

ORDINANCE NO. 45

AN ORDINANCE OF THE BOARD OF DIRECTORS OF CARLSBAD MUNICIPAL WATER DISTRICT (CMWD), CARLSBAD, CALIFORNIA, TO DEFINE AND ESTABLISH PRICES AND CONDITIONS OF WATER DELIVERY; TO PROVIDE METHOD OF ESTABLISHING AND FIXING RATES AND CHARGES FOR WATER DELIVERED; TO PROVIDE METHOD FOR EXTENSION OF CMWD FACILITIES; REGULATING THE ISSUANCE OF WATER METERS; ESTABLISHING PROCESS AND FEES FOR ENGINEERING SERVICES RELATED TO LAND DEVELOPMENT; DEFINING METERS AND FIRE HYDRANTS, WATER EFFICIENT LANDSCAPING; CROSS CONNECTION CONTROL PROGRAM; ESTABLISHING PROCEDURES FOR WORK IN CMWD RIGHT-OF-WAY; AND REPEALING ORDINANCES 26, 29, 37, 39, 40, AND 42.

WHEREAS, Carlsbad Municipal Water District, hereinafter called CMWD, is organized under the Municipal Water District Law of 1911, Division 20 (commencing with Section 71000) of the California Water Code; and

WHEREAS, on April 25, 1989, the City of Carlsbad adopted Resolution No. 89-126 which established the CMWD as a subsidiary district to the City of Carlsbad effective January 1, 1990, where the responsibilities for the City's water system were transferred to the CMWD; and

WHEREAS, the City of Carlsbad's water system was operated under its Municipal Code Title 14 "Water" which does not apply to CMWD, but specific provisions from Title 14 concerning improvement plan review, water or recycled water meters, water or recycled water service connections, service charges, water or recycled water pipeline extensions and facilities, and cross connection control program need to be addressed in a new CMWD Ordinance; and

WHEREAS, the Municipal Water District Law of 1911 provides the method by which CMWD shall establish types and conditions of service, fix rates and charges, provide a method of extension of facilities and repeal existing Ordinances as necessary; and

WHEREAS, on June 4, 1996, by adoption of Resolution No. 939, the Board revised the Delivery Charge basis, retained the "Commodity Charge" basis, revised the Connection fee basis, established the reclaimed water Commodity charge, and reclaimed water Connection fee; and

WHEREAS, on August 13, 1996, by adoption of Resolution No. 954, the Board of Directors of CMWD eliminated the "New Demand Charge" applicable to Metropolitan Water District of Southern California; and

1 WHEREAS, on November 18, 2003, by adoption of Resolution No. 1194, the
2 Board of Directors of CMWD approved the 2003 CMWD Water Master Plan Update and
changed the CMWD Water Service Connection fee; and

3 WHEREAS, on November 18, 2003, by adoption of Ordinance No. NS-682, the
4 City Council for the City of Carlsbad approved CMWD Water Connection Fee annual
5 adjustment using Engineering News Record percentage change with the base index in
6 effect in December 2003, and modified Title 14 of the Municipal Code Chapter
14.16.120 Service Connection Charges; and

7 WHEREAS, on June 14, 2005, by adoption of Ordinance No. 43, the Board of
8 Directors of CMWD mandated the use of recycled water and rescinded Ordinance No.
31; and

9 WHEREAS, present conditions render provisions in existing Ordinances No. 26,
10 29, 37, 39, 40 and 42 unnecessary; and

11 WHEREAS, the Board of Directors of CMWD deem it expedient, proper and
12 necessary to establish and define types and conditions of water delivery, provide
method of fixing rates and charges, provide for extension of facilities, establish
procedure for work in CMWD right of way, and repeal certain existing Ordinances.

