

SECTION 10 - INSTALLATION OF WATER FACILITIES

10.1 General Conditions for Installation of Water Facilities

a. Applicability

Any work on District facilities, including, but not limited to the installation of new service connections, water main, backflow prevention devices and associated appurtenances (water facilities), relocation or removal of existing facilities, not contracted for directly by the District, shall comply with the requirements of this section. All work shall be submitted for review, required fees and charges paid and approved in writing by the District prior to the time the work is started.

A main extension may be required along the entire length of at least one property line frontage of the property to be developed whenever future line extension is possible, or when the adjacent main cannot meet the needs of the proposed development.

b. Construction Plans

All water plans submitted for review shall conform to the Uniform Design and Construction Standards for Water Distribution Systems (UDACS), (latest edition, as amended). Water plans shall include, at a minimum, the following:

1. A copy of the recorded final subdivision map, parcel map or any other map, if applicable.
2. Two (2) sets (24" x 36") of detailed water plans,
3. A completed data sheet as provided by the District,
4. The required application fee as specified in Section 8, and
5. Development approval or water commitment.

Water plans which meet the requirements of Items 1 through 4 above but do not have a development approval or water commitment may be accepted for review, but the acceptance and review does not in itself give any additional consideration toward a commitment or any property right in water to said new development or other project. Such plans shall be prepared by a Registered Professional Engineer duly registered in the State of Nevada, shall clearly indicate the size and location of mains and appurtenances, including all lateral pipe and fire hydrants and shall also indicate size and location of all other existing and proposed utilities. Water plans shall designate boundaries of the applicant's property which will be served by the proposed main extension. Proof of right-of-way and/or easement must also be provided.

The District will review the water plan and return one (1) set of plans to the applicant indicating any necessary revisions. The applicant shall prepare and submit to the District a set of reproducible mylar water plans conforming with the revisions, which shall be retained by the District and considered the master water plan after approval by the District. Upon execution of the appropriate agreements by the applicant and payment of all outstanding bills, applicable charges, fees and

deposits, and after approval of other governmental agencies as may be necessary, and any other requirements, the water plan shall be approved and released for construction purposes.

c. Time Limitation

Approval by the District for the installation of water facilities shall be valid for a limited time. In the event that construction of the mains or services covered by any approved plan is not started within one (1) year from the date of approval, or as designated in the construction agreement, the project shall be assumed to have been abandoned, and any subsequent proposal for reactivation shall be treated as a new project, including fulfilling all water commitment requirements in effect at the time the project is reactivated. Construction is considered to have started upon the installation of a main or service, or portion thereof, per approved District plans, that normally requires an inspection. Any limitations on approval for other than one (1) year shall be shown on the drawings. The same shall apply when active construction work is discontinued for one (1) year.

All water facility construction must be completed within two (2) years from the date of plan approval. If work is not completed in the two (2) year period, the developer may request a time extension, however, an additional inspection fee is required. If the work will not be completed in the next six (6) months, the developer shall also post a bond or cash deposit with the District to assure completion in one (1) year or the project may be canceled.

In the event the project received a water commitment pursuant to Section 1.2.b or 1.2.c of these Rules, the District may, at its discretion, invoke the performance bond for the installation of the water facilities rather than canceling the project.

d. Construction, Assignment, Abandonment, Cessation, Cancellation

In the event of abandonment or cessation of construction, prepaid installation fees and other charges and deposits shall be refunded, or used by the District to pursue completion of all or part of the project, as determined by the District.

If a project receives a water commitment under the provisions of Section 1.2.b of these Rules, and the water plans are subsequently proposed for cancellation, all prepaid installation fees and other charges and deposits shall be retained by the District until the water commitment is terminated, the project is reverted to acreage, and the Developer requests in writing the fees be returned to him. If the project will require a new approval of the water plan, any retained fees shall be applied to any increased fees required at the time a water plan is reapproved.

If a project receives a water commitment under the provisions of Section 1.2.c of these Rules and the water plans are subsequently proposed for cancellation prior to the installation of water facilities, all prepaid installation fees and other charges and deposits shall be retained by the District until the water commitment is terminated, the building permit is terminated or expires, and the Developer requests in writing the fees be returned to him. If the project will require a new approval of the water plan, any retained fees shall be applied to any increased fees required at the time a water plan is reapproved.

