

CITY OF SAN BERNARDINO MUNICIPAL WATER DEPARTMENT
300 North "D" Street
San Bernardino, CA 92418

RULE AND REGULATION NO. 1
NOTICE OF ADOPTION OF RULES AND REGULATIONS
AND DEFINITION OF TERMS USED

The following rules and regulations are effective in the City of San Bernardino, and were established by resolution of the Board of Water Commissioners (BOWC) and resolution by the Mayor and Council of the City of San Bernardino. Specific rules and regulations governing payment of bills, Water Department rates and credits, are in accordance with ordinances of the City of San Bernardino.

All rules and regulations herein set forth are subject at all times to change or abolition by action of the Board of Water Commissioners as the respective and controlling authority of the City. Copies of the rules and regulations in effect will be kept on file and up to date in the offices of the Water Department, City of San Bernardino, and in the office of the City Clerk of the City of San Bernardino. Consumers or others contemplating any expenditure or activities governed by these rules and regulations should assure themselves that they have the latest and correct information by contacting the Water Department, City of San Bernardino.

For the purpose of these rules and regulations, all words herein in the present tense shall include the future, all words in the plural number shall include the singular, and all words in the singular number shall include the plural. Whenever in these rules and regulations the following words and phrases set forth in this section are used, they shall, for the purpose of these rules and regulations, have the following meanings respectively, to wit:

1. **"Abandoned Service"** shall mean a service connection documented based on actual field conditions that the service lateral was cut, capped, and left in place. If the service classified as abandoned in actually removed, the service shall be reclassified as removed in Water Department records. See "Killed Service".

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2. **"Acquisition of Service Charge"** shall mean a variable charge or fee by service size required to obtain a service connection onto a Water Department water main to cover the costs per Equivalent Dwelling Unit (EDU) for bond-funded improvements, cost of water storage, cost of water production, and cost of pumping and transmission.
3. **"American Water Works Association (AWWA) Standards"** shall mean the latest revision of the standards adopted by AWWA, Denver and available for review at the Water Department.
4. **"Applicant"** means developer, landowner, or individual requesting water backbone infrastructure extensions or service.
5. **"Automated Meter Reading"** shall mean the equipment for the remote collection of consumption data from a customer's water meter.
6. **"Backflow Prevention Assembly or Device"** shall mean an assembly for the prevention of backflow from the customer's water system to the Water Department's water system and may include, but not be limited to, a backflow prevention device, isolation valves, test cocks, thrust restraints, a vault, connecting piping, an enclosure, and other appurtenances.
7. **"Approved Backflow Prevention Assembly"** shall mean an assembly that has been investigated and approved by the Water Department. The approval of backflow prevention devices by the Water Department will be on the basis of a favorable report by an approved testing laboratory recommending such an approval, and acceptance through the Water Department's approval process.
8. **"Beneficial Use"** means the Applicant may utilize Water Department facilities for fire protection purposes and water through Water Department approved services. Beneficial use is granted when the water facilities have

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been properly conveyed to the Water Department and all service installations have been approved by the Water Department.

9. **"Billing Date"** shall be the date shown on the monthly water bill.
10. **"Board"** shall mean Board of Water Commissioners (BOWC) of the City of San Bernardino Municipal Water Department. The words "Board of Water Commissioners" and "Water Department" and "Department" shall have the same meaning.
11. **"Building Permit(s)"** shall mean the permit(s) issued by either the City of San Bernardino or San Bernardino County for a structure including but not limited to the foundation, shell, and other related building components.
12. **"City"** shall mean City of San Bernardino.
13. **"Combination Service"** shall mean a single lateral connection through which water is obtained for the dual purpose of private fire service and domestic service or domestic landscape and domestic service.
14. **"Conditional Will Serve"** shall mean a water commitment that may be made if the applicant completes specific requirements within specified time frames as specified in a written agreement with the Water Department.
15. **"Construction Water"** shall mean metered water delivered for construction purposes including, but not limited to, compaction and dust control.
16. **"Conveyance Agreement"** shall mean the Agreement between the Developer and the Water Department whereas the Developer completed all construction items, provided all submittals, and the Water Department has accepted the construction of all mains and laterals.