13 NOW, THEREFORE, the Board of Directors of the CMWD of the City of
14 Carlsbad, California, hereby ordains as follows:

15 **ARTICLE I - REPEAL**

16 That Ordinances Nos. 26, 29, 37, 39, 40 and 42 are hereby repealed in their entirety.

17 **ARTICLE II – GENERAL REGULATIONS**

18 **SECTION 1: Definitions**

19 The following terms are defined for purposes of this ordinance:

- 20 1.1 "Applicant" means a person who applies for water or recycled water service.
- 21 1.2. "Board" means Board of Directors of the Carlsbad Municipal Water District.
- 22 1.3. "City of Carlsbad" means a municipal corporation in the State of California.
- 23 1.4. "CMWD" means Carlsbad Municipal Water District.
- 24 1.5. "Connection" means the metered water or recycled water service connection
from a CMWD water or recycled water pipeline facility, respectively.
- 25 1.6. "Cost" includes labor, material, transportation, expense, supervision,
26 engineering and other necessary overhead expense.
- 27 1.7. "Customer" means any person to whom the CMWD supplies water or
recycled water service under a contract, either expressed or implied, to make
28 payment therefore.
- 1.8. "Delivery Charge" means the minimum monthly charge to a customer for
availability of service, the revenue from which enables the CMWD to maintain

1 and operate a water system and a separate recycled water system ready to
2 deliver to a customer. The Delivery Charge shall be based on the size of the
3 water meter that is appropriate to provide service for the customer.

4 1.9. "Engineering Service Fees" means plan checking and inspection service fees
5 for review of water and recycled water facility improvement plans submitted
6 by applicant, customer or their Engineer and subsequent inspection of the
7 installation of water and recycled water facilities in conformance with
8 approved standard drawings and specifications.

9 1.10. "Extension" means water or recycled water pipeline extension.

10 1.11. "Executive Manager" shall mean the position that reports to the Board of
11 Directors of the Carlsbad Municipal Water District.

12 1.12. "General Counsel" means the position that has been appointed by the Board
13 of Directors to advise on legal matters.

14 1.13. "General Manager" means the position that reports to the Executive Manager
15 of the Carlsbad Municipal Water District and is responsible for the operation
16 and maintenance of the water system and recycled water system.

17 1.14. "Industrial or commercial" means any customer using water or recycled water
18 for a building or landscape irrigation of the site that is not a residential unit for
19 the purpose of producing goods or services other than the services of
20 housing, permanent or transient occupants.

21 1.15. "Legal or equitable owner" means any owner of record, mortgage trustee or
22 contract purchaser.

23 1.16. "Meter" means device to measure the amount of water or recycled water the
24 customer uses in units where one unit is 748 gallons.

25 1.17. "Pipeline" means an existing or proposed water or recycled water pipeline in
26 the water or recycled water distribution system, respectively of the CMWD.

27 1.18. "Public Works Director" means the Public Works Director of the City of
28 Carlsbad or his designated representative. The Public Works Director is
responsible for the engineering decisions required for the planning, design,
and construction of CMWD's water and recycled water facilities.

1.19. "Recycled water", sometimes referred to as reclaimed water, means water
obtained from the treatment of domestic waste water which is suitable for
direct beneficial use or a controlled use that otherwise would not occur and
also meets the highest level in conformance with California Code of
Regulations, Title 22, Division 4, Chapter 3 (use of recycled water for
irrigation and for impoundments), currently section 60304 and section 60305.

1.20. "Recycled Water Connection Fee" means the fee paid for the planning,
design and construction of capacity improvements and/or new facilities
required for the delivery, distribution, and storage of recycled water.

1.21. "Residential Unit" means any single family residential living unit which
includes but is not limited to the following: houses, duplexes, apartments,
condominiums, and mobile homes.

1.22. "Risk Manager" means the Risk Manager of the City of Carlsbad.

1.23. "Service Connection" includes the tapping of a CMWD water or recycled
water pipeline and the laying of a service line from the tapped connection on
the pipeline to the meter location.

1.24. "Water" means potable water fit for human consumption in accordance with
applicable State of California Department of Public Health (CDPH) standards.

1 1.25. "Water Connection Fee" means the fee paid for the planning, design and
2 construction of capacity improvements and/or new facilities required for the
3 delivery, distribution, and storage of water.

4 **SECTION 2: Wasting Water; Report to CMWD**

5 No person shall willfully or neglectfully waste water in any manner whatsoever; and any
6 person having knowledge of any condition whereby water is being wasted shall notify
7 the CMWD of such fact by contacting the Executive Manager.

