

# **BIG BEND WATER DISTRICT**

## **SERVICE RULES**

Effective date of these Rules is January 1, 2025.

# **BIG BEND WATER DISTRICT**

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The Big Bend Water District is administered and operated by the  
Las Vegas Valley Water District  
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Las Vegas, Nevada 89153

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# **BIG BEND WATER DISTRICT SERVICE RULES**

## **INTRODUCTION**

The Big Bend Water District (BBWD) is a publicly owned water utility created by the County Commission of Clark County, Nevada through enactment of Ordinance No. 848 with an effective date of May 17, 1983.

The BBWD is governed by a Board of Trustees (Board), which has jurisdiction over all its affairs and has sole responsibility for establishing rates, and rules for the use, sale and distribution of water to property within the BBWD.

The Big Bend Service Rules (Rules) provide clear and consistent direction to all customers and developers for obtaining water service as part of their assessment of economic opportunity in the Big Bend Water District Service Area. The purpose of these Rules is to define conditions governing customer service and system development and to obtain uniform and equitable treatment for all customers and developers.

Rates, and rules herein set forth supersede all those previously in force. No officer, agent, or employee of the BBWD has authority to waive, alter, or amend in any respect any part thereof or to make any agreement inconsistent herewith, except as provided herein. Rates and rules are always subject to revision by the Board of Trustees.

The Las Vegas Valley Water District General Manager will act as the *ex-officio* General Manager of the Big Bend Water District. By interlocal agreement of September 2, 2008, the Las Vegas Valley Water District shall administer, operate and maintain the water production, treatment, and distribution facilities of the BBWD.

The words “BBWD, and Big Bend Water District” are used throughout the text. Their use is predicated upon the following distinctions. “BBWD, and Big Bend Water District” refers to the Big Bend Water District, its Board of Trustees (Board), and their actions, policies, and procedures. The Las Vegas Valley Water District (LVVWD) and its employees, agents and contractors are acting in their roles under the adopted interlocal agreement of September 2, 2008. All references herein using Big Bend Water District, or BBWD, shall include the Las Vegas Valley Water District (LVVWD) acting in its role for the Big Bend Water District system.

**INTERPRETATION AND DEFINITIONS**

**1. Abandoned Service**

“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 is actually removed, the service shall be reclassified as removed in BBWD records. See “Removed Service”.

**2. Actual Cost Basis**

“Actual Cost Basis” shall mean the actual cost incurred to complete a service connection installation or any other service provided by the BBWD. This includes but is not limited to, all the labor and related benefits, construction material and equipment overheads. The total actual cost incurred is based on an initial payment, with either a refund to, or added payment required by the customer, upon completion of the work.

**3. American Water Works Association (AWWA) Standards**

“American Water Works Association (AWWA) Standards” shall mean the latest revision of the standards adopted by AWWA, Denver and available for review at the BBWD. For further information, refer to <http://www.awwa.org>

**4. Applicant**

“Applicant” shall mean a person applying for water service or water connection to a particular property within the BBWD service area.

**5. Backflow Prevention Assembly**

“Backflow Prevention Assembly” shall mean a BBWD approved assembly for the prevention of backflow from the customer’s water system to the BBWD’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, enclosure, and other appurtenances.

For further information, refer to <http://www.leg.state.nv.us/nac/NAC445A.html>

**6. Big Bend Water District, or BBWD**

“Big Bend Water District” or “BBWD” shall mean the General Improvement District enabled under Chapter 318 of the Nevada Revised Statutes, as amended, and established by Clark County Ordinance 848, in effect on May 17, 1983 which acts as the owner of all assets pertaining to the development, improvement, operation and maintenance of the water system production, treatment and distribution.

**7. Billing Cycle**

“Billing Cycle” shall mean the period of time between bill due dates.

**8. Billing Date**

“Billing Date” shall be the date scheduled for rendering monthly water bills.

**9. Board**

“Board” means the Board of Trustees of the Big Bend Water District.

**10. Bolstering**

“Bolstering” shall mean looping, or increasing the length of a proposed main extension beyond that required to serve a particular development, in order to provide for the orderly development of the BBWD’s distribution system, improve water quality, and/or improve system reliability.

**11. Combined Service**

“Combined Service” shall mean a single service connection through which water is delivered for the dual purpose of private fire service and domestic service.

**12. Commitment for Water Service**

See “Water Commitment”

**13. Community Use Recreational Turf Area (CURTA)**

“Community Use Recreational Turf Area (CURTA)” shall mean a publicly or privately operated and maintained area designated by a governmental jurisdiction for recreation, and, therefore subject to a specific set of water and irrigation rules and schedule.

**14. Construction Water**

“Construction Water” shall mean metered water delivered for construction purposes, including, but not limited to, compaction and dust control.

**15. Cross-connection**

“Cross-connection” shall mean any actual or potential connection between the BBWD’s distribution facilities and any source or system which may potentially cause contamination, pollution, or change in water quality by any and all causes.

**16. Customer**

“Customer” shall mean a person who is a recipient of water service from the BBWD.

**17. Deserted Service**

“Deserted Service” shall mean a service connection whose existence is documented in BBWD records, but cannot be field located.

**18. Developer**

“Developer” shall mean any person engaged in or proposing development of property.

**19. Domestic Service**

“Domestic Service” shall mean a service connection through which water is obtained for all purposes exclusive of fire protection, or construction water including commercial, industrial and irrigation.

**20. Emergency Operating Conditions**

“Emergency Operating Conditions” 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. Emergency Operating Conditions may result in service interruptions, poor water quality, and/or water shortages.

**21. Emergency Service Connection**

“Emergency Service Connection” shall mean a connection required to provide water to safeguard health and protect private or public property, subject to the conditions governing temporary service connections.

**22. Employee**

“Employee” shall mean any individual employed by the BBWD directly assigned to the BBWD, excluding independent contractors, consultants, and their employees.

**23. Equivalency - 5/8”**

“Equivalency - 5/8” shall mean the comparable number of 5/8” meters, which equates to the meter size under discussion primarily used for fee and rate calculations.

<u>Meter Size</u>	<u>Typical 5/8” Equivalency</u>
5/8”	1.0
3/4”	1.5
1”	2.5
1½”	5.0
2”	8.0
3”	16.0
4”	25.0
46”	50.0
8”	80.0
10”	115.0
12”	170.0

**24. Evaporative Cooling**

“Evaporative Cooling” refers to any type of cooling technology, device or equipment that utilizes the evaporation of water as part of the cooling process. Evaporative coolers include, but are not limited to, swamp coolers and cooling towers, but do not include misting systems.

**25. Expansion or Addition**

“Expansion” or “Addition” shall mean an increase in size of an existing building or other structure presently served by the BBWD and building or structure added to an existing parcel presently served by the BBWD.

**26. Final Water Project Acceptance**

“Final Water Project Acceptance” shall mean prior to scheduling the final inspection, the Developer shall verify the entire water project is ready for inspection. The Developer is responsible for the restoration of all existing water facilities belonging to the BBWD immediately adjacent to the approved water plans work area. The water facilities include laterals, meters, valves, collars, blow-offs, vault access cover, air vacuum air release assemblies, backflow assemblies, anode test stations, and/or chlorine/pressure monitoring stations. Final Water Project Acceptance is based on the developer building the project to approved water plan specification and passing all final BBWD inspections. A bill of Sale, transferring all approved constructed facilities shall be provided by BBWD and completed and returned by the Developer.

**27. Fire Department**

“Fire Department” shall mean the Clark County Fire Department, which is charged with the enforcement of the Clark County Fire Code Ordinance. For further information, refer to <http://www.clarkcountynv.gov/fire/Pages/default.aspx>.

**28. Fire Hydrant Service**

“Fire Hydrant Service” shall mean a service connection for 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.

**29. Fixture Units**

“Fixture Units” shall be defined as specified in the adopted Clark County Uniform Plumbing Code, current edition. For further information, refer to <http://www.clarkcountynv.gov/building/Pages/currentcodes.aspx>

**30. Functional Turf**

“Functional Turf” is defined by the Southern Nevada Water Authority at [www.snwa.com](http://www.snwa.com).

**31. General Manager**

“General Manager” shall mean the General Manager of the Las Vegas Valley Water District, or duly appointed representative.

**32. Handwatering**

“Handwatering” means the application of water to outdoor vegetation with a hand-held hose or container.



**33. Idler**

“Idler” shall mean a length of pipe or spacer installed in lieu of a meter.

**34. Illegal Service**

“Illegal Service” shall mean a service connection which has been located in the field, but whose installation is not documented in BBWD records, or is in violation of the BBWD Service Rules. Illegal services include, but are not limited to, expansions of on-site systems to serve adjacent parcels.

**35. Inactive Service Connection**

“Inactive Service Connection” shall mean a service connection that is not in use, but is operational, installed in accordance with BBWD standards, and documented in BBWD records.

**36. Indoor Water Feature**

“Indoor Water Feature” means a water feature completely enclosed in the interior of a building.

**37. Interconnection**

“Interconnection” shall mean any actual or potential unauthorized connection to from customer piping which will provide water to other property or permit use of water for purposes other than that for which a service connection was authorized.

**38. Irrigation**

“Irrigation” shall mean the application of water to the land, by artificial means, for agricultural or non-agricultural purposes.

**39. Land Division**

“Land Division” shall be as defined in NRS, Sections 278.471 through 278.4725.

**40. Las Vegas Valley Water District or LVVWD**

“Las Vegas Valley Water District” or “LVVWD” shall mean the Las Vegas Valley Water District as designated by Chapter 167, Statutes of Nevada, as well as its role as the operating agent for the BBWD.

**41. Lien**

“Lien” shall mean a charge upon property for the payment or discharge of a debt or duty. A proprietary interest that may be exercised over the property to which it attaches.

**42. Main Extension**

“Main Extension” shall mean an adjacent, parallel, or extended addition to the BBWD distribution system, consisting of a pipeline that is a nominal six (6) inches in diameter or greater, for the purpose of providing an adequate water supply. The BBWD may require an increase in the length of a main extension beyond that required to serve a particular

## **Interpretation and Definitions**

development in order to provide for the orderly development of the BBWD's distribution system, improve water quality, and/or improve system reliability.

### **43. Manmade Lake**

“Manmade Lake” means a manmade body of water, including lakes, ponds, lagoons, and reservoirs (excluding tank-type reservoirs which are fully enclosed and contained) that are filled, or refilled, with potable water, or non-potable water from any source. The term does not include swimming pools, Ornamental Water Features, or Recreational Water Parks.

### **44. Master Meter**

“Master Meter” shall mean the BBWD approved primary measuring device installed for, but owned by the BBWD, that is used for the purpose of accurately recording all consumption entering an area containing a number of customers or sub-metered services.

### **45. Meter**

“Meter” shall mean the BBWD approved measuring device, installed for but owned by the BBWD, that is used for the purpose of accurately recording the consumption of water used by customers.

### **46. Meter Maintenance**

“Meter Maintenance” shall mean the routine testing, calibration, repair, or replacement of BBWD water meters to ensure accuracy and compliance with the AWWA Meter Standards.

### **47. Multi-Family Residential**

“Multi-Family Residential” shall mean all properties that are developed with more than one dwelling unit, except hotels or motels.

### **48. New Landscape**

“New Landscape” means new vegetation planted as part of an initial landscape installation, replacement, or as part of a landscape conversion from turf grass to xeriscape.

### **49. Non-Conforming or Non-Conforming Use**

“Non-Conforming” or “Non-Conforming Use” means the use of District water that was allowed under zoning regulations and/or the District’s Service Rules at the time the use was established but which, because of subsequent changes in those rules or regulations, is no longer a permitted use. No such Non-Conforming Use shall be enlarged, increased or extended. Non-Conforming Uses do not include Turf.

### **50. Non-Functional Turf**

“Non-Functional Turf” means Turf not meeting the definition of Functional Turf as defined by the Southern Nevada Water Authority at [www.snwa.com](http://www.snwa.com).

### **51. Non-Potable Water**

“Non-Potable Water” (e.g., recycled or reclaimed water) means water that does not meet the State of Nevada standards for potable water and that is made available for irrigation purposes for large scale turf and landscaped areas including golf courses, schools, or parks. Non-potable water may include reclaimed or recycled wastewater, water which has been recovered from a ground water recharge or recovery facility for non-potable use, or potable water which has been blended with reclaimed or recovered groundwater for capacity or water quality reasons.

### **52. Non-Spray Irrigation**

“Non-Spray Irrigation” means any irrigation system that applies water without projecting droplets more than one foot (such as drip or bubbler systems).

### **53. Nonstandard Connection**

“Nonstandard Connection” shall mean a service connection from a main to a parcel that is not contiguous to the main to which the connection is made. A service will be considered or classified as non-standard 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. The applicant will be required to provide a written easement for the onsite (private lateral) from the owner of the property upon which the applicant’s private lateral will cross to complete the service connection.

### **54. Off-Site Main**

“Off-Site Main” shall mean a main, regardless of size, that extends from the existing water system to a development and generally remains outside the development boundary.

### **55. On-Site Main**

“On-Site Main” shall mean those public mains which are installed specifically to provide service to developments and are generally located within the development’s boundaries.

### **56. Ornamental Water Feature**

“Ornamental Water Feature” means any manmade stream, pond, fountain, waterfall, or other manmade water feature that is constructed for decorative, scenic or landscape purposes, excluding swimming pools, manmade lakes, and manmade recreational water theme parks.

### **57. Oversized Main Extension**

“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 BBWD distribution system. The BBWD may increase the length of main extension beyond that required to serve a particular development, in order to provide for the orderly development of the distribution system, improve water quality and/or improve system reliability.

**58. Parcel Map**

“Parcel Map” shall be as defined in NRS, Section 278.

**59. Park**

“Park” means a large area providing a wide range of open space for recreational opportunities that (i) includes facilities and amenities to serve users such as restrooms, group picnic areas, playground equipment and sport fields; and (ii) is either a Public Facility or a private facility located within an HOA-managed community.

**60. Person**

“Person” shall mean a natural person, any form of business or social organization, any other non-governmental legal entity including but not limited to a partnership, trust, corporation, association or unincorporated organization, and any governmental agency or political subdivision of a government other than the BBWD.

**61. Potable Water**

“Potable Water” shall mean water that is treated pursuant to the federal Safe Drinking Water Act.

**62. Premises**

“Premises” shall mean a separate identifiable and transferable lot or parcel of real property of a legal and usable size, including the improvements. Portions having well defined boundaries such as walls, fences or hedges that prevent the common use of the property by all occupants shall, for the purpose of these Service Rules, be determined separate facilities.

**63. Primary Building Permit(s)**

“Primary Building Permit(s)” shall mean the permit(s) issued by Clark County for a structure, including but not limited to, the foundation, shell, and other related building components.

**64. Private Fire Service**

“Private 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 BBWD approved double check detector assembly (DCDA), or Reduced Pressure Detector Assembly (RPDA), per NAC 445A.

**65. Private Mains**

“Private Mains” shall mean a water pipeline and appurtenances not owned by the BBWD, or operated by the BBWD after completion.

**66. Property Owner or Owner**

“Property Owner or Owner” shall mean the owner of record of a property that is or will be receiving water service from the BBWD. The property owner shall be held financially responsible for any water consumption that occurs between the closing of one tenant’s account and the opening of another tenant’s account.

**67. Public Health, Safety and Welfare**

“Public Health and Welfare” shall mean any activity where the use of water is the most appropriate and practical method to abate a health or safety hazard, or where the use of water is required to reasonably meet the provisions of federal, state, or local law, or where a project approved by the General Manager is planned, or underway.

**68. Public Mains**

“Public Mains” are those mains which are approved, inspected, accepted, owned, operated and maintained by the Big Bend Water District.

**69. Rate Schedule**

“Rate Schedule” shall mean the charges and rates set forth in the current rate resolution adopted by the Big Bend Water District Board of Trustees.

**70. Raw Water**

“Raw Water” shall mean raw, untreated water delivered for use in irrigation and construction projects. Irrigation under this definition excludes uses of water for commercial agriculture in accordance with the 1993 United States Department of the Interior Bureau of Reclamation Boulder Canyon Project Amendatory, Supplementary, and Restating Contract with the Big Bend Water District, Nevada, for the Delivery of Colorado River Water.

