

**UPPER LAKE POMO WATER DISTRICT
UTILITY ORDINANCE**

The following rules and regulations are hereby established for the governing of the community water of the said UPPER LAKE POMO WATER DISTRICT, hereinafter called U.L.P.W.D. and the control of all persons doing any plumbing "in and upon any of the water and sanitation facilities pertaining to the systems of said water district." Any person, firm or corporation applying for and receiving water from the community water system shall receive such water service on the express consisting that such water service is taken subject to all rules, regulations and penalties provided by said water district.

1. APPLICATION FOR PERMIT

Owners of property desirous of suing water from the distributing pipes shall make application in writing either by themselves or their agent to the U.L.P.W.D. secretary/manager. The application shall state the description of the property, name of the property owner, purpose for which the water is to be used if the U.L.P.W.D. Committee approves the application. Cost of the permit fee is \$4,000.00 to \$10,000.00. It shall then be the duty of the water district, upon due notice, to tap the distribution line. No unauthorized person or persons shall be permitted to tap or make connections with the water system. The water district will permit no additional use of water except that mentioned in the application for person desiring further or additional use of water must make application herein set forth.

2. PENALTIES

Any person who shall lay any water service pipe or sewer line or introduce into or about any building or any grounds and water pipe or sewer line, or who shall make any additions to or alterations of any water pipe for the supply of any premise with water without having first obtained a permit for doing such work from the water district manager, shall be disconnected from the system and not be reconnected until the rules and regulations of the water district have been met.

3. WATER SERVICE PIPE

Within the area of U.L.P.W.D. water service pipe shall in no case be laid less than 18 inches below the surface of the ground.

4. SERVICE CHARGE MUST BE PAID BEFORE WATER TURN ON

The water will not be turned on in any house or private service pipe until the applicant has paid in advance the base water rate charge for one-month service of \$30.00 plus an initial nonrefundable start-up fee of \$300.00. The initial start-up fee must be paid in advance prior to water being turned on unless prior arrangements (waiver) are made in writing with the U.L.P.W.D.

5. MUST REPAIR WATER PIPE CONNECTIONS

All water service pipes between the meter and the house and all other on premises pipe shall be kept in repair by the expense of the owner or person in possession of the premises served if such owner or person fails to have properly repaired any leaky service pipe or sewer line promptly upon receipt of the due notice from the water district, the water shall be immediately shut off from said premises and remain shut off until repairs have been made. If any new homes are built on the Upper Lake Rancheria, the future new homeowners must arrange with the U.L.P.W.D. for installation of a service line per U.L.P.W.D. regulations. In any event the service line must meet U.L.P.W.D. standards and all new homeowners must receive water district pre-approval.

6. MUST NOT PERMIT OTHERS TO USE WATER

No owner or occupant of premises to which said U.L.P.W.D. furnishes water will be allowed to supply water to any person, families or other properties without the written permission of the water district.

7. UNAPPROVED WATER SOURCE

Any property that has access to an unapproved water source within the boundaries of said property must have an approved backflow prevention device installed on the customer side of the meter of the approved water source. That approved backflow prevention device must be checked annually for proper operation by a technician certified by the State of California at the owners' expense. A receipt of annual inspection will be provided to the water district within thirty (30) days of the inspection.

8. CHARGES

The owner or occupant of the premises served shall pay to the water district manager or U.L.P.W.D. Office for all water sold or furnished at the following rates: Up to 1,000 gallons is included in the base rate.

- Over 1,000 gallons to 20,000 gallons = \$30.00 + \$1.50 per 1,000 gallons
- Over 20,000 gallons to 40,000 gallons = \$30.00 + \$3.00 per 1,000 gallons
- Over 40,000 gallons to 50,000 gallons = \$30.00 + \$5.00 per 1,000 gallons
- Over 50,000 gallons = water abuse = shut off

8. CHARGES (con't)

1st shut off = \$100.00 fine + pay for water = turn back on
2nd shut off = \$250.00 fine + pay for water = turn back on
3rd shut off = \$500.00 fine + pay for water = ???

2 guaranteed shut offs and turn back on in 1(one) calendar year

In the event an individual water meter malfunctions or does not register an accurate usage rate, the consumer served will be charged a rate equal to an average of the previous three months rate at which the meter was functioning properly. This average rate will remain in force until such time that the defective meter can be repaired or replaced.

