and rates established in the Rules are applicable to all customers or owners of property connected to the water system owned, operated or controlled by the District, and to all Applicants desiring or being mandated by law to become so connected.

In addition, this Rule is applicable to Truckee Meadows Water Authority or any successor entity as follows: Truckee Meadows Water Authority is required to furnish to the District in written form on a monthly basis the results of all water meter readings on all multiple family residential dwellings located within the area south of the District which is served by that sewer capacity leased by the District to the County of Washoe.

C. RATES, FEES AND CHARGES:

1. Service Charge - For properties connected to the District's water system, the minimum charge for service only shall be as follows:

| <u>Service Connection</u> | <u>Per Meter - Per Month</u> |
|---------------------------|------------------------------|
| ¾"                        | \$24.00                      |
| 1"                        | \$26.02                      |
| 1 ½"                      | \$30.04                      |
| 2"                        | \$30.61                      |
| 3"                        | \$37.25                      |
| 4"                        | \$53.56                      |
| 6"                        | \$59.38                      |

2. Additional Consumption Charge - For each 1,000 gallons of water consumed per month, as shown by the Customer's water meter, the consumption charge shall be **\$2.34** per 1,000 gallons per month.
3. Unit Charge, Where Applicable - For each unit in excess of one (1) unit served from a single metered service connection, the unit charge shall be **\$24.00**.
4. Nevada law creates a Western Regional Water Commission to plan for and manage the supply and quality of water, the collection and treatment of sewage, and the drainage and alleviation of excessive surface water among other things. Pursuant to such statutes an additional fee at a rate of 1.5% percent of the amount billed only on the base rate, applicable unit charge and gallons consumed (water only is to be billed by each supplier of water to its customers within the region. As a supplier of water, the District hereby imposes this charge as well. This charge will be stated separately on the water bill and dispersed for use by such Western Regional Water Commission.
5. Minimum Charge - The minimum monthly charge for service shall be the sum of Rate 1, Service Charge plus the applicable charges calculated in Rate 3, Unit Charge, and additional fee imposed in Rate 2 and 4.

6. Emergency Service Fees - In the event that a Customer or property owner requests District personnel to inspect and/or repair water service and it is, upon such inspection or repair, determined by such District personnel that the cause of the need for such inspection or repair was not the responsibility of the District (i.e., frozen pipes, etc.) then there shall be added to the monthly bill for the premises a minimum charge of **\$30.00** for such services supplied after normal District working hours. (See Rule 23 as to charges over and above those noted)
- D. A Customer applying for service to an Attached Accessory Dwelling or a Detached Accessory Dwelling, as defined in Rule No. 1 shall comply with the following conditions before service is supplied:
1. The Customer must apply for and receive a "Will Serve" letter from the District.
  2. The water service line to service an Attached Accessory Dwelling shall be an extension of the service line servicing the main residence. The water service line to service a Detached Accessory Dwelling shall be a separate service line, with a separate and independent tap into the water main, with its own water meter, and all inspections thereof shall be made and fees therefore shall be paid, as with new construction.
- E. INFIRM CARE UNITS
- A customer applying for service to an infirm care unit, as defined in Rule No. 1, must comply with the following conditions before service is supplied:
1. The customer must first apply for and receive a permit from Washoe County for the occupancy of such infirm care unit.
  2. The customer shall then apply, on a District-provided form, for temporary occupancy of the infirm care unit in the District. Such District form shall require, and the customer, by making such application, does agree that:
    - (a) Suitable medical documentation supporting the need for the infirm care until must be supplied with the application;