8 **SECTION 3: Adoption of Rules and Regulations**

9 The Board may, from time to time by resolution, adopt rules and regulations for the
10 operation and maintenance of the water and recycled water facilities of the CMWD, and
11 for furnishing water or recycled water to customers, and may likewise by resolution
12 modify the rates, charges, fees and penalties established and imposed by this
13 Ordinance, and may from time to time by resolution prescribe rules for the extension of
14 water or recycled water pipelines within the boundaries and outside the boundaries of
15 the CMWD.

16 The Executive Manager may, from time to time, issue rules and regulations to carry out
17 the purposes of this Ordinance.

18 **SECTION 4: Failure to Comply with Rules and Regulations or Pay Rates; Penalty**

19 On failure to comply with the rules and regulations established by the CMWD as a
20 condition precedent to the right to use the water or recycled water, or to pay rates or
21 any charges imposed, in the time and manner stated in this Ordinance, upon
22 reasonable notice, the water and recycled water will be shut off until payment of amount
23 due including a ten percent (10 %) late fee is received by CMWD. Charges not paid
24 after 44 days are considered delinquent and are subject to additional fees. Charges will
25 continue to accrue until customer notifies the CMWD to discontinue service. CMWD
26 may be notified in writing or by calling the City of Carlsbad's Billing Division of the
27 Finance Department. If the water or recycled water bill remains unpaid after forty four
28 (44) days following the mailing date of such bill, then the Executive Manager may cause
the water or recycled water service to be shut off from the premises where the
delinquency occurs and the same meter shall remain shut off until all bills, plus any
additional charges shall have been paid.

SECTION 5: Turning Water or Recycled Water On and Off from Premises

No one except an authorized employee of the CMWD or City of Carlsbad shall turn the
water or recycled water on or off from any building or premises at a service gate valve,
angle meter stop valve, or corporation stop valve located upstream of the meter.

1 **SECTION 6: Persons Not to Interfere with CMWD Water System**

2 No person shall in any manner whatsoever meddle, tamper with, or interfere with any
3 part of the water or recycled water system of the CMWD.

4 **SECTION 7: Entrance Upon Private Property by Employees of CMWD**

5 Any authorized employee of the CMWD or City of Carlsbad shall be admitted at all
6 reasonable hours to all open areas of the premises supplied by water or recycled water
7 to verify facilities are in good operating condition, to make any repairs, replacements or
8 improvements, and to verify that rules and regulations are observed by the customer.

8 **SECTION 8: Right of CMWD to Enter Premises, Install Meters and Enforce
9 Collection of Charges**

9 Any authorized employee of CMWD or City of Carlsbad shall have the right at any time,
10 and at any point where water or recycled water is used, to install a water or recycled
11 water meter of adequate size, and enforce collection for the amount of water or recycled
12 water that shall be used, in accordance with all the Ordinances, Rules and Regulations
13 of the CMWD governing the consumption of water or recycled water, and for that
14 purpose may at any time go upon the premises of the customer of water or recycled
15 water.

14 **SECTION 9: Interference with Inspection; Stoppage of Service; Notice Required**

15 In case any authorized employee or agent of the CMWD or City of Carlsbad be refused
16 admittance to any premises supplied with water or recycled water by the CMWD, or on
17 being admitted he or she shall be hindered or prevented from making such examination
18 or inspection by any person, or for any reason thereto, the maintenance on such
19 premises of a vicious dog or animal, or for any other reason, the Executive Manager of
20 the CMWD may cause the service of water or recycled water of such premises to be
21 discontinued, after giving written notice to the owner or occupant thereof of his/her
22 intention to do so.

20 **SECTION 10: Service of Notice of Stoppage of Water or Recycled Water Service**

21 Such notice as is provided for in Section 9 shall be deemed served upon the legal
22 owner or occupant thereof if it is mailed to his/her last known address, and a copy
23 thereof mailed to such premises if his/her mailing address is not at such premises, or a
24 door hanger may be placed at the premises by CMWD or City of Carlsbad employee
25 notifying legal owner or customer of water or recycled water service being shut off, or
26 other method that the Executive Manager determines to be legally sufficient to ensure
27 adequate notification is received by the legal owner or occupant.