**71. Recreational Water Park**

“Recreational Water Park” shall mean an amusement park with any combination of water play areas intended for human contact such as pools, water slides, splash pads, lazy rivers, artificial surfing, artificial bodyboarding, and/or water playgrounds, as well as areas for floating, wading, or swimming.

**72. Removed Service**

“Removed Service” shall mean a service connection documented based on actual field conditions that the service lateral no longer exists. The service is classified as removed in BBWD records. If field conditions later indicate that a service classified as removed was actually abandoned, the service shall be classified as abandoned in BBWD records. See “Abandoned Service”.

**73. Representative**

“Representative” shall mean any individual employed by the Las Vegas Valley Water District excluding independent contractors, consultants and their employees.

**74. Service Connection**

“Service Connection” shall mean the connection to the main and the lateral pipe to deliver the water, and may also include, but not be limited to, a meter or battery thereof, a meter box or vault, valves, thrust restraints, detector checks, and other appurtenances from a BBWD main, to the point where the water being delivered leaves the piping owned by the BBWD in accordance with UDACS for new service installation.

**75. Service Deposit**

“Service Deposit” shall mean an amount deposited with the BBWD to assure payment of water bills. The deposit may be in cash or another form of security acceptable to the BBWD.

**76. Single-Family Residential**

“Single-Family Residential” shall mean those parcels that are developed with one dwelling unit.

**77. Spacer**

“Spacer” shall mean a length of perforated pipe temporarily installed in lieu of a meter or idler while facilities are under construction.

**78. Spray Irrigation**

“Spray Irrigation” means the application of water by projecting droplets farther than one foot from the sprinkler head.

**79. Standard Service Connection**

“Standard Service Connection” or “permanent service connection” shall mean a service connection installed at a location contiguous to the property being served.

**80. Subdivision**

“Subdivision” shall, for the purposes of these Service Rules, meet all provisions of NRS Chapter 278 and shall be as defined in Section 278.320.

**81. Sub-meter**

“Sub-Meter” shall mean a meter that is used for the purpose of accurately recording the consumption of water used by customers served by a master meter.

**82. Supplemental Service Connection**

“Supplemental Service Connection” shall mean a service connection or connections to property, which is also served by another source of supply, such as a well or non-potable system. A supplemental service connection shall include an approved backflow prevention assembly.

**83. Syringing**

“Syringing” shall mean the process of applying small amounts of water to turf grass for the purposes of cooling it and helping it survive mid-day stress.

**84. System Development Approval Charge**

“System Development Approval Charge” shall mean the charge required of all applicants for service to a property where a service connection does not exist or where a service is to be enlarged or added. The charge is to be paid based on meter size.

**85. Tampering**

“Tampering” shall mean acts by persons which cause damage to, or alteration of, BBWD property, including but not limited to, service connections, tanks, wells, shut-off valves, hydrants, mains, meters, registers, meter reading equipment, and service locks or seals by any willful or negligent act. Such persons shall be responsible for payment of costs incurred and any and all penalties prescribed by these Service Rules and by law.

**86. Temporary Riser**

“Temporary Riser” shall mean a service connection of a minimum of six (6) inches attached to a blow off valve.

**87. Temporary Service Connection**

“Temporary Service Connection” shall mean a BBWD authorized service connection installed at a location not adjacent to the parcel served (i.e. a non-standard location), and which is subject to removal or relocation at such time as a main is constructed contiguous to the parcel.

**88. Transmission Main**

“Transmission Main” shall mean a main extension that transports water from the main supply or source to a distant area where the water is distributed through distribution lines. A Transmission Main is usually a larger diameter main (greater than 24”) with limited connections that ensure system reliability as well as recognize the nature of the materials used to construct large diameter pipelines.

**89. Turf**

“Turf” shall mean a densely planted grassy area characterized by frequent mowing and fertilization and/or watering, commonly used for lawns and playing fields. Plant species used in turf areas may include, but are not limited to, varieties of Bermuda Grass, Fescue, Zoysia, Rye, St. Augustine, or Bentgrass.

**90. Uniform Design and Construction Standards for Potable Water Systems or UDACS**

“Uniform Design and Construction Standards for Potable Water Systems” or “UDACS” shall mean the minimum design and construction criteria for water distribution systems, as amended, within the boundary of the BBWD. These standards are part of these Service Rules and are adopted by reference.

**91. Unusual Installation Conditions**

“Unusual Installation Conditions” shall mean circumstances that include, but are not limited to, the length of the lateral, 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.

**92. Water Commitment**

“Water Commitment” shall mean a document pursuant to which a supplier of water acknowledges that it has assumed a legal obligation to supply water to property under development or proposed to be developed for residential, commercial or industrial purposes.

## **Interpretation and Definitions**

The document may indicate that the obligation is subject to certain conditions precedent, including, without limitation, the payment of fees, the dedication of water rights or the construction and dedication of infrastructure.

### **93. Water Conservation**

“Water Conservation” shall mean the controlled and systematic protection of water resources.

### **94. Water Facilities**

“Water Facilities” shall mean, but not be limited to, water mains, fire hydrants and laterals, service connections, backflow prevention assemblies and appurtenances, from the main to the point where water being delivered leaves the piping owned by the BBWD.

### **95. Water Quality Mitigation Plan**

“Water Quality Mitigation Plan” shall mean the documentation, administration, fee payment, and implementation of a plan for identified development infrastructures that allows for time extensions for completion and requires that established water quality standards are maintained in these systems.

### **96. Water Theft**

“Water Theft” means any act taken by a person, for his or her own benefit or the benefit of another individual or entity to obtain water or service provided by the District without payment therefor through an unauthorized connection to a fire hydrant, an idler, or bypassing the meter, or an unauthorized pipeline diversion.

### **97. Water Waste**

“Water Waste” means the use of District water in a manner described in Section 10.



## **SECTION 1 - WATER COMMITMENT**

Before new water service connection is authorized for installation, on-site addition or on-site expansion to an existing service, a commitment for water service (hereinafter known as a ‘water commitment’) must be obtained from the BBWD. **NAC 445A.6577** “Commitment for Water Service” means a document pursuant to which a supplier of water acknowledges that it has assumed a legal obligation to supply water to property under development or proposed to be developed for residential, commercial or industrial purposes. The document may indicate that the obligation is subject to certain conditions precedent, including, without limitation, the payment of fees, the dedication of water rights or the construction and dedication of infrastructure.

Notwithstanding the aforementioned citation and commentary, it is recognized by the Board of Trustees that the BBWD system development approval charges for designated undeveloped parcels have been deferred and not been paid. These designated developments are listed in Appendix III of these Rules. This designated development list establishes a record of and acknowledges the current unpaid fee status of these parcels. The developers, or property owners if already sold, will be required to pay the outstanding system development approval charge for a parcel prior to obtaining a building permit for the parcel. The BBWD will record a Notice with the Clark County Recorder’s Office that shows a chain of title based on Assessor’s Parcel Number that the system development approval charge has not been paid on the parcel. The system development approval charge will be the amount in effect at the time of payment of the charge.

This section identifies the process for obtaining a new water commitment. The BBWD water commitment process supports development, orderly system expansion, and ensures water is available for customers. Until all stages of development are complete including plan approval and installation and acceptance of proposed facilities, there are no assurances or guarantees that a commitment will be made. Compliance with these Service Rules does not create a right to water service in favor of any Developer or builder unless water is available.

Notwithstanding any provision in these Service Rules, payment of fees, or construction of water facilities at a Developer or BBWD's expense, the BBWD may deny any request for a water commitment or request for a water connection if the BBWD has an inadequate supply of water, or there are physical limitations in the system capacity to serve the proposed customer and simultaneously maintain an adequate level of service to other customers, or if public health, welfare, or safety will be compromised. However, the BBWD will regularly apprise the community of any issues related to these potential conditions. Should any of these conditions exist, new water commitments may be limited or restricted until the BBWD has determined corrective action that will restore the system to normal operating standards and conditions.

### **1.1 Applicability**

#### **a. Proposed Development**

A developer may request a statement of water availability from BBWD in order to begin the development approval process.

b. New Domestic Service Connections

All applications for new domestic service connections must have a water commitment before the BBWD will provide water service.

c. Expansions or Additions

Any expansion or addition of buildings or structures on any parcel presently served by the BBWD will require a review of the existing water commitment from BBWD for the increased use of water. Expansions or additions to single- family residences are excluded from this requirement.

d. Increase in Meter Size for an Existing Service Connection

A new water commitment may be required for any existing service connection (except single-family residential service connections) requiring an increase in meter size and additional water use before the BBWD will provide the additional capacity.

## **1.2 Water Commitment Process**

Recordation of a parcel map, land division map, or other map does not provide a water commitment unless the required steps outlined in this section have been completed. Water commitment will be issued according to the following process:

a. Development Approval

Any new water commitment, except those provided for in this Section will require development approval from Clark County. The BBWD will process development approvals on a first come, first served basis as the requirements of the water commitment process listed below are fulfilled, and as long as water is available to commit pursuant to these Service Rules.

b. Mapping Process - Water Commitments for all New Subdivisions, New Parcel Maps and New Land Divisions (Mapping Process) will be made upon completion of all the following items:

1. Subdivision, parcel map, or land division map approval is obtained pursuant to Chapter 278 of NRS and any other approval required from Clark County.
2. A minimum financial commitment to the project equal to \$5,000 per acre-foot of projected water use has been reached. The financial commitment must be in the form of constructed improvements, bonds, other acceptable surety, or a combination thereof. The bonds or other acceptable surety must be certified to BBWD by Clark County.

The following new improvements will be considered for satisfaction of financial commitments:

- Streets, roadways, water lines, drainage facilities, traffic improvements, or sewers
- Construction of local and regional improvements
- Site grading
- Foundation or vertical construction of buildings
- Construction and dedication of recreational or community amenities
- Any other BBWD approved physical improvements

The following improvements **will not** be considered for satisfaction of financial commitments:

- Land acquisition
- Legal fees or representations
- Water, sewer, or utility connection fees
- Building or other permit fees
- Dedication of rights-of-way or easements
- Engineering, architectural, surveying, or other professional fees

3. The development approval(s) are issued by Clark County.
4. All fees, charges, and deposits required by these Service Rules are paid, all BBWD agreements are executed, and the appropriate water plan approval is obtained from the BBWD.
5. Final subdivision map, parcel map, or land division map with commitment certified by BBWD is recorded after completion of Items 1.2b, 1 through 4 above.

Water will be committed through the above process as follows:

- Single-family residential subdivision lots/units (including associated common areas), single-family residential parcel map lots, and single-family residential land division lots will receive a water commitment for the intended use unless specifically stated otherwise on map.
- Non single-family residential subdivision lots, multi-family residential parcel map lots, and multi-family residential land division lots or master plan developments will receive a water commitment limited to one (1) acre-foot per lot, or one (1) acre-foot per acre, whatever is less. If an additional water commitment is required to complete a project, the process in effect at the time will be followed (presently Section 1.2.c below).
- Non-residential lots in a parcel map or land division will not receive a water commitment through the mapping process. They will obtain a commitment through the process identified in Section 1.2.c below or the process in effect at that time.

c. **Permit Process - Water Commitments for All Projects Other than New Subdivisions, New Parcel Maps, and New Land Divisions (Permit Process)**

To obtain a water commitment for any project other than new subdivisions, new parcel maps, and new land divisions, the Applicant must first obtain a conditional water commitment. A conditional water commitment may be obtained when all of the following conditions are met:

1. Primary building permit(s) and plans for off-site improvements are approved by all required agencies.
2. All off-site improvements including water facilities are constructed, or bonds or other acceptable surety are posted as required by Clark County or the BBWD.
3. The development approval(s) are issued by Clark County.
4. All fees, charges, and deposits required by these Service Rules are paid, all BBWD agreements are executed, and water plan approval is obtained from the BBWD. Fees may not be paid until 1.2c., 1 through 3 are completed.

Once the requirements listed above (1.2c., 1 through 4) are met, a conditional commitment is issued by the BBWD. The conditional commitment is tied to the primary building permit(s). If the primary building permit(s) expire, the conditional water commitment terminates at once.

The conditional water commitment will become a final water commitment after the water facilities are constructed by the Applicant and accepted by the BBWD, and the certificate of occupancy or certificate of completion is issued by Clark County.

If a development approval is issued by Clark County for a project that does not require a building permit to be issued in order for the project to be constructed, a conditional commitment may be issued based on the offsite improvement plan approval, or other beginning action such as a Notice to Proceed issued by the public entity for construction. The conditional commitment will become a final commitment when all construction is accepted as complete by all approving public entities.

### **1.3 Domestic Wells**

A building or structure that currently receives water via a domestic well may be permitted to obtain a water commitment from the BBWD for the building or structure provided the existing well is abandoned in accordance with the requirements of the State Engineer. Development approval must be obtained if the domestic well is not required to be abandoned by the State Engineer.

### **1.4 Water Commitment Limitations**

Water commitments cannot be traded, sold, or transferred.

**1.5 Commitment Documentation**

It is the Applicant's responsibility to provide proof to the BBWD of a water commitment or other documentation where required.

**1.6 Unauthorized Improvement**

In the event an increase in water consumption occurs due to an unauthorized improvement or addition to a parcel as identified in Section 1.1.b that has not received an additional water commitment from BBWD, the BBWD may terminate service to the parcel in accordance with Section 5 of these Service Rules.

**1.7 Water Plan Review**

BBWD may review water plans for new development without development approval from Clark County, or without a water commitment, however such review does not in itself give any additional consideration toward a water commitment, or any property right in water, to said new development or any other project.

**1.8 Projected Water Usage**

The projected water usage for any and all projects is determined solely and exclusively by the BBWD, including consideration of the density and uses of land permitted in the zoning approved for BBWD. For calculation factor information used in projected water usage analysis, go to <https://www.lvvwd.com/engineering-resources/planning/index.html>, and click on 'Water Consumption Rates'.

**1.9 Removed Service Connection**

Once a service connection is requested to be removed, a water commitment to the parcel via the removed service connection is automatically canceled.

**1.10 Reversionary, Merger, and Resubdivision Maps**

If a subdivision, parcel or land division map, or any portion thereof reverts to acreage or is merged and resubdivided, the water commitment is automatically terminated for that portion of the property that has been so reverted, merged, or resubdivided. The retention or disposition of any water facilities constructed to serve said development shall be at the BBWD's sole discretion.

**1.11 System Development Approval (SDA) Charges Due Exception**

It is recognized by the Board of Trustees that the BBWD system development approval charges for designated undeveloped parcels have been deferred and not been paid. These designated developments are listed in Appendix III of these Rules. This designated development list establishes a record of and acknowledges the current unpaid fee status of these parcels.

The Designated Developments and associated Assessor's Parcel Numbers in Appendix III and any future approved single family detached residential unit subdivisions comprise the

known exceptions to the existing adopted Water Commitment process and required full

application fee payment required as part of the water plan approval processes applicable to all types of development.

No development or lot listed in Appendix III shall be construed to have any other technical or administrative exception to any BBWD, or other approving document or agency requirement for the acceptance of the development by the BBWD, or other responsible agency.

To the extent that new single family detached residential unit subdivision, parcel maps, or land divisions are developed by developers who pay all other applicable fees, but do not desire a water commitment as described in Section 1.2 of these Rules and desire to defer payment of SDA charges, these developments will be added to Appendix III and treated in the same manner. These developments will be required to pay the nonrefundable outstanding SDA charge for a parcel prior to obtaining a building permit for the parcel. The BBWD will record a Notice with the Clark County Recorder's Office that shows a chain of title based on Assessor's Parcel Number that the SDA charge has not been paid on the parcel. All fees connected with the recording and the charge will be due in the amounts in effect at the time of payment.

## **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 take 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.

## **2.8 Non-Essential Water Uses**

Because the conservation of water resources is vital to the general prosperity, health, safety and welfare of the community, the District must maintain adequate supplies for all customers, and elimination of non-essential water uses is a critical component of its mission. This applies to both potable and non-potable District water. Therefore, service to Manmade Lakes, Non-Functional Turf, New Development Turf Installations, New Development Spray Irrigation, Pools and Spas, Ornamental Water Features, Recreational Water Parks, golf courses and Evaporative Cooling shall be severely limited as described in the following sections, unless the customer proves an alternative source of water sufficient to negate the non-essential use. Non-Conforming Uses are not subject to the following restrictions unless otherwise noted or prohibited by law, but may not be enlarged, increased or extended.