9. SHUT OFF FOR NONPAYMENT OF SERVICE CHARGES

Service charges are payable at the U.L.P.W.D. office and must be received by the U.L.P.W.D. office on or before the twentieth (20th) of the month that the bill is rendered. Notice of the amount of the bill will be sent to the consumer each month. *If payment in full is not received within two (2) months after payment is due, water shall be shut off without further notice. In addition, if payments are late for three (3) consecutive months the water service shall be turned off without further notice. Consumers must keep their own records. When the water is turned off for non-payment or delinquency, the water shall not be turned on again until back payments, together with a service charge of \$25.00 have been paid. The user will pay all charges for returned checks.

Return Check Fee \$25.00

***Late Fee \$25.00**

****Reconnect Fee \$50.00**

*Late fee - Example when water bill is not paid in 30 days.

- Bill on January 1st for December usage
- Late fee applies on February 7th
- Water turned off on March 7th if user is non-Tribal Member. If user is Tribal Member, the Tribal Office will pay their water bill and be reimbursed by withholding from their next RSTF Prop 1-A funds.

10. NOTICE FOR DISCONTINUING USE

Any person desirous of discontinuing the use of community water must give a written notice to the water district manager at least thirty (30) days prior to the date on which termination of services is desired.

11. UNNECESSARY WASTE OF WATER

Hydrants, taps, hose, bath and other fixtures will not be permitted to be kept running when not in use, and it shall be the duty of all members of the said water district to enforce this section and also to notify the consumer of any unnecessary waste of water on the premises. If, within twenty-four (24) hours, after being notified that water is being wasted and necessary repairs are not made, the water district shall forthwith shut off the water on the premises, and it shall remain turned off until the consumer shall pay the fine as provided in this chapter.

12. DISTRICT MAY SHUT OFF WATER FOR REPAIR

The District reserves the right at any time to shut off the water to the water mains for the purpose of repairing the same, making connections or extensions to the same, or for the purpose of cleaning said main, and it is expressly understood that no claim shall be made against the District by reason of a break of the water main, service pipes or from any damage arising from shutting off the water supply. It is hereby made the duty of the Water District Manager to give such reasonable notice as shall be practical.

13. EMERGENCY POWERS

In the case of drought or other emergency, the committee may order that non-domestic uses be discontinued until the committee sees fit to lift the emergency order. Domestic uses have priority, include ordinary family uses. Non-domestic uses include water for gardening, irrigating, commercial, farm labor and non-family unit uses. If non-domestic uses are not discontinued upon order by the manager, the water district shall immediately shut off the users' water and the user shall pay the penalty as defined in this chapter to get water turned on again.

14. MAY ENTER PREMISES

The water district committee or any employee of the U.L.P.W.D. shall be permitted at all reasonable hours to enter the premises or building of consumers to examine water pipe, fixtures and sewer lines and the manner in which water is used. In any case of fraudulent representation on the part of the owner or occupant, or willful or unreasonable use of water, such owner or occupant shall forfeit any payment made, and the water district may discontinue service and assess reasonable damages.

15. INTERFERENCE WITH DISTRICT AND SANITATION FACILITIES

It shall be unlawful for any person to climb on, or in any manner interfere with any building, water meter, reservoir, wells, water tower, or any structure belonging to the U.L.P.W.D. without being authorized to do so by the proper

15. INTERFERENCE WITH DISTRICT AND SANITATION FACILITIES (con't)

officer or authorities of said District. It shall also be unlawful for any person to in any manner injure or deface any structure. Any persons found to be guilty of the above shall be prosecuted to the fullest extent of the law.

TAMPERING WITH PUBLIC WATER SYSTEMS

SEC. 1432

- (A) TAMPERING – Any person who tamper with a public water system shall be imprisoned for not more than five (5) years or fined in accordance with Title 18 of the United States code or both.
- (B) ATTEMPT OR THREAT – Any person who attempts to tamper or makes a threat to tamper with a public water system, shall be imprisoned for not more than three 3 years or fined in accordance with Title 18 of the United States code or both.
- (C) CIVIL PENALTY –
 - 1. The U.L.P.W.D. Administrator may bring action in an appropriate United States District court (as determined under the provisions of Title 28 of the United States code) against any person who tampers, attempts to tamper or makes a threat to tamper with a public water system. A fine of \$50,000 for such tampering or not more than a fine of \$20,000 for such attempt or threat.

I agree to comply with this ordinance of the Upper Lake Pomo Water District.

Date: _____ Subscriber: _____
Date: _____ For U.L.P.W.D: _____