25 **SECTION 11: Length of Water or Recycled Water Service Stoppage**

26 Water or recycled water service may be discontinued until the customer or owner has
27 given satisfactory assurance to the Executive Manager that any such employee will not
28 be hindered or prevented from making such examination or inspection.

1 **SECTION 12: Liability of CMWD to Damage from Break Beyond Meter**

2 The CMWD will not be responsible for injuries or damages to buildings or their contents
3 from any water leakage, damage or earth movement originating from a break beyond
4 the meter connection.

5 **SECTION 13: Responsibility for Damage Resulting from Turning Off Water or
6 Recycled Water**

7 The CMWD shall not be responsible for any damage, such as bursting of boilers,
8 damage to crops or landscaping, the breaking of any pipe or fixture, stoppage or
9 interruption of water or recycled water supply, or any other damage resulting from the
10 shutting off of water or recycled water.

11 **SECTION 14: Unlawful Use of Water, Recycled Water, Facilities and
12 Appurtenances**

13 It is unlawful for any person to open any fire hydrant, corporation stop valve, gate valve,
14 angle meter stop valve or to interfere in any manner with any water service, water
15 connection, or any water meter attached to any service pipe connected to the water
16 pipelines, or to turn on or off water or recycled water pipelines of the CMWD, or to tap,
17 break, or injure any water or recycled water pipeline of the CMWD, or any reservoir,
18 pumping station or pressure reducing station of the CMWD, or to tap any water or
19 recycled water service pipe, or take or draw water from any water pipe or fire hydrant of
20 the CMWD without paying the established water rate therefor, after having made written
21 application and received permission therefore as provided by this ordinance or in
22 anywise to trespass upon the public property of the CMWD without written permission
23 first being obtained from the CMWD.

24 **SECTION 15: Bills for Labor, Materials**

25 All bills for labor and materials furnished, or other charges not provided for otherwise,
26 shall become due and payable thirty days from date of mailing.

27 **SECTION 16: Settlement of Disputes between Customer and CMWD**

28 If a dispute arises between any water or recycled water customer and the CMWD
concerning water or recycled water service or the amount of a water or recycled water
bill to such customer, the dispute may be settled, subject to the approval of the Board,
by the Executive Manager. The final decision and settlement of any such dispute shall
be recorded in the minutes of the Board.

The provisions and procedures provided for in this section are permissive only and shall
in no way affect the other provisions of this Ordinance.

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SECTION 17: No Mandatory Duty

Nothing in this Ordinance is intended to create a mandatory duty on behalf of CMWD or the City of Carlsbad and/or its employees under the Government Tort Claims Act and no cause of action against CMWD or the City of Carlsbad and/or its employees is created by this chapter that would not arise independently of the provisions of this ordinance.

SECTION 18: Claims for Damage.

(a) No claim for injuries or damages against the CMWD shall ever be allowed or paid unless there has been first filed with the Secretary to the Board a claim therefor within the time periods required by subsection (b) of this section. All such claims for damages shall be first verified by the claimant before an officer authorized to administer oaths.

(b) A claim relating to a cause of action for death or for injury to person or to personal property or growing crops shall be filed not later than six months after the accrual of the cause of action. A claim relating to any other cause of action shall be filed not later than one year after the accrual of the cause of action.

ARTICLE III

**RETAIL WATER AND RECYCLED WATER RATES, AND
COLLECTION THEREOF**

SECTION 1: New Account Fee

A new account fee as determined by resolution of the Board will be assessed on a customer on their first bill. The CMWD requires at least 24 hours notice of water service turn-on. If customer contacts the CMWD the same day that customer wants service turned on, then the customer will have an additional charge assessed on their next water bill. If customer requests service on holidays, weekends, or after 5:00 p.m. on weekdays to have water turned on the same day, then a charge must be paid to the CMWD on the following normal working day.