If funds are not available to complete the work, the District may complete the work on an actual cost basis and bill the Developer. Subsequent projects submitted for approval shall be held until invoices for uncompleted work are paid.

To assure District recognition of an assignment from one developer/owner to another, a District provided assignment form should be completed, and a fully executed duplicate original should be returned to the District.

e. Compliance with Specifications

Main extensions, service connections, and appurtenances shall be constructed by a contractor properly licensed by the State of Nevada to conform with all District specifications, standards, and procedures which are in effect at the time the water plans receive District approval. In addition to all such specifications, standards, and procedures, the following requirements shall be met:

1. All new water facilities shall be disinfected and tested to the satisfaction of the District before connecting the new mains to existing mains, unless otherwise permitted by the District.
2. Connections to existing mains shall be made only when authorized by the District and then only in the presence of an authorized representative of the District, at times specified by the District.
3. Existing mains shall not be taken out of service for the purpose of making new connections when other options are feasible. Mains may only be taken out of service with the specific approval of the District.

f. Construction Inspection

The District shall inspect the installation of water facilities including assemblies, from construction commencement through final water project acceptance. The District reserves the right to terminate service if the work does not comply with District requirements. The District will not provide domestic water service to an identified permanent structure(s) until all water facilities related to that structure(s), as shown on the approved water plans, have been accepted by the District.

g. Meter Installation

For meters 2" and smaller, the applicant shall obtain the meter from the District. For meters larger than 2", the applicant shall provide a meter which meets District specifications.

Meters obtained from District stock will be acquired in accordance with procedures adopted and approved by the General Manager. The meter shall be installed before any water is drawn through the service connection.

No meter shall be installed until a successful pressure test and water sample has been verified by the District.

h. Payment for Water

Payment for all water used from the time of initial meter installation shall be the responsibility of the applicant and will be charged and billed monthly at the Metered Construction Water rate set forth in Section 8. **[Change on or after 9/26/08 to add "The District reserves the right to audit meter installation. The District reserves the right to start service at its discretion upon verification of meter installation, occupancy, or irrigation. Upon verification, monthly billing will be based on the rate for Metered Construction Water."]**

The applicant (developer) shall remain responsible for correction of all deficiencies and shall remain liable for the payment **[Change on or after 9/26/08 to add "... and shall remain liable for the monthly bill payment"]** for all metered water used and associated deficiency fees, regardless of whether subject facilities are in use by a subsequent developer, domestic, or commercial customer, until said defects are corrected by the applicant and are accepted by the District.

Following acceptance of all facilities by the District for ownership and maintenance, the applicant (developer) is responsible for ensuring that services accepted by the District are removed from the developer's account. Until that notification to the District occurs by the developer, billing for all consumption through all meters at the rate for Metered Construction Water remains the responsibility of the developer.

i. Guarantee

Installation, materials, and workmanship shall be guaranteed complete and free of defects for a period of one (1) year from the date of acceptance by the District. Upon receipt of notice of incomplete work or defect from the District, the developer shall immediately correct the situation, or shall reimburse the District for the cost of correction.

j. Location

1. Main extensions and appurtenances shall be located within right-of-way or private streets fifty (50) feet in width or greater, dedicated for utility purposes, if the water main is twenty-four (24) inches in diameter and larger, or longer than one hundred fifty (150) feet. Main extensions of lesser diameter, or length may be located in private streets or rights-of-way thirty (30) feet in width dedicated for utility purposes.
2. If the fifty (50) foot right-of-way or private streets dedicated for utility purposes is not available, the applicant may petition the District and upon District approval, a main extension and appurtenances may be located within utility easements granted to the District (which may include right-of-way or private streets) for a total thirty (30) foot utility dedication.
3. Right-of-way, private street, and/or easement grants for utility purposes totaling less than fifty (50) feet may be accepted at the discretion of the District.
4. All right-of-way, private streets and/or easements shall be shown on the water plans and shall be provided to the District prior to the approval of water plans and must provide adequate clearances for the safe operation, maintenance, and repair of the water facilities. The District reserves the right to determine the location of a main extension and appurtenances.

k. Easements

1. No buildings, structures or trees will be placed upon, over or under any District easement, now or hereafter, except that an easement can be improved and used for street, road or driveway purposes and for other utilities, insofar as such use does not interfere with the operation and maintenance of the District's facilities within the easement.
2. Should the District act to repair any of its facilities within the easement, the District is not responsible for repair or reconstruction of any property located within the easement.
3. Should any of the District's facilities within an easement be required to be relocated or repaired as a result of changes in grade or other construction within the easement, the property owner will bear the full cost of such relocation or repair.

l. Size of Mains

A main extension shall be of sufficient size to provide an adequate water supply to the development (subdivision, commercial, industrial, or single residential property). The minimum water main size will be based on the existing or proposed street right-of-way width, which may include common areas.