### **a. Manmade Lakes.**

As of January 1, 2025, the District will not serve customers who use any portion of the water served by the District for Manmade Lakes, except for the following:

1. A body of water constituting a wetlands project or located in a recreational facility which is owned or operated by a political subdivision of this State that utilizes non-potable water.
2. A body of water which is located in a recreational facility that is open to the public and owned or operated by the United States of America or the State of Nevada.

3. Bodies of water located on a cemetery which are used for the purpose of storing irrigation water for the same and which have a combined aggregate surface area of less than five and one-half percent (5.5%) of the total cemetery area, respectively.

b. Non-Functional Turf.

As of January 1, 2027, the District will not serve customers who use any portion of the water served by the District for Non-Functional Turf without an approved waiver from the SNWA. Non-Conforming Use exceptions do not apply to Non-Functional Turf.

c. New Development Turf Installation.

With the exception of schools, parks, and cemeteries, the District will not serve customers who use any portion of the water served by the District to irrigate turf areas on properties that are issued a certificate of occupancy by the governing jurisdiction after January 1, 2025.

New turf installations in schools, parks and cemeteries must meet the following specifications to receive service:

1. Turf areas must be at least 1,500 contiguous square feet or greater.
2. No turf shall have a surface area less than 30 feet in any dimension.
3. Turf areas must be located at least 10 feet away from a street, unless it's a fenced area to provide safety for recreational users.
4. The maximum slope of a turf area cannot exceed 25 percent
5. Turf areas cannot be installed within street medians, along streetscapes, or at the front of entryways.
6. Turf installations must provide for active recreation for schools and parks.
7. Turf installations in cemeteries are limited to burial plots only. The District will not serve other turf areas in cemeteries, including but not limited to areas of decorative turf or turf areas that, in the District's sole discretion, are unreasonably sized for the number of active or planned burial plots.

d. New Development Spray Irrigation.

With the exception of schools, Parks and cemeteries on permitted turf installations, the District will not serve customers who use any portion of the water served by the District for Spray Irrigation of non-Turf landscape areas on properties that are issued a certificate of occupancy by the governing jurisdiction after January 1, 2025.

e. Pools and Spas.

The District will not serve single family residential customers who use any portion of the water served by the District for pools, spas and/or water features with a combined surface area that exceeds 600 square feet and who obtained a pool permit

from the applicable governing jurisdiction after January 1, 2025. The restrictions described in this Paragraph (e) do not apply to Ornamental Water Features.

f. Ornamental Water Features.

As of January 1, 2025, the District will not serve and customers shall not use District water for Ornamental Water Features, except for the following:

1. A water feature of 10 square feet or less of surface area at a single-family residence.
2. Water features supplied exclusively by privately-owned water rights, unless restricted by the code of another applicable jurisdiction.
3. A water feature located entirely indoors.

g. Recreational Water Parks.

As of January 1, 2025, the District will not serve and customers shall not use District water for Recreational Water Parks until they meet the following requirements:

1. A Water Efficiency Plan is submitted to the District for review and accepted by the District; and
2. The water use must be mitigated before water service is approved. Recreational Water Park water use can be mitigated use by either option or a combination of the following:
  - Supporting the regional conservation program by paying \$30 for each square foot of surface area within the Recreational Water Park to the Southern Nevada Water Authority; or
  - Removing turf and converting to xeriscape at a ratio of 10 square feet of turf for each square foot of surface area of the Recreational Water Park consistent with the Southern Nevada Water Authority's Water Smart Landscapes Program's terms and conditions. Any turf converted to meet these requirements will not be eligible for a rebate under any of the Southern Nevada Water Authority's rebate programs.

h. Golf Courses.

The District will not serve and customers shall not use District water for a golf course.

i. Evaporative Cooling.

1. The District will not serve development equipped with evaporative cooling if the following conditions have not been satisfied:
  - a. The property applied for its building permit by close of business September 1, 2023;

- b. The property's building permit was issued by close of business February 1, 2024, by their respective governing agency; and
  - c. The property received its temporary certificate of occupancy, certificate of occupancy or certificate of completion by close of business February 1, 2026.
- 2. Tenant improvements within shell buildings that were permitted in accordance with the conditions listed above may equip their space(s) with evaporative cooling.
- 3. Evaporative cooling systems that were permitted in accordance with the conditions listed above may be replaced with evaporative cooling as long as the following conditions are satisfied:
  - a. The replacement unit(s) does not increase the originally permitted evaporative cooling load of the existing development; and
  - b. The proposed replacement system receives approval by the Southern Nevada Water Authority's Conservation Division before installation.

## SECTION 3 – CLASSES OF SERVICE

All services installed by or for the BBWD shall be classified as domestic, private fire, combined, construction, or supplemental for billing purposes.

### 3.1 Domestic Service

“Domestic service” shall mean a service connection through which water is obtained for all purposes exclusive of fire protection, or construction water including commercial, industrial and irrigation.

### 3.2 Private Fire Service

“Private 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 BBWD approved double check detector assembly (DCDA), or Reduced Principal Detector Assembly (RPDA), **per NAC 445A**

### 3.3 Combined Service

“Combined Service” shall mean a single service connection through which water is delivered for the dual purpose of private fire service and domestic service.

### 3.4 Construction Water

Construction Water shall mean metered water delivered for construction purposes including, but not limited to, compaction and dust control. Construction water is not permitted for domestic or fire suppression use.

a Includes permanent or non-permanent, metered connections for delivery of water for use during construction of new development, additions to existing improvements, sand and gravel operations, and other construction uses, such as grading and compaction, paving, and dust control.

b Construction services may not be used to avoid installation of a permanent water service connection for permanent irrigation, long-term dust suppression, domestic service, or private fire service.

Water from construction sites is prohibited from flowing continuously into public streets, pathways, roadways, and sidewalks.

c Raw water consumption will be charged in accordance with the adopted Construction Water rate schedule. The user shall:

1. Provide a written request to the BBWD for use of raw water. The request must include the type of use and location, rate, and frequency of the proposed diversion, plus any additional information necessary for BBWD to request and obtain approval from the Bureau of Reclamation for the raw water diversion.
2. Provide approved plans for raw water pumping, metering approval and transmission facilities to BBWD as well as other information deemed necessary for the application and review of the request.

**3.5 Supplemental Service**

Supplemental Service shall mean a service connection or connections to property that is also served by another source of supply, such as a well or non-potable system. A supplemental service connection shall include an approved backflow prevention assembly. This section shall not apply to properties that are served by a domestic well, as identified in NRS 534.

## **SECTION 4 – REQUEST FOR SERVICE**

There are two categories of requests for service:

1. Request for service through an existing service connection
2. Application for a new service connection

The BBWD will require any person requesting service to demonstrate that a water commitment exists, to sign appropriate application forms provided by the BBWD, and to pay all required fees, charges, and deposits.

Notwithstanding any provision in these Service Rules, payment of fees, or construction of water facilities at a Developer or BBWD's expense, the BBWD may deny any request for a water commitment or request for a water connection. Such denial will be based on an inadequate amount of water, physical limitations in the system capacity to serve the proposed customer and simultaneously maintain an adequate level of service to other customers, or where public health, welfare, or safety will be compromised.

### **4.1 System Development Approval for New Water Connection**

No connection shall be made to a main unless a written application has been submitted by the property owner or agent on forms provided by the BBWD. The applicant shall provide any and all information, including sizing and location of the service lateral and meter, a description of the development, and plumbing plans. Applications shall be accompanied by payment of the system development connection charge, any required meter installation charge, and/or deposit. Each application shall be for service to a particular parcel of property. The legal address and parcel number of the property to be served shall accompany any application for service to the property.

### **4.2 Service Through an Existing Service Connection**

Customers requesting service through existing service connections must provide information as required by the BBWD. Such information shall include, but not be limited to, full name and valid identification information in conformance with Nevada Revised Statutes (as amended). Any other person or party requesting to share financial responsibility (and/or account credit history if a spouse or co-owner) for an account must also provide their full name and valid identification information in conformance with Nevada Revised Statutes (as amended). The customer shall provide any other information, which will assist the BBWD in properly locating the service connection, including a description of the development, documentation of installation approval, the use of water and plumbing plans of the private facilities if required.

Any costs incurred by the BBWD to bring a service connection to BBWD standards are the responsibility of the property owner. Physical evidence of a service, including the installation of an approved backflow prevention assembly, if required, adjacent to property does not necessarily mean the service is available for use without additional fees or charges.

The BBWD may permit persons to conduct business with the BBWD, including requests for water service turn-on and shut-off, over the telephone provided that the person has established credit with the BBWD, is the property owner, or is indicated in BBWD

records as authorized by the customer to transact business on their behalf. The BBWD may also permit persons to conduct business with the BBWD, including requests for water service turn on and shut off, via facsimile transmission or through other electronic transmittal methods.

#### **4.3 Relocation of Service**

A service connection may be relocated on an existing parcel, however, it may not be moved to a new parcel. Service connection relocations are subject to the requirements of these Service Rules.

#### **4.4 Inaccurate/Insufficient/Incorrect Information**

In the event information provided by the Applicant is found to be inaccurate, insufficient, or incorrect after work has commenced or service has been turned on, the Applicant will pay any and all costs and/or fees, charges, and deposits necessary to effect corrective action and Service Rule compliance. The above will also apply in instances of onsite changes necessitating corrective action or modification to the service connection.

#### **4.5 Refusal of Service**

Service through existing or new service connections may be refused if:

- a. There is no water commitment to the parcel
- b. The account of the Applicant at the same or other location is delinquent
- c. The purpose of the Applicant, in the opinion of the BBWD, is to circumvent discontinuance of service in another name because of non-payment of bills or other infraction of these Service Rules
- d. The purpose of the Applicant, in the opinion of the BBWD, is to circumvent payment of outstanding charges for service discontinuance for delinquency in another customer's name or other infraction of these Service Rules.
- e. The requirements of these Service Rules are not fulfilled by the Applicant.

#### **4.6 Reapplication for Disconnected Service**

The customer shall be required to pay the total amount due and other incurred costs before service shall be reinstated, including but not limited to, disconnection and reconnection charges, delinquent processing fee, returned check fee, deposits due, service charge, and consumption fees unpaid. The BBWD may, at its option, require payment of additional deposits before service is reconnected.

It shall be the responsibility of the customer to inform the cashier that the service has been disconnected for "delinquent status" and that reconnection is desired.

In the event a service is disconnected for illegal or unauthorized use or connection, the property owner will be responsible for reestablishing service for the remaining duration



of ownership. Before service is reinstated, the property owner shall be required to pay all applicable fees, charges and costs, including, but not limited to, disconnection and reconnection charges, cut lock fees, damage to metering/measuring device(s), deposits due, service charge and unpaid consumption fees.

#### **4.7 Deserted Service Connection**

Applicants who apply for activation of a service that has been classified in BBWD records as “Deserted” will be required to make application for a new service connection. The water commitment for the service shall not expire, but the property owner is required to pay all installation charges, including the application fee and inspection fee (for services installed by a private contractor), to replace the service. In the event a property owner or Applicant, at their expense, can locate a service classified as “deserted”, the service must be brought to BBWD standards at the owner(s) or Applicant’s expense, and an application fee paid before it is reactivated.

## **SECTION 5 – TERMINATION OF SERVICE**

### **5.1 Customer's Request**

Customers desiring to terminate service shall notify the BBWD and provide a mailing address to which the closing bill will be mailed. Failure to notify the BBWD of termination of service shall not relieve the customer of responsibility for payment of any existing billings, or any other changes prior to notifying the BBWD. If the terminating customer is a tenant, party or entity other than the property owner, the property owner will then be held financially responsible for any water consumption that occurs at the property from the date of the termination of said tenant's service to the date of activation of the subsequent tenant's service.

### **5.2 Cause**

Service may be discontinued after notice of intent to disconnect and an opportunity for a hearing for any of the following causes:

- (a) Nonpayment of water bills by specified due date;
- (b) Noncompliance with all or part of the BBWD rules; including Rule 2.8 on Non-Essential Uses
- (c) Waste of water;
- (d) Water Theft
- (e) Damage to property;
- (f) Actual or potential cross-connection;
- (g) Obstructing access to BBWD facilities;
- (h) Illegal connection;
- (i) Interconnection;
- (j) Tampering with meters, seals, or equipment.

### **5.3 Notice of Termination**

The BBWD shall endeavor to notify the customer prior to terminating or discontinuing a service. The BBWD, however reserves the right to terminate or discontinue a service without notice for tampering, or if continuing the service represents a health hazard or will result in property damage. In the event the service termination may result in a financial impact to the owner to reestablish service, the BBWD will endeavor to also notify the property owner prior to the service termination or disconnection.

### **5.4 Bankruptcy Actions**

In bankruptcy proceedings, the BBWD will make demand for adequate assurance of payment as authorized pursuant to Chapter 11 of the United States Code Section 366.

### **5.5 Service may be discontinued without notice for the following causes:**

- (a) Damage to public property.
- (b) Unauthorized connection.

The customer has the right to seek adjustment of charges as outlined in Section 7.

## **SECTION 6 – SERVICE CONNECTIONS**

### **6.1 General Provisions and Conditions**

It is the intention of these Service Rules that all water delivered through a service connection will be metered and billed. The use of idlers and spacers to deliver water is prohibited. Connection charges and payment for all water used from the time of initial service installation shall be the responsibility of the Applicant. In addition, the installation of a backflow prevention assembly may be required.

The BBWD, reserves the right to determine the size of the service connection to be installed. The minimum lateral pipe size shall be one (1) inch. For new service connections greater than one (1) inch, the lateral pipe shall be the same size as the meter. No service connection shall be approved of a size larger than can be supplied by the main without adversely affecting service to other customers.

The minimum sizing standard for meters will be five-eighths ( $\frac{5}{8}$ " ) inch.

In the event an existing main is determined to be inadequate to meet the requirements of an Applicant and a main extension will provide for those requirements, provisions of these Service Rules applying to main extensions will be followed.

Whenever two mains are available from which service can be provided, the BBWD shall, at its option, determine which main will be made available for that service connection.

Plans acceptable to the BBWD are required for all service connections except individual residential service connections under two (2) inches in diameter to be installed by BBWD. Water plans shall be prepared by a Nevada Registered Professional Engineer for review by the BBWD for conformance to BBWD construction standards, as stipulated in Section 9. However, the review is neither an indication that a property right in water is or will be granted, nor shall evidence of review be construed as a preference for obtaining a commitment. It is the Applicant's responsibility to obtain development approval along with other commitment requirements specified in these Service Rules.

In the event the authority having jurisdiction over the right-of-way within which the service connection will be installed requires a permit for such installation, the BBWD will make application for such permit for work to be performed by the BBWD and for water facilities installed by a private contractor that are located within Nevada Department of Transportation right-of-way. Any fees or charges associated with such application will be borne by the Applicant. Should such permit not be issued to the BBWD by the authority having jurisdiction the Applicant shall be so notified in writing. The Applicant may then make application for such permit to the authority having jurisdiction, or may request the return of all fees, charges, and deposits paid. If the Applicant chooses the latter option, the BBWD shall not be required to provide service. If the Applicant is unable to obtain the required permit, the BBWD has no obligation to provide service and shall return all fees, charges, and deposits paid.

### **6.2 Location**

Service connections shall be installed at nominal right angles to a main. The point of connection shall not be within a street intersection nor shall any portion of the service

connection be within the paved intersection. The meter location shall be directly adjacent to the parcel being served within the public right-of-way. In the event street right-of-way is not available, the BBWD may approve installation within an easement or alley adjacent to or on the parcel to be served. The service connection shall comply with the current UDACS. All meters shall be located outside of areas where access by BBWD personnel for operation and maintenance may be restricted.

In alleys or easements, meters shall be located at a point as close as practicable to the parcel line adjacent to the main. All meters shall be located outside of driveways and other areas where access by BBWD personnel for operation and maintenance may be restricted.

The meter vault shall be located outside of travel lanes and driveways and shall be protected from vehicular traffic, as determined by the BBWD. If the Applicant feels extraordinary conditions exist that would prevent compliance with this requirement, they may submit to the BBWD a written request for a waiver of this requirement at the time the water plan is submitted for review.

### **6.3 Composition**

Specifications for materials, appurtenances, and construction techniques for service connections are determined and approved solely by BBWD. For further information, refer to <https://www.lvvwd.com/apps/approved-products/index.cfm>.