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17. **"Cost Letter"** shall mean a letter or correspondence that documents all costs as defined in these Rules and Regulation.
18. **"Costs"** shall mean labor, material, equipment rental, street cut repair charges, transportation expense, supervision, engineering, and all other necessary overhead expenses.
19. **"Cross-Connection"** shall mean any unauthorized or illegal physical connection or arrangement of piping or fixtures between two (2) otherwise separate piping systems, or a private well, one of which contains potable water and the other nonpotable water or industrial fluids of questionable safety, through which, or because of which, backflow may occur into the potable water system. This would include but not be limited to any temporary connections, such as swing connections, removable sections, four-way plug valves, spools, dummy section of pipe, swivel or change-over devices or sliding multipoint tube.
20. **"Customer of Record"** shall mean a person who is recipient of water service from the Water Department through an existing service connection, or a person applying for water through an existing service connection.
21. **"Deferral Agreement"** shall mean the agreement between the Water Department and the Developer whereas the Water Department will allow the Developer to defer the acquisition of service charges until sale or transfer of the lots. A deferral agreement will be approved by the SBMWD only after an acceptable payment bond has been issued in the full amount of the project acquisition to the SBMWD. Payment of all fees is required prior to the certificate of occupancy issued by the City Building Department, only after all acquisition has been paid will the SBMWD release the payment bond.
22. **"Department" or "Water Department"** shall mean Water Department of the City of San Bernardino.

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23. **"Design and Construction Standards for Water System Improvements"** shall mean the minimum design and construction criteria for water distribution systems within the jurisdiction of the Water Department.
24. **"Developer"** shall mean any person, agent, or corporation engaged in or proposing development of property.
25. **"Developer Approval"** is the approval(s) required from the City of San Bernardino for subdivision of a parcel or issuance of a building permit.
26. **"Developer-Installed Agreement"** means an agreement between the Water Department and Applicant executed by the General Manager that shall establish the terms for the installation and transfer of the title of water system facilities.
27. **"Developer Required Size"** means the minimum water facility size required to service the Applicant's development only.
28. **"Disconnection of Service"** shall mean an active service connection which has been turned-off or terminated for nonpayment of water bills.
29. **"Domestic Service"** shall mean a service connection through which water is obtained for all purposes permissible under law, including commercial and industrial uses exclusive of fire protection and construction service.
30. **"Emergency"** shall mean a sudden or unexpected occurrence or need that requires immediate action to prevent an adverse impact upon life, health, property or essential public services.
31. **"Emergency Service Connection"** shall mean a Water Department authorized service connection on an interim basis required to safeguard health and protect private or public property.

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32. **"Employee"** shall mean any individual employed by the Water Department, excluding independent contractors, consultants, and their employees.
33. **"Equivalent Dwelling Unit"** shall mean the comparable number of 5/8" meters, sufficient to provide service to an average size single residence, which equates to the meter size primarily used for fee and rate calculations.
34. **"Fire Hydrant"** shall mean a public fire hydrant(s) to be located within a public right-of-way or easement. The fire hydrant shall be of a type and manufacturer approved by the entity having jurisdiction.
35. **"Fire Hydrant Meter"** shall mean a portable water meter which is connected to a fire hydrant for the purpose of temporary water use. (These meters are sometimes referred to as Construction Meters).
36. **"Fire Service"** shall mean a service connection through which water is available on private property for fire protection exclusively. Private fire service shall be equipped with a Water Department approved backflow device and meter per Water Department Standards.
37. **"Fire Service Acquisition of Service Charge"** shall mean a variable charge or fee by service size required to obtain a fire service connection onto a Water Department water main to cover the costs per Equivalent Dwelling Unit (EDU) for bond-funded improvements, cost of water storage, cost of water production, and cost of pumping and transmission.
38. **"Fixture Units"** shall be defined as specified in the Uniform Plumbing Code, current edition.
39. **"Frontage Fee"** shall mean actual costs incurred either by the Water Department or Applicant who executed a Developer-Installed Agreement and Conveyance Agreement with the Water Department documenting all approved costs incurred and advanced by Applicant necessary to document refundable costs due to either the Water Department or Applicant who