SECTION 2: Continuity of Service Fee (Landlords Only)

The CMWD will provide a continuity of service fee option for landlords only who wish to retain water service to rental properties during periods of vacancy. The Continuity of Service must be requested by the Landlord and a fee, as determined by a resolution of the Board, paid to CMWD. The water bill will be sent to the Landlord's address and the Landlord will be billed for the Continuity of Service fee.

1 **SECTION 3: Delivery Charge**

2 The CMWD shall charge each customer a monthly Delivery Charge for each service
3 connection with a meter in such amounts as provided by resolution of the Board as
4 adopted from time to time.

5 **SECTION 4: Delivery Charge for Residential Automatic Fire Extinguishing
6 System**

7 When a water meter for a single family residential unit is required to provide standby
8 capacity for a automatic fire extinguishing system, the Delivery Charge will be
9 determined according to the size of the meter necessary to meet the water use
10 requirements for the customer, as determined according to the rules of the CMWD,
11 without consideration of additional size necessary to provide the Delivery Charge. The
12 Delivery Charge to provide water for a automatic fire extinguishing system is required
13 when (1) the automatic fire extinguishing system is required by law, including any
14 requirement imposed as a condition of development, permit, or occupancy, and (2) the
15 fire chief, fire marshal or building official of the City of Carlsbad has provided a written
16 statement verifying the requirement for additional meter size. The determination under
17 this section shall be made at the time the meter is first obtained, or at the time a meter
18 is replaced with one of greater size because of the later installation of the automatic fire
19 extinguishing system. This provision shall not apply to meters greater than one inch in
20 size.

21 **SECTION 5: Delivery Charge - Proration**

22 The delivery charge will be prorated based on the normal date the meter is read for the
23 month that water service is started.

24 **SECTION 6: Delivery Charge Where House Becomes Vacant; Request for
25 Discontinuance of Service**

26 If a single family residence becomes vacant, the regular monthly Delivery Charge shall
27 be charged and collected from the owner thereof; whether water is used or not; until the
28 day upon which the office of the CMWD is notified of the fact that the property is
29 unoccupied and is requested to shut off water therefrom.

30 **SECTION 7: Rate Structure**

31 The CMWD rate structure shall be approved by the Board. Rates shall be set at a level
32 sufficient to pay for water purchases, maintenance and operations, debt service,
33 replacement funding, adequate reserves, and to meet the objectives established by the
34 Board.

35 Residential Water Rate - The Residential water rate is a tier rate per unit of water used
36 where one unit equals 748 gallons.

1 Commercial/Non-Residential – The Commercial/non-residential water rate is a flat rate
2 per unit of water used where one unit equals 748 gallons.

3 Agricultural Water Rate - The Agricultural water rate shall be in compliance with the rate
4 reduction and rules and requirements adopted by the Metropolitan Water District of
5 Southern California and the San Diego County Water Authority in relation to cost and
6 availability of imported water. Once a customer is authorized an Agricultural Water
7 Rate, that customer must comply with water supply reductions under CMWD's
8 Ordinance 30 when the Board declares Stage 2 or higher water conservation stages.

9 The Recycled Water Rate – The Recycled water rate is a flat rate per unit of recycled
10 water used where one unit equals 748 gallons, and applies only to the delivery of
11 recycled water to the customer.

12 **SECTION 8: Water Rates, Charges, and Fees to be Established by Resolution**

13 The rates, charges, and fees for all water and recycled water delivered by CMWD shall
14 be fixed, and may be changed as necessary, by Resolution of the Board after following
15 the provisions required by the California Constitution. All water and recycled water bills
16 shall be due on mailing and must be paid by the due date printed on the water or
17 recycled water bill.

18 **SECTION 9: Meter Readings and Billings**

19 Meters shall be read and billings rendered on a monthly basis. The billing period is 30
20 days and is based on the meter reading date. The date on which the bill is deemed
21 delinquent shall be indicated on the bill.