A standard service connection shall be comprised of a service lateral from the point of connection to the main, to and including a meter or battery thereof, and meter box or vault.

### **6.4 Installation**

The property owner shall be responsible for payment to the BBWD of all applicable fees, charges, and deposits in effect at the time the application is made. Service connections may be installed by the BBWD. Service connections installed by the Applicant shall comply with the requirements of these Service Rules.

(a)  $\frac{5}{8}$ " through 2" meters

Service connections include meters be installed by a properly licensed contractor in the State of Nevada, subject to inspection and acceptance by the BBWD and in accordance with the UDACS. Tapping of a main will be permitted only in the presence of a representative of the BBWD. The BBWD will provide meters according to the current rate schedule.

(b) Meters larger than 2"

Service connections including meters shall be installed by a properly licensed contractor in the State of Nevada, subject to inspection and acceptance by the BBWD, and in accordance with UDACS. Tapping of a main will be permitted only in the presence of a representative of the BBWD.

(c) The BBWD may install service installations and will assess the charges provided in the current rate schedule.

## **6.5 Ownership**

Service connections, including laterals, boxes, meters and other appurtenances shall be dedicated to the BBWD, which will be responsible for the maintenance and repair of such facilities, subject to any agreements covering the installation of such facilities. All pipe and fittings on the customer's side of the meter shall be the responsibility of the property owner. Guarantees and warranties shall apply to all facilities dedicated to the Big Bend Water District according to the UDACS.

## **6.6 Private Fire Service**

Private fire service shall be equipped with a BBWD approved double check detector assembly (DCDA), or a Reduced Pressure Detector Assembly (RPDA), per NAC 445A and such service use is restricted to standby fire protection and mandatory testing.

## **6.7 Combined Service**

Combined service shall be equipped with a meter of a type approved by the BBWD.

## **6.8 Temporary Service**

The BBWD may authorize a temporary service connection when the applicant's property is not adjacent to a water main. As a condition to installation of a temporary service, the applicant is required to submit construction plans and a data sheet for a main extension, and construction must commence within ninety (90) days. If construction stops for ninety (90) days, then the project will be considered abandoned, and the BBWD will disconnect the temporary service.

## **6.9 Emergency Service**

Emergency service shall be authorized for limited periods of time when the usual source of supply fails or is declared to be potentially harmful or in other circumstances that endanger health and property. Connections may be provided, at the discretion of the BBWD, to a fire hydrant or any available outlet from BBWD facilities and shall conform to the requirements of these Service Rules. The applicant shall pay all installation costs, applicable fees, charges, bills, and deposits and shall make application for a main extension in accordance with these Service Rules.

All emergency services shall be limited to a maximum of sixty calendar days. Should the need for the emergency service extend beyond sixty (60) calendar days, the Applicant shall apply to the BBWD for a time extension. The emergency service may be extended by the General Manager until such time as the application can be brought to a regularly scheduled meeting of the Board.

In the event that the emergency service will provide water to multiple users, a deposit shall be submitted that shall include an amount for an estimated thirty (30) calendar days of consumption including service charges for each unit of property to be served. A single monthly bill shall be issued to the Applicant, who will be responsible for payment.

**6.10 Non-Standard Service**

Non-Standard service may be authorized when, in the opinion of the BBWD, a main extension will never be necessary for orderly development of the system, fire protection, service to other property, or other reasons. On-site piping from the meter or shut-off valve to the customer shall not be located within a public thoroughfare. A copy of the recorded easement to the BBWD over private property for the service lateral shall be provided to the BBWD.

**6.11 Metering Requirements for New Developments**

- a It is the intent of the BBWD to separately meter all services for each dwelling unit, public, quasi-public, commercial, and/or industrial occupancy. Inter-connection(s) are not allowed that include, but are not limited to, expansion of on-site systems to serve adjacent parcels. However, the BBWD retains the right to determine the quality, quantity, type, size, and location of all such metered services and appurtenances.
- b Each lot or parcel shall have a minimum of one (1) metered service. If, in the opinion of the BBWD, a single meter for all service is the most practical installation for BBWD access, operations, and maintenance, one (1) properly sized meter may be installed to serve the entire development. The BBWD shall make the final determination of a properly sized meter.
- c In the event a parcel is divided into more than one (1) lot after water service is obtained from the BBWD, it is the property owner's responsibility to obtain additional water commitments and services for the additional lots from the BBWD prior to the parcel division. Inter-connection(s) that include, but are not limited, to the expansion of on-site systems to serve adjacent parcels are not allowed.

Commercial developments, created through the subdivision or parcel map process, with Conditions Covenants and Restrictions that include property management payment of communal services, may be exempted from this requirement provided adequate documentation is provided to support this arrangement. BBWD will not prorate water bills between customers.

**6.12 Metering Requirements for Conversion of Developments**

- (a) All existing developments which were developed in accordance with the provisions of any applicable zoning ordinance enacted pursuant to law that are to be converted from rental occupancies to occupancies for the transfer of titles in an occupancy and open space may retain the existing metered water service without modification except when such service is required to be modified in the interest of the public health, safety and welfare. The BBWD may authorize the retention of the existing metered services, with or without modifications for cause.
- (b) Any request for BBWD authorization to retain existing metered services must be made in writing. Upon receipt of written requests submitted, the Board, or designated authority, will review the request, confer with the requesting party, and return a decision as to the authorization.

**6.13 Meter Maintenance**

BBWD water meters are routinely serviced and maintained during normal business hours. This procedure will cause a total shut down of the services located on a site. Customers can avoid this interruption in service by providing a bypass valve and piping, per UDACS.

**6.14 Installation of BBWD Facilities by a Developer**

Subject to the provisions of applicable sections of these service rules, the following shall apply to the installation of all facilities which are to be owned and operated by the BBWD.

- (a) The developer shall pay to the BBWD, prior to issuance of plan approvals, all applicable fees, deposits and charges in accordance with the rate schedule then in effect.
- (b) All water facilities to be owned by the BBWD shall be located within public rights-of-way or BBWD approved easements. Water meters shall be located outside of travel lanes and driveways and shall be protected from vehicular traffic, as determined by the BBWD in accordance with the UDACS and the approved materials list.
- (c) The BBWD shall have inspected and approved the installation of the water service facilities before a meter is set or service is provided other than water for construction purposes.
- (d) Fire hydrants to be connected to a BBWD main shall be approved by the BBWD and the Fire Department prior to installation. The installations will be inspected and approved by the BBWD.
- (e) Fire hydrants located out of the right-of-way or easement shall be owned and maintained by the property owner.

**6.15 Installation of Hydrants**

Fire hydrants shall be installed in accordance with the Clark County Uniform Fire Code and UDACS.

**6.16 Cross-Connection Control (Backflow Prevention)**

The BBWD's Cross-Connection Control (Backflow Prevention) program for service protection is conducted pursuant to Nevada Administrative Code (NAC) 445A.67185-67255, as amended.

Backflow prevention assemblies for service protection approved and installed after the effective date of these rules will be owned, tested and maintained by the BBWD and in accordance with NAC 445A67185. For those assemblies owned by the BBWD, maintenance and testing will be done annually by the BBWD, supported by the payment of a backflow service charge, per Section 7.

For those properties retaining ownership of backflow assemblies, annual testing and maintenance will be done by an authorized, certified cross-connection control tester. BBWD will send a letter in advance of the annual testing date, notifying the property of its responsibilities and obligations of complete testing.

The results of each test for each assembly, and a record of any repairs must be forwarded by the tester to the BBWD for recordkeeping purposes. Failure to properly conduct scheduled annual testing, and needed repair of assemblies within 30 days of the annual test date, will result in the service being shut off until the BBWD assumes control of the assembly, along with a permanent, written easement, per UDACS.

For assembly owners that want to turn over assembly serving their properties, the BBWD will accept the device at no cost to the owner, subject to the following requirements. That each assembly be unencumbered of any lien or debt, that the assembly be working properly, based on testing by a certified cross-connection control tester within ten days of change of ownership, and that the property owner conveys a permanent, unencumbered easement to the BBWD for access, testing, maintenance, and replacement of the assembly, per UDACS. Once the assembly is accepted by the BBWD, all work will be done annually by the BBWD, supported by the payment of a backflow service charge, per Section 7.

The BBWD may require access to properties of customers currently receiving water service to conduct a cross-connection control survey pursuant to NAC 445A.67185. The purpose of this survey is to establish the extent of protection required for the BBWD's water system based on an evaluation of how a customer uses water on a site. Examples of on-site uses requiring protection include, but are not limited to, laundries, businesses that mix and process chemicals and water, potable and/or non-potable irrigation systems, and fire services. Water from a customer's service may, under certain conditions, be drawn into the public water supply through the meter (through a backflow condition such as back siphonage or backpressure). If there are existing or potential cross-connections with non-potable fluids on a customer's property, the water drawn into the public water supply may be contaminated and therefore compromise the BBWD's supply. The installation of a BBWD approved backflow prevention assembly adjacent to the meter may be required based on the results of the survey and the identification of existing or potential cross-connections within the property. Such installations may also be required pursuant to NAC 445A.67195-6721.

The BBWD may determine that there is the potential for contamination of the BBWD's distribution system from an existing service(s) due to processes on a customer's property. This requirement may be made in the absence of a cross-connection control survey pursuant to the conditions specified in NAC 445A.67195 through 67215 inclusive. At that time, the BBWD may install a backflow prevention assembly at its expense. If a customer requests a larger assembly, the cost of that equipment and installation will be borne by the customer. The customer must provide an easement to the BBWD for this work unless one of approved dimensions already exists.

If the customer objects to the requirement for backflow prevention assembly installation, he shall, at his own expense, obtain a cross-connection control survey from a Certified Cross-Connection Control Specialist. If the survey finds no need for backflow prevention, the requirement by the BBWD shall be deferred at that time. The BBWD may require the customer to obtain, at his own expense, a similar BBWD approved cross-connection



control survey not more frequently than annually to validate that the deferral is still appropriate. An approved copy of the results of the survey shall be provided to the BBWD, which will determine the need for an assembly. Failure to provide such a survey shall be cause for the BBWD to require the immediate installation of a backflow prevention assembly as required by NAC 445A.67195 through 67215 inclusive. The customer shall pay all expenses required for this installation.

A BBWD approved backflow prevention assembly adjacent to the meter will be required at applicant's expense for all new services to commercial and industrial facilities, all new fire services, all new potable and/or non-potable irrigation services, all services for parcels with multiple services, for the relocation or upgrade of existing services, or when on-site work occurs to any facility which would otherwise qualify for installation of a backflow prevention assembly pursuant to NAC 445A.67195.

The backflow prevention assembly may be installed by a properly licensed contractor, however, the installation shall be approved, inspected, and the assembly tested to BBWD Standards before the service is activated.

Installations of backflow prevention assemblies larger than 2" by the customer/applicant shall be accomplished in accordance with Section 9 of these Rules. An easement shall be provided to the BBWD for the construction, operation, and maintenance of all backflow assemblies larger than 2".

Backflow prevention assemblies 2" and smaller may be installed by a licensed Nevada contractor provided the Property Owner first obtains a permit from the BBWD. A permit for the installation and inspection shall be obtained by the owner/developer for all assemblies 2" and smaller. Failure to provide the BBWD access to the assemblies shall be grounds for termination of water service.

An approved backflow prevention assembly appropriate to the degree of hazard shall be installed at the point of delivery to an existing customer's water system as a prerequisite of continued service:

- a. Whenever entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross-connections exist or as required by NAC 445A.67195.
- b. Whenever an emergency turn off is necessary, as determined by the degree of hazard.

Customers will be notified by mail when a survey or other action (such as a public works or BBWD project related to existing service removal and relocation, or service adjustment) has revealed that an existing service has been identified as requiring installation of a new or upgraded backflow prevention assembly. The customer shall be required to have the backflow prevention assembly installed in a manner acceptable to the BBWD within 120 days from the date of the notification. If, after the 120-day period elapses should the backflow prevention assembly not be installed, the BBWD shall notify the customer of their failure to meet these requirements. If the customer has not completed the installation of the backflow prevention assembly nor responded to the BBWD 30 days following the notification (150 days elapsed time from initial notification) a second notification shall be made to the customer. If, after 30 days have elapsed (180 days elapsed time from the date

of first notification) and the backflow prevention assembly is not installed, the service to the customer's account may be terminated. The BBWD may elect to install the appropriate assembly at the expense of the customer. Upon completion of installation of the backflow prevention assembly, the BBWD may restore service.

If the customer so requests, the BBWD shall take the necessary actions to have the backflow prevention assembly installed. If a customer qualifies due to a Public Works or BBWD project that requires an existing service removal and relocation, or service adjustment, and the installation of a backflow prevention assembly, it shall be installed at the expense of the BBWD. Any requests for a larger service will result in the customer being charged the full cost of the assembly.

Once a customer requests installation by the BBWD, the 120-day installation period shall be considered as having been satisfied. The BBWD may make arrangements for the installation by a contractor, or may do the installation using BBWD work forces. The application shall be considered to have been received by the BBWD when the customer presents an appropriate application for installation along with a properly executed easement and/or license document and delivers payment in the amount estimated by the BBWD as set forth in Section 7 for the installation work. Following completion of the work, the BBWD shall either refund to the customer overpayments or shall invoice the customer for the additional monies required.

In some locations where physical constraints may preclude the installation of backflow protection on individual services, the BBWD may choose to install a properly sized backflow prevention assembly on a portion of the distribution system to protect other customers in the vicinity. In this situation, the BBWD shall make all arrangements for the backflow prevention assembly installation. At the completion of the installation, the cost of the installation will be prorated to the parcels requiring protection based on the equivalency sizes of the services involved. Those service users will then be billed a monthly service charge equal to the amount charged for a backflow prevention assembly equal in size to their installed service. The BBWD will notify the customer in advance of installation should this situation arise.

#### **6.17 Installation of Hydrants**

The BBWD may install a fire hydrant for single-family residentially zoned lots with fire department approval when the owner of the lot applies for domestic service and pays all applicable fees, charges and deposits, which must include the cost of the fire hydrant and installation.

#### **6.18 Water Theft Prohibited**

- a. Unauthorized connections threaten the integrity and reliability of the District's system in several ways, including but not limited to affecting water pressure, threatening water quality and damaging District facilities. The theft or attempted theft of water through an unauthorized connection poses a risk to the public's health and safety, and Water Theft is therefore prohibited by these Service Rules, as well as Chapter 167, Statutes of Nevada 1947, Section 10.
- b. In the event of Water Theft, the District may pursue any and all remedies available at law and equity, regardless of customer status, including but not limited to: issuing

violation notices, assessing administrative water theft fees, charging for estimated usage and damage to District facilities, filing a civil action for damages, seeking criminal penalties, issuing misdemeanor citations and reporting the theft to the Las Vegas Metropolitan Police Department or another appropriate law enforcement, regulatory or licensing agency. The District may also terminate or refuse service to persons or entities that engaged in or benefitted from Water Theft.

- c. Persons or entities issued a notice of violation shall be charged for estimated water usage at 12x the applicable rate, charged for the cost of any damage to District facilities and assessed an administrative fee in accordance with Appendix I A.14. Violation levels shall be based upon the recipient's violation history for the preceding 18 months. The District has adopted Water Theft policies and procedures that:
- Specifically define Water Theft and exemptions;
  - Require observation and documentation or other reliable evidence of Water Theft;
  - Require notification explaining the District's policy prior to fee assessment;
  - Provide a mechanism by which a Water Theft violation and/or fee may be appealed to an independent hearing officer pursuant to Section 11.12.
- d. Contractors and developers are responsible for ensuring their contractors, employees and agents comply with the District's Service Rules, including rules requiring the use of approved metering and backflow devices and rules prohibiting Water Theft. Water Theft violation notices, fee assessments and estimated charges for stolen water and damage to District facilities may, in the District's sole discretion, be issued to the developer or contractor. In such an event, the developer or contractor is responsible for payment of all fees and charges assessed, and service to the developer or contractor may be terminated or refused for non-payment or recurring violations.