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initially advanced the costs and shall be calculated by the total length of water main installed divided into the total approved costs.

40. **"General Manager"** shall mean the person duly appointed by the Board to perform the duties of the position, or that person's duly appointed representative.
41. **"Illegal Service"** shall mean an active service connection, but which installation was not authorized by the Water Department or is in violation of the Water Department's service rules. Illegal services include, but are not limited to, expansions of on-site systems to serve adjacent parcels.
42. **"Inactive Service"** shall mean a service connection which is not in use, but is fully operational in accordance with Water Department standards and documented in Water Department records.
43. **"Jumper"** shall mean a length of pipe installed in lieu of a meter (also known as an "idler").
44. **"Killed Service"** shall mean a service connection documented based on actual field conditions that the service lateral no longer exists. The service is classified as killed in Water Department records. If field conditions later indicate that a service classified as killed was actually abandoned, the service shall be classified as abandoned in Water Department records. See "Abandoned Service".
45. **"Main Extension"** shall mean an addition to the Water Department's distribution system, consisting of a pipeline which is a nominal eight (8) inches in diameter or greater, for the purpose of providing an adequate water supply. The Water Department may increase the length or diameter of a main extension beyond that required to serve a particular development in order to provide for the orderly development of the Water Department's distribution system, improve water quality, and/or improve system reliability.

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46. **"Master Meter"** shall mean the Water Department approved primary measuring device installed for, but owned by the Water Department, which is used for the purpose of accurately recording all consumption entering an area containing a number of customers, or submetered services.
47. **"Meter"** shall mean the Water Department approved measuring device, installed for, but owned by the Water Department, which is used for the purpose of accurately recording the consumption of water used by customers.
48. **"Multiple Family Dwelling Units"** shall mean a dwelling unit that contains more than one living unit per structure (i.e., hotels, motels, condominiums, apartments, townhouses, and live-work units that share a common wall). In addition, mobile home parks will be considered as multiple family dwelling units.
49. **"Nonpotable Water"** (also called recycled or reclaimed water) shall mean water that does not meet the State of California standards for potable water and that is made available for irrigation purposes for large scale turf and landscaped areas including, but not limited to, golf courses, schools, and parks. Nonpotable water may include reclaimed or recycled wastewater, water which has been recovered from a ground water recharge/recovery facility for nonpotable used, and/or potable water which has been blended with reclaimed or recovered groundwater for capacity or water quality reasons.
50. **"Nonstandard Service Connection"** shall mean a service connection from a main to a parcel, which is not contiguous to the main to which the connection is made. A service will not be considered or classified as nonstandard if the parcel to be served is not adjacent to a public right-of-way and a permanent right of access with overlapping utility easement is provided for the on-site (private) lateral.