22 **SECTION 10: Service Charges to be a Lien Against Property of Consumer**

23 In addition to any other remedy provided for in this Article for the enforcement and
24 collection of any water and recycled water rates, charge, fee or account, all rates
25 provided for in this Ordinance shall be charged against the property on which it is
26 furnished, and against the owner thereof, and shall be a lien against the premises to
27 which any water or recycled water may be supplied, and a charge against the owner
28 thereof and the occupant thereof using the water. If for any cause any sums owing
therefore become delinquent, the water or recycled water shall be cut off and in no case
shall it be turned on to the same property until all such delinquencies shall have been
paid in full. Such property owner and occupant shall be severally responsible to the
CMWD in an action brought by the CMWD in any Court of competent jurisdiction for the
amount of all such money as may be due and unpaid, together with all penalties
provided herein and costs. No change of ownership or occupation shall affect the
application of this Article. This section shall not apply to non-permanent connections.

29 **SECTION 11: Shutting Off Water on Supply Side of Meter**

30 Upon the written request or call to the City's Billing Division of the Finance Department,
31 of the customer or occupant of a building or premises to have the water shut off on the
32 supply side of the meter, the CMWD shall have the water shut off, and at the time
33 record the reading of the meter and render a bill in a sum which shall be the greater of

1 the amount of water used according to the rates and charges provided for, or for the
2 monthly minimum charge due for the fractional part of the month.

3 **SECTION 12: Adjustment of Bills for Meter Error**

4 (a) Fast Meters: When upon test, a meter is found to be registering fast within the
5 tolerances above set forth in Article IV, Section 6, the CMWD shall refund to the
6 customer the amount of the overcharge, based upon corrected meter readings for the
7 period the meter was in use, but not-to-exceed a period of six months.

8 (b) Slow Meters: When, upon test, a meter is found to be registering slow beyond
9 the tolerances above set forth in Article IV, Section 6, the CMWD shall bill the customer
10 for the amount of the undercharge, based upon corrected meter readings for the period
11 the meter was in service, but not-to-exceed a period of six months.

12 (c) Failed Meter Reads: In the event a water meter fails to register during any month,
13 a charge will be made based upon three month average amount of water used during
14 the same period for the previous year. In the event there was no meter at this place
15 during the previous year, a charge will be made upon an estimate fixed by the CMWD,
16 which shall be paid by the customer.

17 (d) General: When it is found that the error in a meter is due to some cause, the date
18 of which can be fixed, the overcharge or the undercharge shall be computed back to,
19 but not beyond, such date.

20 **ARTICLE IV**

21 **METERS, SERVICE CONNECTIONS, CONNECTION FEES AND PAYMENT 22 THEREOF**

23 **SECTION 1: Service Connections in Public Right-of-Way or Easements**

24 All water service connections shall be in conformance with CMWD standard
25 specifications and standard drawings in affect at the time the connection is installed;
26 and all such connections must be inspected and approved by the Public Works Director
27 or his designated representative before water is admitted through meters.

28 **SECTION 2: Meter Installation**

All water and recycled water meters shall be new or be certified for accuracy to meet
standards of the American Water Works Association through testing performed or
approved by the CMWD before being installed.

SECTION 3: Service Connection and Meter Ownership

The "Water/Sewer Connection Permit" shall note the date of connection for all service
connections, and upon this date the service connection will become the property of the
CMWD and the CMWD's responsibility to maintain. The meter will become the property
of the CMWD and the CMWD's responsibility to maintain upon its installation by CMWD
or its authorized agent.

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SECTION 4: Charges for Replacement, Repairs or Adjustment Caused by Negligence, Etc., of Customer, Non-Payment

Where replacement, repairs or adjustments of any service connection or meter are deemed necessary by the act, negligence or carelessness of the customer, any expense caused the CMWD thereby, shall be charged against and collected from the customer. If the customer fails to pay such charges, water may be shut off until such charges are paid.

SECTION 5: Examination of Meters at Customer's Request - Deposit

Any customer may request that the meter, through which water or recycled water is being delivered, be examined and tested by the CMWD or Maintenance and Operations Department of the City of Carlsbad for the purpose of ascertaining whether or not it is registering correctly the amount of water which is being delivered to it. Such request shall be accompanied by payment of a deposit fee as established by resolution of the Board. Upon receipt of such request, the Executive Manager will cause the meter to be examined and tested for the purpose of ascertaining whether or not it is registering correctly the water or recycled water being delivered through it.