## **SECTION 7 – CHARGES, FEES, AND DEPOSITS**

Deposits and charges set forth in these Service Rules shall be at the rates established in the rate schedule contained in the Big Bend Water District rate resolution as adopted by the Big Bend Water District Board of Trustees. All bills, charges, fees, and deposits must be paid to the BBWD prior to approval of water plans for construction, or prior to commencement of any scheduling of construction activity for services to be installed by the BBWD.

### **7.1 Abandonment of Service**

In the event that a service connection is permanently deactivated, the meter and other salvageable materials will be removed by the BBWD without credit to the property owner.

### **7.2 Addition of Service**

System development approval charges are payable in advance of the installation of additional services. Payments for additional services shall be the responsibility of the legal owner of the property. If services are added without prior notification and payment to the BBWD, the owner will be subject to penalty in accordance with the BBWD rate schedule, up to disconnection of service.

### **7.3 Backflow Prevention Assembly Service Charge**

All customers having backflow prevention assemblies dedicated to the BBWD shall be required to pay service charges for each backflow prevention assembly required by the BBWD. This charge shall be in addition to other service charges. (See Appendix I A.1)

### **7.4 Combined Service**

The combined service charge will be determined by applying the domestic daily service charge to the smaller meter and the private fire protection daily service charge to the larger meter. The consumption through both meters will be added together and billed at the appropriate domestic service rate (Appendix I A.10) based on thresholds for the smaller meter. Charges for combined services include, but are not limited to, those on the combined service table. (See Appendix I A.2)

### **7.5 Connection Charges**

A connection is defined as a service connection or main extension connected to an existing main. A connection shall not include an emergency service connection, interim/construction water service or temporary service connection. Any connection charges based on a meter size will be based on the smaller (domestic) meter for combined services. When required, installation charges shall be in accordance with the approved rate schedule in effect at time of application and payable in advance. (See Appendix I A.3)

Whenever a parcel of property within the boundaries of an Assessment District is excluded from participation by reason of ownership by a public tax-exempt agency, or other cause, such property, should it later require a connection, shall not be permitted to obtain service from a main constructed as part of the Assessment District until the amount of the assessment is paid and a water commitment obtained in accordance with Section 1 of these Service Rules.

a. “Application Fee” All applicants for water service will be required to pay in full a non-refundable fee(s), at the time water plans are submitted for review, or at the time application for service is made if water plans are not required. (See Appendix I A.3.a)

An “Application Fee” is charged for Fireline(s) without domestic meter installation. (See Appendix I A.3.a)

An “Application Fee” is charged for a water plan with public fire hydrant(s), which include a temporary fire hydrant or temporary riser, without domestic meter installation. (See Appendix I A.3.a)

Staff review fee. There will be a charge for of each revision to applications and plans that constitute a change to documents, fees, or services. (See Appendix I A.3.a)

b. “Frontage Connection Charges” shall apply to all connections through which water will be delivered from an existing main to particular parcels of property that are adjacent to the right-of-way or easement wherein that main is located. If additional connections will not be required for subsequent phases, the frontage connection charge for projects with multiple phases is due for all remaining phases at the time the initial connection is approved. The applicable frontage connection charges shall be the amount specified in the rate schedule. (See Appendix I A.3.b)

Frontage connection charges shall not apply to the connection of a parcel to a particular main if that main was installed as a main extension to serve that parcel. Frontage connection charges shall apply to parcels within Assessment District when the connection is made to a main that was not installed as a part of an Assessment District for which the parcel was assessed.

Upon application for a connection to a parcel not presently having a connection, frontage connection charges shall apply to the side of the parcel where the connection is to be made. Upon application for an additional connection to a parcel where the connection is to be made to a side of the parcel not presently having a connection, frontage connection charges shall apply to that side of the parcel. Upon applications for connections to more than one side of a parcel presently not having a connection, frontage connection charges shall apply to each side of that parcel where a connection is to be made. Relocation of, or additional connections on, the same side of the parcel shall be exempt from frontage connection charges. Non-standard service connections shall be assessed the minimum frontage connection charge when the main providing water is not directly adjacent to the property.

If more than one main is available with sufficient pressure and capacity to which a connection may be made, and the Applicant requests a connection to a specific main, but the BBWD elects to require the connection be made to another main, the frontage connection charge shall be the lesser of the charge for the main preferred by the Applicant or the main to which the connection was actually made.

c. “Inspection Fee” All inspection fees are due and payable prior to plan approval.

Services with required backflow will pay an additional fee per service. After- hours inspection fee shall be the overtime cost of the inspection. All other inspections occurring after the time limitation established in 9.1.d and not related to above services description shall be the straight time cost of the inspection plus a roundtrip fee. (See Appendix I A.3.c)

A fee minimum will be charged for accumulated site inspections for any project that is cancelled in accordance with Section 8 of these Service Rules. The balance of Inspection fees will be refunded as part of the cancellation process. (See Appendix I A.3.c)

d. “Oversizing Charge” The oversizing charge is paid in full as part of the plan application and approval process and is applicable for all new service connections within the BBWD Service Area. (See Appendix I A.3.d)

e. Service Connection – Installation. When required, installation charges shall be in accordance with the approved rate schedule in effect at time of application and payable in advance. All appropriate service connection installation charges shall be paid in full by water plan approval. (See Appendix I A.3.e)

If unusual installation conditions exist, the applicant will be advised of the terms and conditions that must be met before an application for service will be accepted. In circumstances under which the BBWD anticipates unusual installation conditions, the applicant shall pay a deposit established by the BBWD. A refund or billing will be made when the job is completed and actual cost determined by the BBWD. Unusual installation conditions shall exist when, in the opinion of the BBWD, the installation is to be made under conditions that would result in unusual or significant departure from the basic installation charges set forth in the rate schedule.

f. Service Connection – Re-Activation. Upon receipt of application, a deserted or inactive service may be activated provided the Applicant pays any costs required to locate the service and upgrade it to current BBWD standards. If the service cannot be located, it will be classified as abandoned or removed. If a service is located but found to be non-functional, the service may be classified as abandoned or removed. Also see Section 5. (See Appendix I A.3.f)

g. Service Connection – Relocation. An existing service connection may be relocated on the same parcel, with the approval of the BBWD, however, it may not be moved to a new parcel. A relocated service connection shall be installed pursuant to the same Service Rules and applicable rate schedules as a new service connection, except that no application fee or System Development Charge shall be applied. Frontage Connection Charges will not apply if the connection is to the same side of the parcel. The new service connection will be installed under the same conditions as a normal installation as specified by the UDACS. Meter installation charges may also apply. (See Appendix I A.3.e)

h. Service Connection – Removal. In the event that a service connection is to be permanently deactivated, the owner of the parcel must sign a removal order form provided by the BBWD. The meter and other salvageable materials may be removed by the BBWD on an actual cost basis, without credit to the property owner, or by a private contractor in accordance with the requirements of Section 9. Any water

commitment associated with a removed service shall terminate, except as provided in Section 1. In the event a service will be relocated or the size of service changed, the service removal may be done either by the BBWD on an actual cost basis, or by a private contractor in accordance with the requirements of Section 10.

i. Service Connection – Size Increase. An existing service connection may be enlarged with the approval of the BBWD, provided a water commitment is obtained in accordance with Section 1 of these Service Rules for the additional capacity requested. An enlarged service connection shall be installed pursuant to the current Service Rules and applicable rate schedules. If the new service connection is not on the same side of the property as the abandoned or removed service, frontage connection charges will apply. (See Appendix I A.3.b) System Development Charges shall apply to increases in meter sizes. The amount of the charge will be the difference between the System Development Charge for the new service connection and the System Development Charge applicable to the existing service connection. (See Appendix I A.11)

## **7.6 Construction Water and Other Approved Uses.**

a. Metered Construction Water and Other Approved Uses. Water taken through public fire hydrants except for firefighting purposes will be metered. The following fees and charges shall apply to water delivered through a metered fire hydrant for construction or other approved uses. Connection to or use of public fire hydrants is prohibited unless a special permit is issued by the BBWD. A BBWD-owned hydrant valve and meter must be used. The applicant shall pay a use permit fee prior to issuance. The BBWD will require installation of a hydrant meter, and the applicant will be required to pay appropriate deposits. The hydrant meter will be subject to a daily service charge. Upon discontinuance of service, a refund may be made of the difference between the damage deposit amount and charges, after allowance for salvaged materials. The full deposit amount may be retained towards a future hydrant meter deposit. Applicants for connections to or use of fire hydrants shall designate the period of time and purposes for which water is to be used. The BBWD may discontinue the supply and remove its equipment at the expiration of the period so designated or if the supply is used for any purpose other than designated by applicant. The supply is subject to limitations as to rate of flow and time of use. (See Appendix I A.4)

One (1) working day notice is required to set fire hydrant meters and requests must be received before 4:00 p.m. Requests received after 4:00 p.m. for next day service and requests for same day meter installation before 4:00 p.m. that day may be accommodated with payment of an additional fee.

The Applicant is responsible for providing any required backflow protection required by BBWD. The BBWD requires hydrant valves and meters when using hydrants that have not been accepted for public use and maintenance.

The BBWD may install all equipment necessary, but in no instance will water be used until an installation is approved. In the event that a connection is made to a fire hydrant without authority to do so, the user shall be required to pay appropriate charges for unauthorized use of service for each day of use prior to issuance of the permit in accordance with the current Big Bend Water District rate schedule. In lieu of a fire hydrant meter for taking construction water, the construction water may be taken through the service connection which is intended to serve the parcel, or it may be taken through any other metered method

approved by the BBWD which assures that all water utilized during the construction period is metered. The construction period shall be considered to have ended when the BBWD is notified by the applicant and the BBWD has made a final meter reading for billing purposes. The BBWD will then discontinue (shut off) the service, unless it has received an application for service to that location.

Except for emergency service connections that may be established by the BBWD for a limited time as described in Section 6, water service from a fire hydrant for domestic purposes is prohibited.

b. **Non-Metered Construction Water.** Water used in the disinfection of newly constructed public water mains does not have to be metered. Flushing of the mains shall only be done in the presence of a BBWD representative.

c. **Raw, untreated water for Construction or Any Other Purpose.** Raw, untreated water delivered for use during construction or any other purpose will be charged at the following rates:

- a) Monthly Service Charge equals 100 percent of the potable rate.
- b) Water Usage Rates equals 50 percent of the potable rate.
- c) Delivery Charge equals 100 percent of cost to deliver raw water and maintain any equipment or assets required to deliver raw water.

## **7.7 Daily Service Charge**

Domestic service customers will be billed a daily service charge based on meter size multiplied by the number of days in the billing period.

A Service Charge shall be billed to all active water service accounts regardless of the amount of water usage. (See Appendix I A.5)

## **7.8 Damage to or Tampering with BBWD Property**

Persons causing damage to, or tampering with, BBWD property, including but not limited to, service connections shut-off valves, hydrants, meters, and mains by any willful or negligent act shall be responsible for payment of costs incurred and any and all penalties prescribed by the Service Rules, or law. (See Appendix A.6)

## **7.9 Deposits**

a. **Assure Payment of Bills – Security Deposits** The BBWD, may require security deposits from new customers who have not established credit with the BBWD, or from customers whose accounts are consistently delinquent, or in any situation where the BBWD has cause to believe that a deposit is required to assure payment. The base deposit will be in an amount set in the Deposits and Charges. Security deposits will not be required from customers who have established credit by paying bills on time for twelve consecutive months at another location serviced by the BBWD. When a previous customer applies for service and a deposit is required, the BBWD will review the customer's water usage on their previous account and calculate the highest three months' usage during the most recent



twelve-month period. The customer will be charged the base deposit amount or the total billing for their highest three months' usage, whichever is greater. The BBWD may establish standard deposits for various service sizes and types. (See Appendix I A.8)

b. Construction Deposits – Estimated Costs. When the BBWD is requested to perform work and there is no fixed charge, the applicant shall deposit an amount established by the BBWD, in addition to system development connection charges and other applicable fees and charges prior to commencement of work on the installation. A refund or billing will be made when the job is completed and actual cost determined. (See Appendix I A.8)

c. Interest on Deposits. Except as provided to assure payment of bills, any cash deposit(s) or other payment(s) paid to the BBWD will not accrue interest.

d. Public Agency Deposit Requirements. In lieu of cash deposits, or sureties, purchase orders may be accepted from public agencies.

### **7.10 Delinquencies & Deficiencies**

a. Deficiency Fee - The BBWD will assess a fee per service, per day, for each inspected deficiency not corrected by the developer, until the deficiency is corrected. This charge shall be assessed against parcels where a tenant has occupied the premise without the service being inspected, approved and accepted by the BBWD or without a Certificate of Occupancy issued by Clark County. (See Appendix I A.7)

b. Late Fees – Delinquent Accounts. If payment of a water bill is not received by the BBWD prior to the due date as stated on the bill there shall be added to the next succeeding bill a charge in accordance with the Big Bend Water District Deposits and Charges.

If payment of a water bill is not received by the BBWD prior to the due date as stated on the bill, the account shall be charged, on the next succeeding bill, four percent (4%) of all amounts in arrears. Governmental agencies shall be exempt. (See Appendix I A.7)

c. Liens. The BBWD may cause a Notice of Lien to be recorded at any time after a bill has become delinquent, pursuant to NRS 318. The BBWD shall cause a Release of Lien to be recorded after it has received payment of the amount for which the lien was claimed, which shall include the cost of recording the Notice of Lien and Release of Lien plus a service charge as set in the Deposits and Charges.

The BBWD may file a lien against a parcel when reasonable collection efforts have proven unsuccessful. If a lien is filed against a parcel, the lien balance will include a per parcel lien processing fee. Liens will be released promptly after notification and verification of payment in cash for the lien balance in full. Payments by cashier's check or personal check may result in a delay of filing the release of lien for up to thirty days for verification from the issuing bank. Credit card payments will not be accepted. Subsequent water service to the parcel will only be activated or restored in the name of the property owner and service fees and/or deposit requirements will apply. (See Appendix I A.7)

d. Processing Charge. A delinquent processing charge of 4% of arrears, not subject to compounding. (See Appendix I A.7)

e. Re-connection Charge for Delinquent Accounts. If a service is processed for shut-off for

non-payment of bills, payment arrangements, deposits, or other violation of these Service Rules, the customer shall pay a delinquent processing charge plus the rate specified in Appendix I A.7 of these Service Rules for any actual or potential water use each month that water service would have been available since the delinquency occurred. Before the service will be reactivated, the customer must pay the total amount due including any assessed security deposits, and related delinquent processing and restoration fees. The BBWD may, at its sole and exclusive discretion, make arrangements for other than a single full payment. Should the customer reactivate the service or tamper without consent of the BBWD, an additional charge will be made for each such occurrence. Service shall be considered processed for shut-off as of the date immediately following the due date of the bill or payment arrangement. In addition to the fee, the BBWD may determine that a shut-off valve is to be installed at the expense of the property owner in accordance with these Service Rules. (See Appendix I A.7)

f. Re-establish Service Fee. Upon receipt of application, a deserted or inactive service may be activated provided the Applicant pays any costs required to locate the service and upgrade it to current BBWD standards. If the service cannot be located, it will be classified as abandoned or removed. If a service is located but found to be non-functional, the service may be classified as abandoned or removed. Also see Section 5.

### **7.11 Emergency Service**

Emergency service may be provided by a connection to a fire hydrant or to an existing main. All emergency services which are connected to fire hydrants shall conform to requirements of these Rules and shall be limited to a maximum 30 days. In the event that the emergency service will provide water to multiple users, a deposit shall be submitted that shall include, in addition to the quantity charge, an amount for the estimated 30 days of consumption including service charges for each unit of property to be served. A single monthly bill shall be issued to the applicant who will be responsible for payment. Metered water service shall be in accordance with the rate schedule.

### **7.12 Illegal Service Connection**

A service connection that is located in the field, but whose existence is not documented in BBWD records will be considered as a new service. All fees, charges, and deposits required by the BBWD must be paid before the account is established in the BBWD's system. In the event an illegal service is discovered and a water commitment is required by the BBWD and is not obtained, or the fees, charges, and deposits are not paid, the BBWD may physically remove the service connection at the parcel owner's expense. Any service connection that is in violation of these Service Rules will be considered an illegal service connection and be subject to all of the conditions and restrictions as listed above.