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51. **"Off-site Main"** shall mean a main, regardless of size, which extends from the existing distribution system to a development and generally remains outside the development boundaries.
52. **"On-site Main"** shall mean those public mains, which are installed specifically to provide service to developments, and generally located within the development's boundaries.
53. **"Oversized Main Extension"** shall mean a main larger in diameter than the minimum diameter necessary to provide a supply to a proposed development, which will be capable of meeting future demands on the Water Department's distribution system. The Water Department may increase the length of an oversized main extension beyond that required to serve a particular development, in order to provide for the orderly development of the Water Department's distribution system, improve water quality and/or improve system reliability.
54. **"Oversized Water Facility"** shall mean a facility larger than the minimum facility size necessary to provide the necessary supply of water to a proposed development, which will be capable of meeting future demands on the Water Department distribution system. The Water Department may increase the size of the water facility beyond that required to serve a particular development, in order to provide for the orderly development of the Water Department's distribution system, improve water quality and/or improve system reliability.
55. **"Parcel Map"** shall be as defined in State of California, Government Code, Sections 66444-66450.
56. **"Point of Delivery"** shall mean the location on User's property, immediately downstream of the Water Department's meter and control valve vault, and test port at the boundary of the permanent easement granted by the nonpotable water User.

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57. **"Potable Water"** shall mean water that is treated pursuant to the Safe Drinking Water Act and meets the standards of the State of California Department of Health Services.
58. **"Private Main"** shall mean a water pipeline and appurtenances not owned by the Water Department.
59. **"Property Owner"** shall mean any individual who is on record of title as being the owner of any parcel of land that may or may not be served by the Water Department either in the past, present, or future.
60. **"Public Main", "Main", "Water Facility", or "System"** shall mean a water pipeline and appurtenances which is owned by the Water Department.
61. **"Service Connection"** shall mean the service lateral extending from the Department's water main, whether located in a public thoroughfare or dedicated easement, to the individual meter. This include the tapping of the water main, corporation stop together with the valves, lateral piping, fittings, meter box and meter.
62. **"Service Deposit"** shall mean an amount deposited with the Water Department to assure payment of water bills.
63. **"Service Relocation"** shall mean a change in location that will require tapping the existing main or a new water main at a new location, installing a new service lateral. This service will require the payment of appropriate application fees, inspection fees, installation fees and/or other charges.
64. **"Substantial Completion"** shall be deemed by the Water Department Engineer in writing.
65. **"Tampering"** shall mean acts by persons which cause damage to, or alteration of, Water Department property including, but not limited to, service connections, shut off valves, hydrants, mains, meters, registers, and service locks.

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Such persons shall be responsible for payment of costs incurred and any and all prescribed by these Rules and Regulations.

66. **"Temporary Water Service Connection"** shall mean an authorized service connection installed at a location not adjacent to the parcel served, i.e., a nonstandard location, and which is subject to removal or relocation at such time as a main is constructed contiguous to the parcel or temporary water service connections for developer-installed projects and shall mean a metered backflow service to supply water through private unconveyed water facilities that have been constructed to a point of substantial completion as defined in these Rule and Regulations.
67. **"Tract"** shall meet all provisions of the State of California subdivision Map Act of the State of California, Government Code Sections 66410-66424.6 and shall be as defined in Division 2, Subdivisions Chapter 2, Maps.
68. **"Water Backbone Infrastructure"** consists of the following water facilities: Pump stations, booster stations, reservoirs, transmission pipelines (mains), distribution mains, or other facilities approved by the General Manager.
69. **"Unusual Installation Conditions"** shall mean circumstances that include, but are not limited to, the length of the lateral, the type of pavement, anticipated soil or other underground conditions, and the width or travel conditions of the roadway or right-of-way and also those imposed as a result of governmental or property owner actions.
70. **"Water Commitment"** shall mean a written commitment from the Water Department to either provide or refuse water service to a specific development on a specific parcel of land.
71. **"Water Facility Oversizing Agreement"** means an agreement between the Water Department and Applicant approved by the BOWC that shall establish the terms for the cost sharing due to Water Department required oversizing of water

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facilities. The Water Facility Oversizing Agreement can be either a stand alone document or included as part of a Developer-Installed Agreement.

72. **"Will Serve Letter"** shall mean a written document for commitment or refusal of commitment for water service that may be made at the Applicant's request.
73. **"Work Order"** shall mean a request for work to be conducted by the Water Department.

Approved by BOWC:	June 3, 2008
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