SECTION 6: Examination of Meters at Customer's Request – Replacement of Defective Meter; Forfeiture of Deposit

If, on examination and test, the meter shall be found to register a percentage of more or less than actually passes through it, than allowed by the tolerances for such a meter as established by the American Waterworks Association standards, another meter shall be substituted therefore. If the meter is determined to be registering more water than actually passes through it within the tolerances above set forth, the above deposit will be refunded to the customer, but in the event the meter shall be found to be accurate or registering less water than actually passes through it, the fee so deposited shall be forfeited to the CMWD.

SECTION 7: Water Meter Permit

It is unlawful for any person to connect to or use the CMWD's water system without first obtaining a Water Meter Permit. That concurrently with issuance of a valid building permit for a new structure or for a mobile home, upon application and payment of the required fees, the CMWD's Executive Manager may authorize connection of the structure for which the building permit has been issued or the mobile home has been issued, to the water system. Every Water Meter Permit issued shall be returned if the building permit for the structure to which the connection is being made or for the mobile home to be connected, expires by limitation or otherwise becomes null and void. If a Water Meter Permit has expired, then before the connection for such structure or mobile home can be made, a new Water Meter Permit shall be obtained and the fee shall be one-half of the required fee for the original Water Meter Permit unless one year has passed since the expiration in which case the fee shall be the same as a new Water

1 Meter Permit. Water Meter Permits for the connection of an existing structure to the
2 water system may be issued by the Executive Manager at any time upon proper
application.

3 Every Water Meter Permit issued pursuant to this subsection shall expire by limitation
4 and become null and void if work on the connection authorized by such permit is not
5 completed within one hundred eighty (180) days from the date of issuance of such
permit. Reasonable extensions may be granted by the Executive Manager in writing.

6 **SECTION 8: Water and Recycled Water Connection Fee**

7 Applicants for installation of a service connection(s) shall pay a Water Connection Fee,
8 and at locations where recycled water is to be used, a Recycled Water Connection Fee
9 in the amount as set from time to time by a resolution of the Board. The recycled water
10 connection fee shall be equal to the water connection fee for the same size meter;
11 however, a recycled water connection is not required to pay San Diego County Water
12 Authority's water connection fee. When a water meter for a single family residential unit
13 is required to provide standby capacity for a automatic fire extinguishing system, the
14 water connection fee will be determined according to the size of the meter necessary to
15 meet the water use requirements for the customer, as determined according to the rules
16 of the CMWD, without consideration of additional size necessary to provide the delivery
17 of water for the automated fire extinguishing system. The water connection fee and
18 recycled water connection fee shall be adjusted annually by a resolution of the Board by
19 the percentage change in the Engineering News Record Los Angeles Construction Cost
Index with the base index in effect in December 2003, or subsequent resolution of the
Board.

20 For all residential units, the water connection fee shall be paid at the time of issuance of
21 a building permit for the property. For commercial and industrial development projects
22 the water connection fee shall be paid at the time of application for a "Water Meter
23 Permit". The Recycled water connection fee shall be paid at the time the recycled water
24 irrigation system has been tested by the City of Carlsbad's Cross connection specialist
25 and recycled water can be supplied to the irrigation system. Customer shall provide
26 CMWD a 24-hour notice for the recycled water irrigation meter.

27 A credit on a water or recycled water connection fee will be made for the exchange of
28 an existing meter service for a new meter service, or relocation of a meter service. The
credit shall only apply to the water or recycled water connection fee. The credit amount
shall be based on the connection fee amount in affect at the time the exchange is made.
No credit shall be applied for exchange to a smaller meter.

29 **SECTION 9: Minimum Water Meter Size for Buildings**

30 (a) Residential Unit - For residential units the minimum size meter shall be 5/8", except
31 where the residential unit is larger than 3,500 square feet or on a lot larger than one
32 quarter (1/4) acre where the meter size shall be 3/4". Where there is a residential
33 automatic fire extinguishing system the minimum meter size shall be 1".