### **7.13 Illegal Use of Water**

Prosecution for Illegal Use of Water; Interference with BBWD. Any person who shall wrongfully and maliciously appropriate or use any BBWD water, damages or interferes with BBWD property, or wrongfully and maliciously interferes with any officer, agent, or employee of the BBWD in the proper discharge of their duties shall be guilty of a misdemeanor and shall be fined in any sum not exceeding \$1,000 or imprisonment not to exceed six months in the county jail or by both such fine and imprisonment; provided further, that the BBWD damaged by any such act may also bring a civil action for damages sustained by any such act, and in such proceeding the prevailing party shall also be entitled to attorney's fees and costs of court.

**7.14 Locked Service**

If a lock installed on a service connection to restrict use of water is removed by anyone other than an authorized BBWD employee, the customer or developer shall be charged padlock replacement costs for the damaged standard lock, or the damaged specialty lock, in addition to any other charges and fees. (See Appendix I A.6)

**7.15 Meters (See Appendix I A.9)**

a. Automated Metering Infrastructures (AMI) Equipment. The customer or owner of record may be charged for replacement of a damaged AMI device.

b. Meter Credits. If meters obtained from the BBWD for the purpose of being installed by a private contractor during construction of a development are returned before the project has received final acceptance from the BBWD, the following credit will be made:

Unused meters – 100% of original developer cost

c. Meter Installation. When it is discovered that water is being taken through an unmetered service, or the meter is damaged, or the meter is not operating properly, or the wrong size meter was installed, and the water plan approval required that the meter be set by the developer, the BBWD will install the meter and charge an installation charge. The cost of the original meter issued to the developer will be refunded if that meter has not been used or damaged and is returned to the BBWD. If the development is under warranty for its water facilities, the Developer can replace the meter at his expense.

d. Meter Size Change. Existing meters which are of a size less than the diameter of the service lateral may be replaced with a larger size not to exceed the size of the service lateral. Applicants for replacement meters shall pay the application fee for the new meter, the meter charge, and other charges as established by the rate schedule. There will be a meter charge for the increase in meter size. System Development Charges shall apply to increases in meter sizes. A water commitment in accordance with Section 1 of these Service Rules must be obtained before a meter may be increased in size.

Meters sized two (2) inches and less may be replaced with a smaller size meter upon request of the property owner and with BBWD approval. The cost to reduce the meter size shall be the application fee for the new meter, the cost of the new meter, plus all other applicable fees and charges. Applicants for replacement of meters greater than two (2) inches with a smaller size shall pay all costs incurred.

e. Meter Testing Fee. A customer who is serviced by a meter 2" and smaller and who has requested that the meter be removed for accuracy testing and replaced with another, shall be assessed a fee. The fee will be waived if the overall accuracy of the meter as tested is outside the defined acceptable parameters as established by the AWWA.

**7.16 Private Fire Service**

Applicable to all services through which water is to be used solely for extinguishing fires. Private fire service shall be assessed a daily service charge for the equivalent meter size. (See Appendix I A.10)

The fireline consumption charge will be the Tier Two rate for all usage including unauthorized usage and mandatory testing. Water is to be used solely for extinguishing fires. The BBWD reserves the right to estimate and bill all fireline consumption.

When it is found that a private fire service is being used for unauthorized purposes other than standby fire protection or mandatory testing, the BBWD reserves the right to calculate and bill the customer for all private fire protection water consumption based on the service size and duration of consumption. For such unauthorized use, consumption shall be billed at the Tier Two rate and a multiplier may be applied as follows:

<u>Fire Line Size</u>	<u>Multiple</u>
≤ 2"	1
3"	12
4"	21
6"	47
8"	80
10"	127
12"	167

Failure to discontinue the unauthorized use will be cause for shut-off, and/or prosecution as prescribed by law.

### **7.17 Public Fire Hydrants**

Credit Privilege for Hydrant Permits. The privilege of credit for hydrant permits may be granted to contractors licensed in Nevada and requests for same may be made by phone, provided that:

- a. The privilege is not abused.
- b. Payment for each hydrant permit is received by BBWD as part of the payment for the first water bill issued for such permit.

### **7.18 Supplemental Commodity Charge**

A supplemental commodity charge will be computed and assessed for all non-residential customers having a supplemental service connection.

The BBWD will annually, based on the prior calendar year, determine the customer's peak month (June through September) and compute the ratio of peak month over average monthly usage (i.e., peak month usage divided by average monthly usage = peaking ratio). This ratio will be divided by the BBWD's peak month ratio (peak month usage divided by average monthly usage = system peaking ratio) and if the resulting factor is greater than one (1), the factor will be multiplied by the commodity rate in effect for the upcoming months of June through September (See Appendix I A.12). If the supplemental customer's peak to average usage is less than the BBWD's peak to average usage, the average of the previous three (3) years peak to average usage shall be used as the factor.

The resulting rate will be the commodity charge for water usage for the subsequent months of June through September. This rate will be applicable to all successors or assigns of the customer for the calendar year.

### **7.19 System Development Approval Charges (SDA) (See Appendix I A.11)**

A System Development Approval Charge(s) (SDA) will be collected in full, in addition to all other fees, charges and payments due as part of the water plan application and review process, prior to plan approval for all new, added or enlarged service(s) connections to a parcel(s). An exception has been granted for single family detached unit subdivisions approved after the effective date of these Rules. For those developers who wish to utilize this exception, these parcels will be added to Appendix III at the time of approval and treated in the same manner. For all single family detached residential unit subdivision developments, the SDA will be required to be paid prior to obtaining a building permit for each parcel. This incremental SDA payment applies to no other plan approval type.

In the event a credit occurs for the amount due as a result of an application for service replacement(s), a credit will be calculated at the time of application based on the existing SDA for that affected service. In the event a credit exceeds the existing SDA, no refund will be made. No refund(s) will be made, nor will a credit be provided to future development on the subject parcel. Credits for services are not transferable to another parcel.

Notwithstanding the foregoing, the Board of Trustees recognizes that the SDA for designated parcels has been deferred and not been paid. There are designated lots that also contain construction defects. These designated developments are listed in Appendix III of these Rules. This designated development list establishes a record of and acknowledges the current unpaid SDA status and/or construction defects for these parcels.

To the extent that new single family detached residential unit subdivision, parcel maps, or land divisions are developed by developers who pay all other applicable fees but do not desire a water commitment as described in Section 1.2 of these Rules and desire to defer payment of SDA charges, these developments will be added to Appendix III and are treated in the same manner. These developments will be required to pay the outstanding nonrefundable SDA charge, prior to obtaining a building permit for a parcel. The BBWD will record a Notice with the Clark County Recorder's Office that shows a chain of title based on Assessor's Parcel Number that the charge has not been paid on the parcel. All fees connected with the Notice will be due to the BBWD in the amounts in effect at the time of payment.

### **7.20 Tier Consumption Rate Charges (See Appendix I A.12)**

Consumption will be rounded to the appropriate whole consumption (1,000 gallons) to determine the billing period's rate blocks. Consumption within the billing period will be billed at the appropriate rate block as shown in Appendix I A.12.

### **7.21 Turn-On/Shut Off Fees (see Appendix I A.13)**

a. Turn on. An existing water service will be turned on without charge, provided that the requested effective date for service activation or restoration is at least one business day after an application is accepted or, in the case of service interrupted for delinquency,

sufficient payment has been received as required by the BBWD. Same Day Service Activation Charge. Same-day service turn-on or restoration may be provided for a fee. Requests received after normal business hours, or on weekends, or during a holiday for same day service turn on or restoration will be assessed a fee, provided that the BBWD can respond to the customer's request.

b. Shutoff. An existing water service will be shut off without charge, provided that the requested effective date for service shut off is at least one business day after the request for discontinuance of service is received.

Same Day Service Shut Off Charge. Same day shut off service may be provided for a fee, for requests received prior to the close of the business day. Requests for same day or future shut off will not be accepted if received after normal business hours, on weekends, or on holidays.

Service Shut Off for non-payment or other violation. If service is shut off for non-payment or other violation of these Rules, before service will be reactivated, the customer must pay all past due charges and the appropriate Activation Charge at the office of the Big Bend Water District. The BBWD may accept arrangements for partial payments totaling the full amount. Should the customer reactivate or tamper with the service, without consent of the BBWD, an additional charge will be made for each occurrence in accordance with the rate schedule.

c. Turn-Off at Main Charge. Should it become necessary to enforce discontinuance of service by shutoff at the main, a charge will be made based on actual cost to discontinue that service.

## **7.22 Water Waste Fee**

Customers issued a violation notice shall be assessed a fee. (See Appendix I A.14.) Fee levels are based upon violation history for the preceding 18 months.

## **7.23 Water Theft Charges & Fees**

Persons or entities who engage in or benefit from Water Theft and are issued a violation notice shall be charged for estimated water usage at 12x the applicable rate, shall be responsible for the cost of any damage caused to District facilities and shall be assessed a fee. Fees are assessed in accordance with Appendix I A.14 and are based upon violation history for the preceding 18 months.

## **SECTION 8 – TIME AND MANNER OF PAYMENT**

### **8.1 Bills Due When Presented**

Meters will be read or estimated monthly, and a bill will be issued to the customer for each connection to facilities for usage, and related fees and charges. All bills shall be due and payable upon receipt. Failure to receive a bill does not relieve a customer of liability for payment. When current bills are not paid by the due date as shown on the bill, they are subject to the assessment of late charges, and will be considered delinquent. Service may then be discontinued if not paid by the disconnection date as identified in the succeeding bill statement. The BBWD may, with notice and at its sole and exclusive discretion, make arrangements to extend this payment deadline, allow the customer to pay the unpaid balance amount in installments, or record a lien against the property. Failure to remit valid payment in compliance with arrangements made may result in service discontinuance without notice.

### **8.2 Failure to Receive a Bill**

Failure to receive a bill does not relieve a customer of liability.

### **8.3 Proration of Service Charges – Minimum Bill**

If any opening or closing bill is for a period shorter than the regular billing period, the service charge and monthly flat rate charges for private fire and combined service shall be reduced in the same proportion as the actual period of use is reduced from the regular billing period.

### **8.4 Commercial Subdivisions**

In the event a commercial subdivision does not have individual meters to each parcel, the BBWD is not responsible for dividing water use amongst the commercial subdivision occupants. If there is a need for individual meters to each property, it is the owner/Applicant responsibility to obtain approval for installation of additional water facilities and pay all fees in accordance with these Service Rules.

### **8.5 Estimated Bills**

If a meter cannot be read because of obstructions or other causes, an estimate shall be made of the quantity of water used and a bill rendered for the estimated quantity. The next succeeding bill which is based upon actual meter reading will reflect the difference between prior estimates and actual consumption. If a meter is found to be non-operable, consumption shall be estimated and billed.

### **8.6 Basis for Billing**

All services shall be billed in accordance with the adopted rate schedule. This rate shall apply to all lots commencing at the time the service is installed and shall apply for each month of the year. Except as provided in Section 7, customers are responsible for payment for all water recorded as having passed through a meter regardless of whether such water was put to beneficial uses.

**8.7 Collection Stations**

For the convenience of its customers, the BBWD may designate and authorize others to serve as agents for the collection of water bills. Bills may be paid at the office of the Big Bend Water District located at 1520 Thomas Edison Drive, Laughlin, Nevada, 89029, or at a location established for such purpose within the BBWD.

**8.8 Payments Not Honored By Financial Institutions**

Remittance(s) presented in payment of bills that are not honored and are returned by any financial institution shall be treated as though no payment had been made and service may be discontinued without notice.

Accounts with the BBWD that are paid by checks or electronic presentment, which are not honored by any financial institution, shall be charged a “returned payment fee” in addition to any other applicable fees and charges. Redemption of returned payments, as well as any additional fees and/or charges assessed, may be required to be by cash or equivalent at the discretion of the BBWD.

Remittance for amounts due on accounts with the BBWD that have recorded three (3) payments not honored and returned by any financial institution within a twelve (12) month period shall be required to be by cash or equivalent, at the discretion of the BBWD, for six (6) consecutive months.

Customers who submit a payment not honored by any financial institution for payment for a water account in a shut-off status must pay the total amount and charges due plus any assessed security deposits, related delinquent processing or restoration fees in cash.

**8.9 Multiple Water Bills**

For the purpose of computing charges, each parcel of property will be considered separately, and readings of multiple meters may be combined where a battery of meters has been installed in lieu of one meter for the BBWD's convenience. In such cases, charges will be computed as if the water used had been measured through a single meter.

**8.10 Billing Errors**

Correction of billing errors shall be made on a future bill, but in no case will the BBWD make corrections retroactively for a period of more than 36 months.

**8.11 Billing Adjustments**

The BBWD, at its discretion and for purposes of account dispute resolution, may offer a customer an adjustment only after a thorough investigation conducted by the District has concluded no reasonable or viable explanation for the contested usage or situation. The basis for, calculation and/or application of said adjustment will also be at the BBWD's discretion.



## **SECTION 9 – INSTALLATION OF WATER FACILITIES**

### **9.1 General Conditions for the Installation of BBWD Water Facilities**

#### **a. Applicability**

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

A main extension shall be required whenever 20' of useable main is not directly adjacent to the proposed development requiring water service, or when the adjacent main cannot meet the needs of the proposed development.

#### **b. Responsibility for Cost**

Applicant shall pay all costs for provision of said facilities that shall include design and other appurtenant costs, as well as construction costs. Such facilities shall conform with the rules, regulations, and design requirements of the BBWD.

#### **c. Construction Plans**

All water plans submitted for review shall conform to the UDACS, latest edition, as amended. Water plans shall all include, at a minimum the following:

1. Copy of the recorded subdivision map, parcel map, or any other map if applicable
2. Two (2) sets of detailed water plans (24" X 36") at a scale not to exceed 1" = 60'
3. A completed data sheet as provided by the BBWD
4. The required application fees as specified in Appendix I
5. Development approval or water commitment

Water plans that 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 that will be served by

the proposed main extension. Proof of right-of-way and/or easement must also be provided.

The BBWD 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 BBWD a set of reproducible mylar water plans conforming with the revisions that shall be considered the master water plan after approval by the BBWD. Upon execution of the appropriate agreements by the Applicant and payment of 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.

d. Time Limitations

Approval by the BBWD for any main extension shall be valid for a limited time. In the event that construction of the mains covered by any plan approved after the effective date of these Rules 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 as the time the project is reactivated. 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 BBWD 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 1.2b or 1.2c of these Service Rules, the BBWD may, at its discretion, invoke the performance bond for the installation of the water facilities rather than canceling the project.

e. Construction, Abandonment, Cessation, and 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 BBWD to pursue completion of all or part of the project, as determined by the BBWD.

If a project receives a water commitment under the provisions of Section 1.2b. of these Service Rules, and the water plans are subsequently proposed for cancellation, all prepaid installation fees and other charges and deposits shall be retained by the BBWD 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 1.2c. of these Service 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 BBWD 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 BBWD 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 BBWD recognition of an assignment from one Developer to another, an assignment form provided by the BBWD shall be completed, and a fully executed duplicate original returned to BBWD.

f. 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 BBWD specifications, standards, and procedures that are in effect at the time the water plans receive BBWD 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 BBWD before connecting the new mains to existing mains, unless otherwise permitted by the BBWD
2. Connections to existing mains shall be made only when authorized by the BBWD and then only in the presence of an authorized representative of the BBWD, at times specified by the BBWD
3. Existing mains shall not be taken out of service for the purpose of making new connections when other options such as wet taps are feasible. Mains may only be taken out of service with the specific approval of the BBWD

g. Construction Inspection

The BBWD shall inspect the installation of the service connection and backflow prevention assemblies from construction commencement through final water project acceptance. The BBWD reserves the right to terminate service if the work does not comply with BBWD requirements. The BBWD 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 BBWD.

h. Meter Installation

For meters two (2) inch and smaller, the developer shall obtain from BBWD and install the meter(s). For meters larger than 2", the Applicant shall provide a meter that meets BBWD specifications.