A developer extending water mains will be required to install these minimum size water mains at their sole expense. The minimum water main diameters are as follows:

STREET WIDTH	MINIMUM WATER MAIN DIAMETER
Up to 60'	8"
61' to 80'	10"
Greater than 80'	12"

Water mains in cul-de-sacs, internal streets within subdivisions, and other areas where water mains will not be extended in the future, may be 6" in diameter if that size water main meets the water demand requirement of the development. The District reserves the right to establish the size of all mains and appurtenances.

m. Fire Hydrants

Fire hydrant installations shall conform with design and location requirements of the governmental agency having jurisdiction.

n. Use of Facilities

A main extension constructed for a development shall not be considered as reserved for service to that development exclusively. Extensions of and connections to a main extension for other development may be permitted when, in the opinion of the District, such connections will not substantially affect service to the original development.

o. Conveyance of Title

Upon satisfactory completion of construction and acceptance of the facilities by the District, the developer shall deliver to the District a valid bill of sale conveying unencumbered title to the facilities to the District.

p. Construction by Private Contractor or District

Construction work shall be performed by a contractor properly licensed by the State of Nevada and selected by the applicant. Proof of licensing may be required. In certain circumstances when, in the opinion of the District, the extent of work to be performed is minor and can be accomplished efficiently and economically by District forces, the applicant may deposit an amount determined by the District. Upon completion of construction, the difference between the estimated and actual costs will be either billed or refunded.

q. Refund of Frontage Connection Charges

The developer will receive frontage connection charges collected by the District for connections to the main extension installed by the developer under the provisions of a main extension agreement specifically providing for the refund of frontage connection charges. The potential refunds paid to the developer shall be limited to the fees collected by the District up to ten years from the date of the agreement. The total of potential refunds made for connections on either side of the main extension for the development shall not exceed \$17 per linear foot per side of adjacent right of way, to a maximum of \$34.00 per linear foot of installed main. Any refund for a connection to the main extension shall be made following the date the main and/or services are inspected and accepted by the District, and a signed Bill of Sale is provided by the developer.

At the sole discretion of the District, transmission mains may have limited connections made to them. Conditions limiting these connections include ensuring system reliability and the nature of the materials used to construct large diameter pipelines. Due to these conditions, parallel mains may be required to be constructed in order to serve adjacent developments.

By deciding whether a connection will be adjacent to, or parallel to a transmission main, the potential for the refunding of frontage connection charges by the District to the developer of the transmission main will be calculated in accordance with these Rules. Development(s) connecting to parallel or adjacent mains shall be assessed frontage charges based on the main providing the direct service with refunding to the main providing the direct service. Refunding of frontage connection charges to the developer of a transmission main may occur with parallel main installations. However, refunds will be based only on the difference between the frontage of the property to be developed and the length of the parallel main serving that property.

10.2 Service Connections Installed by Private Contractor

If service connections are installed by private contractor, the provisions of Section 10 shall apply.

10.3 Standard Main Extensions

a. Applicability

A standard main extension shall apply if the property to be served does not meet the requirements of a residential main extension, or if a residential main extension does not meet the needs of the applicant, and if the District chooses not to oversize the main.

b. Responsibility for Cost

The cost of a standard main extension, including service laterals, fire hydrants, and all other appurtenances, shall be borne by the applicant.

10.4 Oversized Main Extensions

a. Applicability

An oversized main extension is 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 District's distribution system. The District 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 District's distribution system, improve water quality and/or improve system reliability.

Appendix I shows Non-Oversizing and Oversizing Areas. As such, it also demonstrates the extension of Oversizing Area beyond the Las Vegas Basin to include, where appropriate, the balance of the service area of the District.