- (b) All provisions of the District Rules and/or Regulations for water service to a residential unit must be met, except for the provision of a water meter to such unit, except as discussed below. These provisions include the application of all District inspection and approval of water service lines to the unit prior to occupancy.
  - (c) The property owner must either be the caregiver for an immediate family member, or the actual infirm person;
  - (d) The infirm care unit may not be transferred to another individual and/or property.
  - (e) Any approval of such unit is automatically cancelled upon any transfer of ownership of the real property, upon which the unit is located, unless the District's approval is first obtained.
  - (f) District staff, on initial approval, and the Board of Trustees on any subsequent renewal, may make any additional conditions to approval of the unit as are required in the particular circumstances of the infirm care situation.
3. All infirm care units are strictly temporary in nature, and continued occupancy thereof is not permanent or guaranteed by the District. If approved by District staff, the initial approval expires on the date Six (6) months from the date of issuance. If renewal of the approval of the infirm care unit is desired by the customer, prior to such expiration the customer shall request to be placed on the agenda for a regular meeting of the Board of Trustees to consider such renewal. At the time of the meeting, customer shall supply a new set of medical documentation supporting the need for the continuation of the infirm care unit. The Board of Trustees, in its sole discretion, and whether or not such medical documentation is supplied, may for any legal reason approve or disapprove the renewal of the unit for an additional period of Six (6) months from the date of expiration of the initial approval. Thereafter, the same process must be followed by customer every Six (6) months from renewal of the unit until the unit is no longer in use.
4. Customer shall pay, on a monthly basis, the following fees for each month, or part thereof, for the occupancy of such infirm care unit:
- (a) The additional unit charge set forth in paragraph C3 of this rule, as it may be changed from time to time.

- (b) In lieu of all other fees beside the additional unit charge above, the amount of \$25.00 per month, up to a maximum of \$2,500.00 in accumulated payments of \$25.00 per month. After such \$2,500.00 has been paid, no additional \$25.00 monthly payments need to be made.
  - (c) At the conclusion of the occupancy of the unit, there shall be no refunds sought or given for fees paid to the District under this rule.
5. The District reserves the right, at its own cost and expense, and at any time, to place a water meter of its choice at any suitable location of its choice, to read and measure the amount of water being utilized in such infirm care unit. By application for such infirm care unit, customer gives the District the right to come onto the property of customer to install, read, maintain and remove such meter.
6. It is a violation of these Rules and/or Regulations for any customer to utilize an unapproved infirm care unit or to use an infirm care unit as a rental or otherwise to produce income there from. In the event of a disapproval of the continuation of the unit by the Board, the unit must be vacated by any occupant thereof within Ten (10) days of disapproval. In the event any such occupant does not vacate the unit within that time, or in the event of a use of the unit in violation of these Rules and/or Regulations, the District may immediately thereafter, on Five (5) days written notice, take such steps as are necessary to stop the occupancy of such unit, including but not limited to, discontinuance of water service to the entire subject property of customer.

F. NON-TAXPAYING CUSTOMERS:

During any period of time that a Customer of the District is exempt, as a matter of law, from payment of ad valorem taxes, the Service Charge in Paragraph C 1 above shall be increased by a percentage determined as follows:

Total District revenues from ad valorem property taxes shall be calculated as the numerator of a fraction, which has as its denominator total District revenues from all sources. That fraction shall be converted to a percentage. This percentage increase shall apply equally to all sizes of service connection to such exempt properties. These percentages shall be adjusted and determined

from time to time as the Board of Trustees of the District may see fit.

In the event that the District determines that a non-taxpaying customer has or will provide other consideration or services to the District or its customers which consideration or service is substantially equal to or greater than the money to be derived from the foregoing percentage service charge increase, the Board of Trustees of the District may, in its sole discretion, waive the foregoing percentage increase charge set out in this paragraph.

G. SPECIAL CONDITIONS:

1. For the purposes of computing the unit charge under Paragraph 3 above, a unit is defined under Rule I "Definitions."
2. Service hereunder shall be subject to the Rules and/or Regulations applying to water service, which are incorporated herein by reference, except insofar as such Rules and/or Regulations are in conflict with this Rule, in which event the provisions of this Rule shall control.

II. WATER SERVICE CONSTRUCTION CONNECTION RULES, RATES, FEES AND CHARGES

A. AVAILABILITY OF WATER AND SERVICE CONNECTION:

Water connections are available from the District to Customers for real property within the service area and legal boundaries of the Sun Valley General Improvement District, per the Rules and/or Regulations of the Sun Valley General Improvement District.