Meters obtained from BBWD 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 have been verified by the BBWD.

i. 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 at the commodity rate set forth in the Rates Section herein. The BBWD reserves the right to audit meter installation. The BBWD 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 (Developer) Applicant shall remain responsible for correction of all deficiencies and shall remain liable for 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 BBWD.

j. Guarantee

Materials and workmanship shall be guaranteed free of defect for a period of one year from date of acceptance by the BBWD. Upon receipt of notice from the BBWD, the Developer shall immediately cause any defect to be corrected, or shall reimburse the BBWD for the cost of correction. Any corrective actions shall themselves be warranted for a one-year period.

k. Location

1. Main extensions and appurtenances shall be located within a dedicated right-of-way or private streets thirty feet (30') in width or greater, dedicated for utility purposes provided adequate clearances are available for operation, maintenance, and repair of the water facilities.
2. If dedicated rights-of-way or a private street dedicated for utility purposes is not available, the Applicant may petition the BBWD and upon BBWD approval, a main extension and appurtenances may be located within easement grants to the BBWD not less than thirty (30) feet in width, or as the BBWD may specify.
3. All rights-of-way, private streets, and/or easements shall be shown on the water plans. These plans shall be provided to the BBWD prior to the approval of water plans and must provide adequate clearances for the safe operation, maintenance, and repair of the water facilities. The BBWD, reserves the right to determine the location of a main extension and appurtenances.

l. Easements

1. No buildings, structures, or trees will be placed upon, over, or under any BBWD 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 BBWD's facilities within the easement.

2. Should the BBWD act to repair any BBWD facilities within the easement, the BBWD is not responsible for repair or reconstruction of any property located within the easement.
3. Should any of the BBWD'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, unless the changes in grade or other construction were done by third parties with the written consent of the BBWD, as agent for the BBWD.

m. 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 size of any main to be constructed as a part of the BBWD distribution system shall be eight (8) inches in diameter except in certain locations where the BBWD may allow mains 6 inches in diameter. A Developer installing water mains will be required to install these minimum size mains at their sole expense.

n. Fire Hydrants

Fire hydrant installations shall conform with design and location requirements of the Clark County Uniform Fire Code and UDACS.

o. 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 such mains for other development may be permitted when, in the opinion of the BBWD, such connections will not substantially affect service to the original development.

p. Conveyance of Title

Upon satisfactory completion of construction and acceptance of the facilities by the BBWD, the Developer shall deliver a valid Bill of Sale conveying unencumbered title to the facilities to the BBWD.

q. Construction by Private Contractor or BBWD

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 BBWD, the extent of work to be performed is minor and can be accomplished efficiently and economically by BBWD forces, the Applicant shall deposit an amount determined by the BBWD. Upon completion of construction, the difference between the estimated and actual

costs will be either billed or refunded.

r. **Refund of Frontage Connection Charges**

The Developer will receive frontage connection charges collected by the BBWD 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 BBWD up to ten years from the effective date of the agreement. 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 BBWD, and an unencumbered signed Bill of Sale is provided by the Developer.

At the sole discretion of the BBWD, 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.

## **9.2 Oversized Main Extension**

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 BBWD's distribution system. The BBWD 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 BBWD's distribution system, improve water quality and/or improve system reliability.

Oversized mains, which may include provisions for bolstering, may be approved within standard developer construction agreements, or by Board approved agreements. The construction timeline covered under the standard development agreement is the same as that for development construction, per Section 9.1.

b. **Identification of Mains**

The BBWD shall indicate and identify on water plans submitted for a proposed development both the standard and oversized diameters of pipelines to be constructed.

c. **Approval by Board**

A proposal for oversizing of a main extension shall be submitted to the Board for those projects with BBWD participation. If the oversizing of the main extension is approved by the Board, the Developer must execute required agreements and satisfy all other requirements within one (1) year from the date of Board approval, unless otherwise stated in the Board agreement, or the Board's action shall be void.

## d. Refunding for Oversizing

The BBWD shall refund, without interest, to the Developer for the cost of oversizing the main extension as specified in the agreement(s) within 45 calendar days following acceptance by the BBWD 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 BBWD 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 BBWD, as specified in the agreement(s) within forty-five (45) calendar days following acceptance by the BBWD 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.

## e. Cost Allowance

Reimbursement by the BBWD 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 an oversized main.

## f. Alternate Method of Payment

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

of payment.

g. Special Requirements

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

### **9.3 Bolstering**

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

The BBWD 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 BBWD and delivery of an unencumbered Bill of Sale

### **9.4 Assessment BBWD Improvements**

Property owners may petition the BBWD for formulation of an assessment 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 will be pursuant to Chapter 318, Nevada Revised Statutes.

### **9.5 Water Quality Mitigation**

Any of the water facilities installed, disinfected and tested to the satisfaction of the BBWD, and connected to existing BBWD facilities, must maintain established water quality standards throughout the installed system. For projects that have installed facilities not yet accepted by the BBWD for ownership by Big Bend Water District, but are not nearing completion in a timely manner, the BBWD may contact the developer and require a Water Quality Mitigation Plan (WQ Plan). Such plan shall be negotiated between the BBWD and the developer to the satisfaction of the BBWD. Such WQ Plan shall be implemented and maintained by the developer with all approved charges, water and sewer rates, fees, and charges paid for solely by the developer.



## **SECTION 10 – CONSERVATION**

### **10.1 Introduction**

Conservation is required per the 1993 BBWD Water Delivery Contract Amendment. The voluntary conservation restrictions in this Section are designed to give the community a means to develop the best measures for the BBWD environment over a period of time. Conservation involves no real infrastructure challenges or significant capital costs, yet it effectively provides an additional resource by freeing up water that was previously consumed inefficiently or wasted. In this sense, it is one of the cheapest sources of water available to the community. It is also a resource over which we have almost complete control, because future availability depends more on our own efforts and less on influences outside the community.

The BBWD, as a member agency of the Southern Nevada Water Authority (SNWA), is committed to continued water efficiency gains. The SNWA's Conservation Plan outlines programs and initiatives to reduce Southern Nevada's use of Colorado River supplies, which includes a mix of pricing, regulation, incentives and education.

In addition to the voluntary conservation restrictions provided in this Section, additional conservation measures may be defined as deemed necessary by government jurisdictions or the BBWD to enhance Laughlin's water efficiency.

### **10.2 Water Waste**

As a condition of service, customers of the BBWD must use water delivered through the BBWD's system in a manner that promotes efficiency and avoids waste.

In the event of a conflict between the BBWD Service Rules and other applicable ordinances or regulations, the more stringent provision will prevail.

A. Water waste shall include:

1. Allowing water provided by BBWD to flow or spray off the property.
2. Failure to correct a malfunctioning device or supply line, where the customer or their agent has known of the problem for more than 48 hours.
3. Non-compliance with regulations regarding washing of vehicles, equipment, driveways, parking lots, sidewalks, streets or other surfaces or objects.
4. Discharging swimming pool or spa water drainage off the property where discharge into a public sanitary sewer is available.
5. Using spray irrigation (sprinklers) between the hours of 11:00 a.m. and 7:00 p.m. from May 1st through August 31 each year.
6. Using spray irrigation (sprinklers) and non-spray irrigation (drip emitters) in excess of the seasonal water guide outlined in Section 10.5

### 10.3 Exemptions

Exemptions to various provisions of this section are outlined in the Water Use Exemptions table. The following exemptions shall apply.

Hand watering	Time of Day	Exempt
	Seasonal Watering Guide	Exempt
	Flow or Spray Off Property	Not Exempt
New Landscape <sup>1</sup>	Time of Day	Exempt 30 days
	Seasonal Watering Guide	Exempt 30 days
	Flow or Spray Off Property	Not Exempt
Supervised Testing	Time of Day	Exempt
	Seasonal Watering Guide	Exempt
	Flow or Spray Off Property	Exempt
Public Health and Welfare	Time of Day	Exempt
	Seasonal Watering Guide	Exempt
	Flow or Spray Off Property	Exempt
Residential Car Washing	Time of Day	Exempt
	Seasonal Watering Guide	Exempt
	Flow or Spray Off Property	Exempt for 5 Minutes
Non-Spray Irrigation	Time of Day	Exempt
	Seasonal Watering Guide	Not Exempt
	Flow or Spray Off Property	Not Exempt

Irrigation of Commercial Nursery Stock	Time of Day	Exempt
	Seasonal Watering Guide	Exempt
	Flow or Spray Off Property	Not Exempt
Syringing	Time of Day	Exempt
	Seasonal Watering Guide	Exempt
	Flow or Spray Off Property	Not Exempt
Overseeding <sup>1,2</sup>	Time of Day	Exempt 30 Days
	Seasonal Watering Guide	Exempt 30 Days
	Flow or Spray Off Property	Not Exempt

<sup>1</sup>Customer must contact BBWD prior to change in irrigation schedule. Must be in compliance with all applicable codes and conservation restrictions.

<sup>2</sup>Exemption limited to one 30-day period per calendar year. No cool season grass plantings May – August.

#### 10.4 Compliance with Water Efficiency and Conservation Codes

For compliance information on water efficiency and landscape codes, refer, to [https://library.municode.com/nv/clark\\_county/codes/code\\_of\\_ordinances](https://library.municode.com/nv/clark_county/codes/code_of_ordinances). Search for Title 24, or Title 30.

**10.5 Conservation Restrictions**

- a. Irrigation Restrictions for Properties
- a. Irrigation Restrictions for Properties
  - 1. Between May 1st and August 31st of each calendar year, it shall be considered water waste to spray irrigate outdoor vegetation between the hours of 11:00 a.m. and 7:00 p.m.
  - 2. It shall be considered water waste to irrigate outdoor vegetation at variance with the following Seasonal Watering Guide, unless the property is designated as a Community Use Recreational Turf Area.

Season	Watering Schedule
Winter November – February	One Day Per Week
Spring March – April	3 Days per Week
Summer May- August	Any Day except Sunday
Fall September - October	3 Days per Week

## **SECTION 11 – MISCELLANEOUS**

### **11.1 BBWD Boundaries**

The BBWD boundaries, as established by Ordinance No. 848, are depicted on Appendix II.

### **11.2 Service Area**

The service area of the District is that area within the District boundary as established by County Ordinance.

### **11.3 Special Conditions**

In the event that conditions arise which are not specifically covered by these Rules, the Board of Trustees may take whatever action, including establishing rates and charges which, in their discretion, is warranted.

### **11.4 Effective Date**

These Rules shall become effective on the date specified by the Board in its motion for adoption.

### **11.5 Interpretation and Application**

Except for the provisions put forth in Section 1, Water Commitment, the General Manager shall have discretion in the interpretation and application of these Service Rules. This discretion shall be exercised to maintain equity among users with full documentation that will accomplish the intent of the rules, policies, and procedures of the BBWD and protect the public health, safety, and welfare.

### **11.6 Water Use Limitations**

In the event of water shortages, emergency conditions, or inability of the delivery system to provide adequate volumes of water the General Manager shall have the authority to limit water usage. Any actions taken by the General Manager pursuant to this section shall be reviewed by the Board at its next regularly scheduled meeting in complete compliance with Chapter 241 of NRS. The BBWD, may enforce any action taken under these sections by any legal means, including disconnection of a customer's water service.

### **11.7 Expansion of Facilities - BBWD Financing**

As the need arises, as determined solely by the BBWD, the BBWD will construct major facilities required to provide an adequate water supply, including wells, transmission mains, reservoirs, and pumping stations from proceeds of General Obligation Bond sales. As BBWD funds are available, the Board may direct the BBWD to construct main extensions and other improvements that are required to improve or reinforce the distribution system.

**11.8 Customer's Premises**

BBWD employees shall have the right to access to customer's property at all reasonable hours for any purpose related to the furnishing of service and protection of water quality. Except where specifically authorized for purpose of conservation, employees are prohibited from entering upon customer's premises to engage in repair or alteration of customer piping and fixtures.

**11.9 Continuity**

Adoption of these rules shall not be construed as a waiver of any right or obligation under any prior agreement, contract, or commitment.

**11.10 Administrative Appeal****a. Administrative Appeal Process**

An Applicant or customer who is aggrieved by a denial of any water service request may appeal that decision within ten (10) days from written notice of the denial by the BBWD. Written notice of appeal shall be served upon the General Manager, who shall conduct a review of the grounds alleged for appeal. Upon receipt of the General Manager's decision, the aggrieved party has 10 days to appeal that decision to the Board.

**b. Rules of Administrative Appeal**

1. Any notice given in accordance with this Section shall commence to run on the day following the mailing of the decision addressed to the Applicant or customer at the address used by such person on their application.
2. The burden of proof is on the party appealing the decision.
3. All notices of appeal shall clearly identify the matter appealed and as concisely as possible, state the argument for reversal of the decision appealed from.
4. Review by the General Manager shall be conducted and completed within 30-days of the receipt of the written notice of appeal.
5. Not later than 30-days from the date of notice of appeal from the action of the General Manager, the Board shall set the date for the public hearing at a regular meeting of the Board, within not less than 30-days.
6. The Board may reverse the final decision of the General Manager if it is:
  - a. In violation of constitutional, statutory, or Big Bend Service Rules rights.
  - b. Clearly erroneous in view of the reliable probative and substantial evidence of the hearing
  - c. Arbitrary or capricious or characterized by abuse of direction

**c. Hearing Procedure**

The following procedures shall apply to Administrative Appeals heard before the Board:

1. The proceedings shall be reported either stenographically or by a phonographic

reporter

2. Oral evidence shall be taken only upon oath or affirmation
3. Every party to a hearing shall have the right to:
  - a. Call and examine witnesses
  - b. Introduce exhibits relevant to the issues of the case
  - c. Cross-examine opposing witnesses on any matter relevant to the case, even though the matter was not covered in a direct examination
  - d. Offer rebuttal evidence
4. The hearing is not conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be admitted and may be sufficient in itself to support a finding if it is the sort of evidence that responsible persons are accustomed to rely on during the conduct of serious affairs, regardless of common law or statutory rule that might make improper the admission of such evidence over objection in an action in a court of law.
5. The Board may take official notice of any generally accepted information or technical or scientific matter, any other fact that may be judicially noticed by the courts of this state and the content of any BBWD record or official report. Parties shall be informed of any information, matters or facts so noticed, and shall be given a reasonable opportunity to refute such information, matters, or facts.

#### **11.11 Business Impact Statement Appeals**

A petition authorized by NRS Chapter 237 shall be filed with the General Manager or their designee. The petition must meet the requirements as set forth in NRS Chapter 237 and will be reviewed by the General Manager within sixty days (60) from receipt. The petition will be scheduled for Board review at the first meeting following the review process.

#### **11.12 Water Waste and Water Theft Appeals.**

Water Waste and Water Theft violations and fees may be appealed to an independent hearing officer by emailing or mailing the request within 30 days of the date of the corresponding Water Waste fee notice or Water Theft violation notice to:

water.waste@lvvwd.com  
Las Vegas Valley Water District  
Water Waste, Mail Stop 110  
PO Box 99956 Las Vegas, NV 89193

The following must be included in the appeal request:

- Appellant's name and property address;
- The date of the Water Waste fee notice or the Water Theft violation notice and the amount of the fee assessed;
- A statement and/or explanation for the appeal, including whether the appellant is appealing the violation, the fee or both;
- An indication of whether the appellant and/or the appellant's attorney or another

authorized representative will appear at the hearing in person or via phone, and the identity and contact information of any authorized representative; and

- The appellant's handwritten or typed signature.

If a request for a Water Waste or Water Theft appeal is not submitted in accordance with the above requirements before the 30-day deadline, or if a request is properly submitted but the appellant or its authorized representative does not appear at the scheduled hearing or submit evidence to the hearing officer in advance, the appellant will be deemed to have waived the right to appeal. Any decision issued by the independent hearing officer is final and binding on both the appellant and the BBWD.



**APPENDIX I**  
**RATES, FEES AND CHARGES**

**A.1 Backflow Prevention Assembly Service Charge (See Section 7.3)**

<b>Assembly Size</b>	<b>Backflow Daily Service Charge</b>
3/4"	\$0.0449
1"	\$0.0749
1 1/2"	\$0.1498
2"	\$0.2397
3"	\$0.4793
4"	\$0.7489
6"	\$1.4979
8"	\$2.3966
10"	\$3.4451

**A.2 Combined Service (See Section 7.4)**

<b>Meter Size</b>	<b>Daily Fire Service Charge</b>	<b>2025 Daily Service Charge*</b>	<b>2025 Total</b>
4" x 1 1/2"	\$0.7529	\$0.5500	\$1.3029
4" x 2"	\$0.7529	\$0.8047	\$1.5576
6" x 1 1/2"	\$1.1178	\$0.5500	\$1.6678
6" x 2"	\$1.1178	\$0.8047	\$1.9225
8" x 2"	\$1.7688	\$0.8047	\$2.5735
10" x 2"	\$2.9589	\$0.8047	\$3.7636
6" x 3"	\$1.1178	\$0.9399	\$2.0577
8" x 4"	\$1.7688	\$1.3119	\$3.0807
10" x 6"	\$2.9589	\$1.9487	\$4.9076

\* The Daily Service Charge will increase in future years in accordance with the Daily Service Charge schedule in Appendix I A.5.