The applicability of oversizing is delineated in Appendix I as follows:

1. Non-Oversizing Area: This area identifies the developed area of the distribution system, and is designated as a non-oversizing area.
2. Oversizing Area: Oversized main extensions may be required in this area. District participation and reimbursement will be in accordance with this section.

b. Approval by Board

A proposal for oversizing of a main extension shall be submitted to the Board for those projects with District participation. If the oversizing of the main extension is approved by the Board, the developer must initiate construction within one (1) year from the date of water plan approval, unless specified otherwise in the agreement, or the Board's action shall be void.

c. Refunding for Oversizing

The District shall refund, without interest, to the developer for the cost of oversizing the main extension within the Oversizing Area, as identified in Appendix I and as specified in the agreement(s), within forty-five (45) calendar days following acceptance by the District and delivery of an unencumbered bill of sale.

In the event water mains are oversized to a diameter greater than 42 inches in diameter, the District will refund the cost for that portion of the oversized main extension greater than 42 inches in diameter, separate from the oversized portion less than 42 inches in diameter. The cost of oversizing that portion of the water main in excess of 42 inches in diameter will be refunded by the District, as specified in the agreement(s) within forty-five (45) calendar days following acceptance by the District and delivery of an unencumbered bill of sale.

An oversized main extension is required to be bid as a public works project in accordance with Nevada Revised Statutes as amended whenever the pipe size is greater than 42 inches.

d. Cost Allowances

Refunding by the District for the oversizing of a main extension shall be based on the difference in cost allowance between the oversized main installed and the main required by the developer, multiplied by the horizontal lineal feet of main actually installed. Cost allowances per lineal foot for various diameters are as follows:

<u>Diameter</u>	<u>Cost Allowance per Lineal Foot</u>
<8"	\$ 0
8"	29
10"	35
12"	42
16"	64
20"	90
24"	116
30"	182
36"	201
42"	220
>42"	Based on competitive bids

At the developer's option, the reimbursement amount may be based on actual construction costs if an open competitive bid process in accordance with Nevada Revised Statutes as amended, is completed for the oversized main.

e. Alternate Method of Payment

The Board may, in lieu of a lump sum payment of the District's portion of the cost, arrange with the developer or customer for an alternate method of payment.

f. Special Requirements

For an oversized main extension twenty inches or larger in diameter, the District may add special requirements in addition to those specified in this section.

10.5 Bolstering

Bolstering may be required by the District as a condition of the development approval process.

The District shall refund to the developer, without interest, the cost of bolstering the main extension(s) as specified in the agreement(s) within forty-five (45) calendar days following acceptance by the District and delivery of an unencumbered bill of sale.

10.6 Assessment District Improvements

Property owners may petition the District for formulation of an assessment district for the purpose of providing a water supply system or for improving an existing system which is inadequate. Proceedings for petition and formulation of the assessment district will be pursuant to Chapter 271, Nevada Revised Statutes.

10.7 Residential Main Extensions

a. Applicability

A residential main extension is described as a main extension sized in accordance with these Rules which is installed by the District to provide service to a single family residentially zoned lot. This extension shall apply only as part of a voluntary or mandatory well conversion, or to individual, developed parcels located within a well service area that apply to convert to District service without participating in the SNWA Well Conversion Program.

b. Application

The applicant shall meet the following requirements, submit the following information, and pay the applicable fees, charges and deposits.

1. Have a water commitment in accordance with Section 1 of these Rules.
2. Provide a legal description of the parcel to be served.
3. Provide a dedicated right-of-way or easement in which the main is to be located.
4. Execute a residential main extension agreement.
5. Provide other information as required by the District.

The District shall commence construction of the main extension following payment of fees and obtaining necessary approvals and permits for the project.

The District reserves the right to deny a residential main extension application in certain circumstances, such as the existence of an assessment district or another previously approved form of providing water.

There are no frontage connection charge refunds due the applicant of a Residential Main Extension for any connection to said main.

c. Length Limitations

The length of main to be installed shall be as necessary to extend from an existing active main with sufficient capacity and pressure to a point which will provide a minimum of twenty feet of main fronting the parcel receiving service. The maximum length of a residential main extension shall be 1,250 feet.

d. Fire Hydrants

Fire hydrants will be installed as a part of residential main extensions when required by the governmental agencies having jurisdiction. Any costs for providing fire protection are the full responsibility of the applicant.