

## SECTION 2 – CONDITIONS OF SERVICE

The BBWD will endeavor to provide its customers with a continuous and adequate supply of water within reasonable maximum and minimum pressures per UDACS. However, varying pressures will normally prevail throughout the distribution system due to changes in elevation and other factors.

The BBWD will also act to conserve water resources in a manner that reflects the goal of achieving and maintaining a sustainable community within the desert environment of Southern Nevada.

The BBWD may reject, rescind, reduce, or terminate current or proposed uses of water where such use:

- a. Is contrary to the BBWD's obligation to assure reasonable use including, but not limited to, compliance with rules for water efficiency, drought, conservation, and the use of non-potable water for irrigation
- b. May encumber or impair the BBWD's ability to maintain an adequate level of service to other customers
- c. Compromises public health and safety due to circumstances that limit the available water supply to the BBWD

The BBWD is required under various statutes and local codes to avert the waste of water. The BBWD will continue to use rates, education, regulation, and incentives to develop programs to reduce the waste of water and improve the efficiency of its use.

### 2.1 Pressures

- (a) Applicants for service from a main through which prevailing water pressure will either exceed or fall below normal operating limits, as defined in the UDACS, shall be responsible for installation of pressure regulators, storage tanks, or other devices as required. In accordance with the Uniform Plumbing Code, individual pressure reducing valves (PRV) are required to be installed and maintained by the owner whenever static water pressure exceeds 80 psi.
- (b) Prior to service being provided which will either exceed or fall below normal operating limits, the applicant will be required to give written acceptance to the Big Bend Water District of the high or low pressure conditions.

## 2.2 Interruption of Service

The BBWD will endeavor to notify customers in advance of any interruption in service due to repairs or other causes. However, the BBWD will not be liable for interruptions, shortage, and insufficiency of supply or for any loss, inconvenience, or damage occasioned thereby. In emergency conditions when notification is not practical, service may be interrupted without warning for indefinite periods of time.

## 2.3 Parcel Location Adjacent to Main

New applications for water service will be accepted only if not less than twenty (20) feet of useable water main meets the BBWD's pressure, flow, capacity standards, and is located adjacent to the parcel to be served. Said water main must be within a dedicated right-of-way or permanent easement granted in writing to the BBWD.

## 2.4 Property Not Contiguous to a Water Main

In order to obtain service to property not immediately adjacent to a water main the applicant will be required to provide for system development in accordance with the requirements of these Service Rules, or the applicant may make application for a nonstandard connection if the property meets the requirements for a nonstandard water service.

## 2.5 Damage to Property

The BBWD will not be liable for damage to property occasioned by water running from open or faulty piping or fixtures on the customer's property, nor shall the BBWD be liable for damage due to over watering or improper watering. Customers who request activation of service shall be responsible for damage resulting from such activation due to open or faulty piping and fixtures on the customer's property. The BBWD may, at its discretion, opt to return the water service to a shut off condition if there is indication of water running on the customer's property at the time of service activation. When this occurs, the BBWD will endeavor to leave a notice of explanation for the customer. In the event of request for same day service activation, the appropriate turn-on/shut-off fee will remain applicable.

## 2.6 Access to BBWD Facilities

Property owners who permit landscaping, fencing, structures, or other fixed or movable obstructions to block, prevent, hamper, or restrict free and easy access to BBWD facilities for work of any nature including meter reading, shall be liable for costs incurred in removing such items. The BBWD will mail a 60-day notice by certified mail, return receipt requested to the mailing address on file with the County of Clark's *Ex-Officio* Tax Receiver in order that the parcel owner may correct the condition. If the parcel owner fails to remove the obstruction within the sixty (60) day period, the BBWD may complete the work, at the sole cost of the parcel owner. However, in the event of an emergency, the BBWD has the right to cause the obstruction to be removed without notice to the parcel owner and all related costs are the parcel owner's responsibility. At the property owner's option, subject to BBWD's prior approval, the BBWD's facilities may be relocated by a Nevada Licensed Contractor of the property owner's choice at the sole expense of said property owner but subject to the standards and procedures of the BBWD; or the property

owner may make application for relocation by the BBWD and at that time pay a deposit towards the actual total cost to be borne by said property owner.

Failure of the property owner to comply with the above shall be just cause for terminating water service to the subject property.

For the purposes of providing service to off-site facilities, the BBWD shall use the doctrine of prescriptive easement as the basis for access to those facilities. In the case of offsite mains located on private property through no fault of the BBWD, such mains shall have non-exclusive right of access. Any construction by property owners that affects those facilities shall be allowed, subject to the removal and reinstallation of the facility to BBWD specification and approval, at the expense of the property owner(s).

Subject to BBWD prior approval, and at the property owner's option, BBWD facilities may be relocated by a Nevada Licensed Contractor of the property owner's choice at the sole expense of said property owner but subject to the standards and procedures of the BBWD. Alternatively, the property owner may make application for relocation by the BBWD and at that time pay a deposit towards the actual total cost to be borne by said property owner.

## **2.7 Customer's Premises**

LVVWD employees shall have the temporary right of access to a customer's land during working hours or in case of emergencies for purposes related to the customer's water service, including reading meters; conducting repairs or replacement to BBWD facilities; and accessing backflow prevention assemblies, service laterals, pipelines, water meter assemblies, and/or water meter vaults. Temporary access shall be restricted to the area in which the work will be performed. This does not constitute prescriptive easements and is restricted to the terms of this section. Employees are prohibited from entering residential or nonresidential structures to engage in repair or alteration of customer piping and fixtures. Work activities which will impact a customer's property, including excavation and/or severe disturbance to landscaping, shall be coordinated with the property owner when possible.