**A.3 Connection Charges (See Section 7.5)****a. Application Fees**

<b>Meter Size</b>	<b>Application Fee Per Meter Size</b>
5/8"	\$140
3/4"	\$210
1"	\$350
1 1/2"	\$700
2"	\$1,120
3"	\$2,100
4"	\$3,500
6"	\$7,000
8"	\$11,200
10"	\$16,100
12"	\$23,800
Fireline without domestic meter installation	\$750
Water Plan w/Public Fire Hydrant	\$500
Staff Review Fee	\$75

**b. Frontage Connection Charges**

Per linear foot per side of adjacent right-of-way	\$17
Any parcel having less than 70 feet of chargeable frontage	\$1,190

**Refund Frontage connection charges**

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 per linear foot of installed main.

**c. Inspection Fee**

	<b>Service</b>	<b>Fee Per Service</b>
a.	Domestic Services 2" or less	\$ 185
b.	Domestic Services greater than 2" and Combined Services	\$ 1,000
c.	Firelines	\$ 550
d.	Public Fire Hydrant (without domestic service)	\$ 350
e.	Backflow Prevention Assembly (Retrofit Only)	No Charge
f.	Services with Required Backflow	\$ 85
g.	All other inspections after time limitation (Roundtrip fee)	\$ 120
h.	Cancelled Projects accumulated site inspection fee	\$ 185

**d. Oversizing Charge**

<b>Meter Size</b>	<b>Charge Per Meter Size</b>
5/8"	\$250
3/4"	\$380
1"	\$630
1 1/2"	\$1,250
2"	\$2,000
3"	\$3,750
4"	\$6,250
6"	\$12,500
8"	\$20,000
10"	\$28,750
12"	\$42,500

#### e. Service Connection- Installation

Standard <sup>1</sup> Meter Size	Complete <sup>2</sup> Service	Service Excluding Meter	Meter <sup>3</sup> Only	Advanced <sup>4</sup> Metering Infrastructures Device (AMI)	Backflow <sup>5</sup> Prevention
5/8" X 3/4"	\$1,341	\$1,177	\$60	\$104	\$840
3/4"	\$1,351	\$1,177	\$70	\$104	\$840
1"	\$1,381	\$1,177	\$100	\$104	\$840
1½"	\$1,621	\$1,267	\$250	\$104	\$1,120
2"	\$2,795	\$2,391	\$300	\$104	\$1,180
Over 2"	Actual Cost	BBWD approved meter supplied and installed by applicant.			
Residential Fire Service (RFS)					
¾"	\$1,431	\$1,177	\$150	\$104	\$840
1"	\$1,476	\$1,177	\$195	\$104	\$840
1 ½"	\$1,651	\$1,267	\$280	\$104	\$1,120
2"	\$2,870	\$2,391	\$375	\$104	\$1,180

<sup>1</sup>"Standard" is a positive displacement meter.

<sup>2</sup>Price effective upon installation of full service only. Price includes \$104 for AMI device for BBWD installed services, unless AMI already exists.

<sup>3</sup>Price includes encoder register. An AMI is required for all new or replacement services. A BBWD approved RFS meter is required for all single-family residences with fire sprinkler systems. Price for RFS meter does not include required tailpiece assembly that is not available through the BBWD. Price is basis for applicant charges.

<sup>4</sup>An automated meter reading device that sends and receives signals, and stores and sends data for billing and consumption of water.

<sup>5</sup>Devices required under NAC 445A.67185-67255, as amended, will be installed at the added rate shown above, or on an actual cost basis as determined by a contract approved by the BBWD.

#### f. Service Connection- Re-Activation

Applicant pays any costs required to locate the service and upgrade it to current BBWD standards.

### A.4 Construction Water and Other Approved Uses (See Section 7.6)

#### a. Consumption:

Tier One Rate- See Appendix I A.12

**b. Metered Construction Water and Other Approved Uses Fees**

Same Day Hydrant Meter Installation	\$70
Meter Permit Fee	\$90
Refundable Damage Deposit	\$200
Refundable Backflow Damage Deposit	\$500
Per Day Service Charge	\$2
Mobile Meter Permit Annual Fee (Pro-rated)	\$300
Mobile Meter Deposit	Replacement Cost
Delinquent Processing Fee	\$20

**Raw, Untreated Water for Construction or Any Other Purpose**

Raw, untreated water delivered for use during construction or any other purpose will be charged at the following rates:

- Monthly Service Charge equals 100 percent of the potable rate.
- Water Usage Rates equals 50 percent of the potable rate.
- Delivery Charge equals 100 percent of cost to deliver raw water and maintain any equipment or assets required to deliver raw water.

**A.5 Daily Service Charge (See Section 7.7)**

Meter Size	Daily Service Charge*
<b>Effective 01/01/2025</b>	
5/8"	\$0.4068
3/4"	\$0.4068
1"	\$0.4271
1 1/2"	\$0.5500
2"	\$0.8047
3"	\$0.9399
4"	\$1.3119
6"	\$1.9487
8"	\$3.0822
10"	\$5.1568
12"	\$8.5941

\* The Daily Service Charge is adjusted annually on January 1. The rate is set in accordance with the annual increase of September the previous year, per the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W).

**A.6 Damage to or Tampering with BBWD Property (See Section 7.8)**

Damage and Tampering	All Costs Incurred
Locked Service (Simple Lock)	\$20
Locked Service Complex (Birdcage) Lock	\$120
Automated Meter Reading Equipment	\$124

**A.7 Delinquencies & Deficiencies (See Section 7.10)**

Deficiency Fee – Per Service Per Day	\$2.00
Lien Processing Fee	\$200
Delinquent Processing Charge	4% of arrears
Re-connection charge delinquent account	\$20 per occurrence
Re-establish Service Fee	\$100
Re-establish Service Deposit (Restricted Use)	\$1800
Payments not honored by financial institutions	\$15

**A.8 Deposits (See Section 7.9)**

Security Deposit	\$100 equivalent to the charge for the highest 3 months during the last 12 months, whichever is greater but no more than \$300.
	The BBWD will require not less than two and one half (2.5) times the highest monthly bill as assessed during a twelve-month period or the standard deposit amount as established for various service types and sizes.
Construction Deposit	Estimated Cost

**A.9 Meters (See Section 7.15)**

Meter Credit (meter unused/undamaged)	100%
Meter Credit (damaged)	30%
Meter Size	Installation Charge
1" or smaller	\$165
1½"	\$275
2"	\$600
AMR Replacement Fee	\$124
Meter Testing Fee	\$75

**A.10 Private Fire Service (See Section 7.16)**

<b>Meter Size</b>	<b>Daily Fire Service Charge</b>
5/8"	\$0.2334
3/4"	\$0.2334
1"	\$0.2449
1 1/2"	\$0.3156
2"	\$0.4619
3"	\$0.5392
4"	\$0.7529
6"	\$1.1178
8"	\$1.7688
10"	\$2.9589
12"	\$4.9315
Hydrant	\$0.4619

Billed at the Tier Two rate and a multiplier may be applied as follows:

<b>Fire Line Size</b>	<b>Multiple</b>
≤ 2"	1
3"	12
4"	21
6"	47
8"	80
10"	127
12"	167

**A.11 System Development Approval Charges (SDA) (See Section 7.19)**

<b>Meter Size</b>	<b>SDA Amount</b>
5/8"	\$2,050
3/4"	\$3,075
1"	\$5,125
1 1/2"	\$10,250
2"	\$16,400
3"	\$32,800
4"	\$51,250
6"	\$102,500
8"	\$164,000
10"	\$235,750
12"	\$348,500

## A.12 Tier Consumption Rate Charges (See Section 7.20)

### Water Usage Rates Schedule

#### Monthly Conservation Consumption Amount (Gallons):

Meter Size	Monthly Non-Residential	Monthly Residential
5/8"	40,000	15,000
3/4"	40,000	15,000
1"	90,000	60,000
1 1/2"	180,000	120,000
2"	900,000	150,000
3"	1,800,000	300,000
4"	2,200,000	400,000
6"	3,500,000	
8"	4,600,000	
10"	7,400,000	
12"	11,000,000	

#### Consumption Thresholds for Metered Water

Meter Size	Tier	Average Daily Use (Gallons)	
		Non Residential	Residential
5/8"	1	First 1,333	First 500
	2	Over 1,333	Over 500
3/4"	1	First 1,333	First 500
	2	Over 1,333	Over 500
1"	1	First 3,000	First 2,000
	2	Over 3,000	Over 2,000
1 1/2"	1	First 6,000	First 4,000
	2	Over 6,000	Over 4,000
2"	1	First 30,000	First 5,000
	2	Over 30,000	Over 5,000
3"	1	First 60,000	First 10,000
	2	Over 60,000	Over 10,000
4"	1	First 73,333	First 13,333
	2	Over 73,333	Over 13,333
6"	1	First 116,666	
	2	Over 116,666	
8"	1	First 153,333	
	2	Over 153,333	



10"	1	First 246,666	
	2	Over 246,666	
12"	1	First 366,666	
	2	Over 366,666	

### **Consumption Charges for Metered Water**

<b>Tier</b>	<b>Effective 01/01/2025</b>
Tier 1	\$4.70
Tier 2	\$5.91

\* The Tier Rates are adjusted annually on January 1. The rates are set in accordance with the annual increase of September the previous year, per the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W).

#### **A.13 Turn-On/Shut Off Fees (See Section 7.21)**

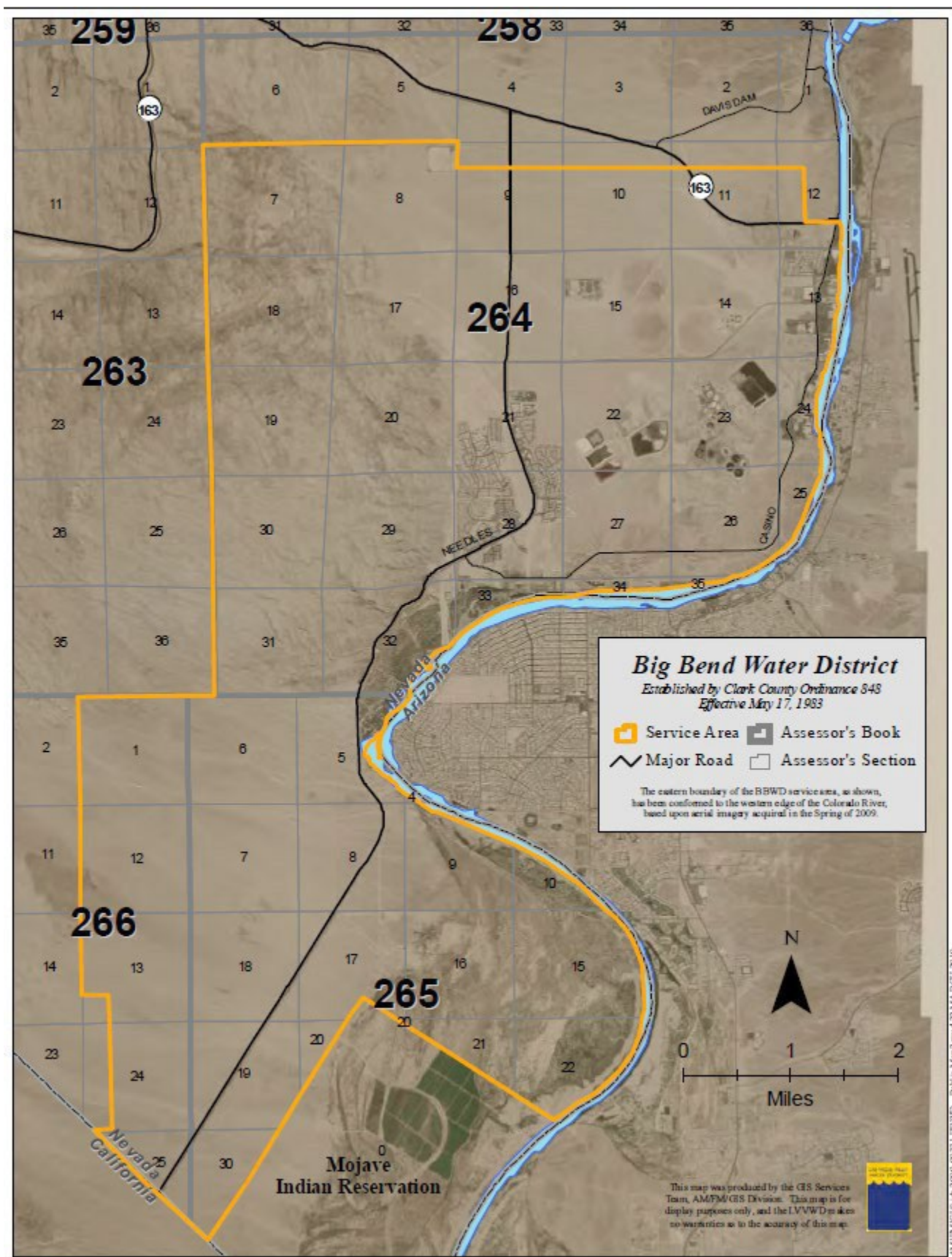
Same Day Fee	\$15
After Hours/Holidays	\$70
Turn-Off Main	Cost to discontinue service

#### **A.14 Water Theft Charges and Fees (See Section 7.23)**

<b>Water Theft Schedule of Charges and Fees</b>	
1 <sup>st</sup> Violation Fee	\$5,000
2 <sup>nd</sup> & Subsequent Violation Fee	\$10,000
Estimated Usage Charge	12 x Applicable Rate
Charge for Damage to District Facilities	Actual Cost Incurred

**APPENDIX II**

**BIG BEND WATER DISTRICT**  
**BOUNDARY MAP**



## **APPENDIX III**

SYSTEM DEVELOPMENT APPROVAL CHARGE  
SYSTEM DEFICIENCIES  
DESIGNATED DEVELOPMENTS EXCEPTIONS LIST

Notwithstanding the foregoing paragraphs, it is recognized by the Board of Trustees that the BBWD SDA charges for designated undeveloped parcels have been deferred and not been paid. These designated developments are listed in Appendix III of these Rules. This designated development list establishes a record of and acknowledges the current unpaid SDA status of these parcels.

No development or lot listed herein shall be construed to have any other technical or administrative exception to any BBWD, or other approving document or agency requirement for the acceptance of the development by the BBWD, or other responsible agency.

To the extent that new single family detached residential unit subdivision, parcel maps, or land divisions are developed by developers who pay all other applicable fees, but do not desire a water commitment as described in Section 1.2 of these Rules and desire to defer payment of SDA charges, these developments will be added to Appendix III and treated in the same manner. These developments will be required to pay the nonrefundable outstanding SDA charge for a parcel prior to obtaining a building permit for the parcel. The BBWD will record a Notice with the Clark County Recorder's Office that shows a chain of title based on Assessor's Parcel Number that the SDA charge has not been paid on the parcel. All fees connected with the recording and the SDA charge will be due in the amounts in effect at the time of payment.

### Potential SDA Charge Exceptions

The following is a list of parcels created under the SDA Charge Exception, Section 1.11, following the effective date of the amended Service Rules, July 1, 2010.

#### DESIGNATED DEVELOPMENTS

Laughlin Estates II				
APN Numbers				
26428212001	26428212003	26428212005	26428212008	26428311004
26428212002	26428212004	26428212006	26428311001	26428311005
26428212011	26428311007	26428212007	26428311002	26428311009
El Mirage Estates, Unit 1				
APN Numbers				
26421415008	26428114003			
Cottage Court, Ph I, Unit 1				
APN Numbers				
26428317001	26428317002	26428713001	26428713014	26428811013

Cottage Court, Ph I, Unit 2	
APN Numbers	
26428711005	26428711006

Cottage Court, Ph I, Unit 3				
APN Numbers				
26428712001	26428712004	26428712007	26428712010	26428712013
26428712002	26428712005	26428712008	26428712011	26428712014
26428712003	26428712006	26428712009	26428712012	