B. APPLICABILITY OF WATER SERVICE CONNECTION RULES, RATES, FEES, AND CHARGES:

The rules, rates, fees and charges for water service connections established in these rules are applicable to all persons applying for water connections to service any property falling under any service classification defined in Rule No. 1 herein.

C. FEES AND CHARGES:

1. Tap Fee

- a. Base fees: The installation of water taps will be billed to the applicant at the actual cost of installation in terms of District staff time, equipment and material, and due upon completion of work. Due to the differences in water main depths and soil conditions, a firm estimate of cost cannot be given. The District's estimate of actual job costs shall be the required deposit. When pavement removal and replacement are required, an additional deposit based on the size of the street cut will be required.

When the County Building Department requires larger than a 1" inch service line between the meter and the building served, and a single meter box is to be installed, then a service line of a size equal to that required by the County Building Department between the meter and the building served shall be installed between the main and the single meter box. When the County Building Department requires larger than a 3/4 inch service line, and a double meter box is to be installed, then a 1-1/2 inch size line shall be installed between the main and the double meter box.

The base fee for connection by the District of water service pipes in excess of 1 inch in diameter shall be in an amount equal to the actual cost of installation thereof, which cost includes, but is not limited to, cost of meter, meter box, yoke, service lateral, sand, labor and all other costs incident to such installation.

- b. Additional charges: In addition to the base fee for the tap as set out above, the applicant shall also pay the actual cost to the District of any street cut permit and of pavement cutting, removing and replacement. All street cut permits will be obtained by the District unless construction is being done by a contractor approved by the District, in which case the contractor or property owner will obtain the permit.

In the event a tap is requested by the Applicant to be performed outside of the District's regular working hours as set by the District, the Applicant shall also pay the overtime wages paid by the District to its employees and agents performing said tap.

- c. Refund Procedure: In the event an applicant cannot develop parcel(s) and taps have not been completed, any request for a refund must be approved by the Board of Trustees. Consideration of District bonded indebtedness obligations and the District's financial condition shall be of primary importance in decisions on such refunds. Refunds shall be considered only on a case by case basis.

2. GENERAL WATER FACILITIES CHARGE

- a. For the availability of water service, the District shall charge and the Customer shall pay a fee based upon factors including, but not limited to, the District's current investment in the water system, system development costs and the cost of capital. This fee shall be separate and apart from costs of construction of private yard lines and house piping upon the Customer's property, which costs of construction are the sole responsibilities of the Customer. The General Water Facilities Charge shall be **\$7,381** for any size new water connection.
- b. All water fees set forth in this Section shall be paid in full to the district prior to commencement of construction of improvements on the subject property.

Provided, however, that for any improvement to real property, proposing single family residential use, whether by parcel map or subdivision map, the Customer/Developer may request, in writing, the applicable below deferred payment option to pay the General Water Facilities Charge for each parcel under the following agreed terms. Charges may not be deferred for any project which includes commercial, condominium or multifamily/multiunit dwelling uses.

OPTION 1 (Parcel Map):

1. One-third of the charge paid at the time the District's approval of the parcel map;
2. One-third of the charge paid at the time of commencement of construction of improvements upon the parcel, including grading and utility trenching;
3. One-third of the charge paid at the completion of



improvements upon the parcel or at time of customer's request for water service to the parcel.

OPTION 2 (Subdivision):

1. General Water Facilities Charge must be paid, per parcel, at the time of issuance of Washoe County Building Permit.
2. Notwithstanding the foregoing, all scheduled General Water Facilities Charges applicable to the project shall be due and paid in full as provided in the Water Service Agreement no later than two (2) years after the first Certificate of Occupancy is issued in the project.

Project shall not be eligible for water service, and the District shall have no obligation to set water meters or provide water service to any portion of the project until General Water Facilities Charges have been paid in accordance with this Rule.

No Customer/Developer may have in excess of one parcel map/subdivision project with payments being made under the above schedule pending completion of the payments to the District at any one time. For these purposes, "customer" includes family members of the customer and what would be in the District's sole discretion, the customer's closely related business entities.

The District shall have a perpetual lien on the subject property for any payment due under this rule.

Rights to make the partial payments allowed herein shall not be transferable to a new owner without the District's prior written approval. In the event that any one or more of the up to 4 parcels subject to this partial payment schedule shall be sold or transferred to another owner in any manner whatsoever, the balance of the partial payments unpaid at the time of transfer of such parcel(s) shall be due in full.

- c. Refund Procedure: In the event an applicant cannot develop parcel(s), any request for a refund must be approved by the Board of Trustees. Consideration of District bonded indebtedness obligations and the District's financial condition shall be of primary importance in decisions on such refunds. Refunds shall be considered only on a case by case basis. All

requests for refund of a facility charge must be submitted in writing no later than six (6) months from the date of payment of first payment of the facility charge. No refunds will be considered if map has been recorded or if taps have been installed.

D. SPECIAL CONDITIONS:

1. Service hereunder shall be subject to the Rules and/or Regulations applying to water service, which are incorporated herein by reference, except insofar as such Rules and/or Regulations are in conflict with this Rule, in which event the provisions of this Rule shall control.
2. Only duly authorized employees or agents of the District will be authorized to install service connections.
3. All street cut permits will be obtained by District personnel, unless construction is being done by the contractor in which case the contractor or property owner will obtain the permit.
4. Some property in the District may be serviced by the property's own private well water supply. On those properties a water meter has been installed per the provisions of Rule No. 22 I C. In the event the owner of such property makes application to replace the private well water supply to the property with water to be supplied by the District, the hookup charge set out in Paragraph C above shall apply. However, the Applicant shall be credited toward that charge the cost to the District, at the time of purchase, of the water meter being then utilized to meter water flow from the well (if that water meter is also to be relocated to the District's water service connection point).
5. A Customer may request, on a special form supplied by the District, that only Irrigation Service, as defined in Rule No. 1, be supplied to the premises of the Customer. The Customer shall pay, for this service, all fees, charges and rates as specified in this Rule No. 21.
6. Any existing customer who makes modification to his existing water line size, character or extent of the equipment or operations for which the service is utilized shall immediately file with the District office a modification form.

Upon receipt of such form, the District will determine the following:

- (a) If the modifications are to such an extent that the water used on the subject property exceeds that water allocated to the property under the water allocation map defined in Rule 2, I, A (3), the customer will be required to purchase and dedicate the needed additional water rights per Rule 2.
- (b) If the modification is to a commercial or industrial property and results in an additional new and separate commercial or industrial business, all appropriate charges set out in this Rule 21 shall apply to the customer, as a new customer. It shall be presumed that if a customer receives a new business license for such additional business, these charges apply.

III. INSTALLATION FEES

A. NEW CUSTOMER SETUP FEES:

For initiation of service to a new customer, the District shall charge the Customer for either replacing or reading a meter at an existing installation, regardless of length of time service was provided, as follows:

| <u>Service Connection</u>                  | <u>Fee</u>     |
|--|----------------|
| 3/4 inch                                   | <b>\$15.00</b> |
| 1 inch                                     | <b>\$15.00</b> |
| If requested after 4:30 p.m. an additional | <b>\$7.50</b>  |

For any service connection in excess of 1", a charge to the Customer equal to **\$25.00** plus the actual cost of the materials and labor of the District for such replacement or reading shall be paid.

**B. REINSTALLATION OF DISCONNECTED SERVICE FEES:**

In the event service has been disconnected for non-payment of water and/or sewer bills, the same customer shall be subject to a reconnection charge as follows:

| <u>Service Connection</u> | <u>Fee</u>     |
|---------------------------|----------------|
| 3/4 inch                  | <b>\$40.00</b> |
| 1 inch                    | <b>\$40.00</b> |

After hours (Monday through Friday 4:30 pm – 8:00 am, or weekends/holidays) an additional **\$60.00**

If payment is made after the last day for payment prior to disconnect and the service has not been disconnected but the service technician has been dispatched to perform the disconnection the customer shall pay a **\$40.00** service connection fee.

When a Customer requests to restore delivery of water by 4:30 pm on a regular work day, the District will make every effort to restore delivery of water on the day of the request. Otherwise, restoration will be made on the regular working day following the day the request is made.

For any service connection in excess of 1" (i.e. commercial/industrial accounts), a charge to the customer equal to **\$10.00** plus the actual costs of materials and labor of the District for such replacement shall be paid.

1. In addition, in the event such service has been disconnected for non-payment of water and/or sewer bills, prior to the reconnection of service the deposit required in the Rules and/or Regulations Rule 12 A shall be increased as follows:
  - a. For the first disconnection of service, the deposit may be increased to 6 months estimated total water and sewer bill.
  - b. For any subsequent disconnections of service, the deposit may be increased to 12 months estimated total water and sewer bill.

C. FEE ADJUSTMENT FOR TIME OR REPLACEMENT:

The fees set out in subparagraphs A and B above are based upon reconnection during regular working hours. All requests for such reconnection shall be complied with during regular working hours. If possible on the date of the request, it shall be done during regular working hours of such new working day as conditions permit. In the event a request is made to reconnect service at other than regular working hours, the District will endeavor so to make the reconnection if practicable under the circumstances, but is under no obligation to do so unless an emergency exists in the opinion of the District, and a reconnection shall be made at other than regular working hours only if the Applicant pays an additional fee equal to 1.5 times the normal fee for the particular service connection set forth in Subparagraphs A and B above.

D. SPECIAL CONDITIONS:

Services hereunder shall be subject to the Rules and/or Regulations applying to water services which are incorporated herein by reference, except insofar as such Rules and/or Regulations are in conflict with this Tariff, in which event the provisions of this Tariff shall control.

IV. IRRIGATION SERVICE

A. Where a customer utilizes Irrigation Service as defined in Rule 1, which irrigation water is to irrigate common areas owned or administered by Homeowner's Associations, or to irrigate public property grounds such as schools, soccer fields, or for irrigation service to properties utilizing commercial or industrial service etc., a water meter shall be installed to measure such use. The following Rule determines the amount of water rights to be dedicated to the District for such Irrigation Service:

1. The customer shall submit to the district two copies of a landscape diagram/plan which shows the manner in which water will be used on the property, and the purposes of such use. The diagram/plan shall be prepared by a licensed landscape engineer or civil engineer and stamped by such engineer as his work product. The diagram/plan shall include all information necessary for the District to determine the amount of water likely to be utilized on the property during the month(s) of highest water use, including but not limited to size of water service requested, type of irrigation system to be utilized, size, and location and type of lawn, if any to be installed,

size, location and type of other landscaping items such as trees and shrubs, and size and type of drinking fountain (if any) to be serviced on such items as playground areas.

2. From this information, the District shall determine the amount of water rights to be dedicated to the District before water service may commence to be used on the property, using the following guideline: 3.41 acre feet of water for each acre of grass. Shrubs - 5 gallons size 8 gallons an hour, 2 hours a day, twice a week for 32 weeks. Trees - 15 gallon size 16 gallons an hour, 2 hours a day, twice a week for 32 weeks. The total calculated shall then be increased by the drought factor then being utilized by Truckee Meadow Water Authority. Any fraction of an acre-foot of water rights shall be rounded to the nearest 1/2-acre foot, i.e. a final calculation of 4.3 acre feet shall be rounded to 4.5 acre feet, and a calculation of 3.7 acre feet shall be rounded to 4 acre feet.
3. After the installation of such Irrigation Service, the District shall, at the end of September of each year, determine the amount of acre feet actually used in Irrigation Service on the subject property. In the event that an amount in excess of 1/2 acre foot over that originally dedicated to the District for such Irrigation Service has been utilized, the owner of such property shall, within 6 months from the date of written demand from the District therefore, dedicate to the District the additional required acre feet of water. The District may make available to the customer water rights owned by the District, selling such rights as are required herein to the customer, at a price equal to the cost the District paid for the water rights or the fair market value of water rights, whichever is greater. In the event the property owner does not so dedicate the additional water required within the time allowed, the District may thereafter remove the Irrigation Service water meter(s) from the subject property during the following irrigation season at such time as the customer has used, on the subject property, the amount of water that had been dedicated for the Irrigation Service to the property. The District shall provide the property owner 30 day's written advance Notice of its intention to remove such meter.