

# CHAPTER 1

## CUSTOMER SERVICES, RATES, FEES, AND CHARGES WATER/WASTEWATER

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## **SECTION 1 – CUSTOMER SERVICES, RATES, FEES, AND CHARGES**

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

A user of the sewer / wastewater facilities receives sewer services at all times during which there is any billing unit or ERU upon the user's parcel of land that is connected to and may contribute to the CSWRD's sewer system, except for periods during which the user qualifies for the emergency relief rate. Each user is responsible for all charges charged or assessed by CSWRD, applicable to the user's land, whether for system development approval charges, pretreatment requirements, or monthly sewer charges. It is the responsibility of the user to inform the CSWRD of any changes in use, ownership, billing address, installation, or removal of any billing units or ERUs within 30 calendar days after each such change. The user may be held liable for unpaid charges from the date of such change. Removal of any billing unit or ERU must be to the satisfaction of the CSWRD.

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

- a. Is contrary to the CSWRD's obligation to assure reasonable use including, but not limited to compliance with rules for water or wastewater efficiency, drought, conservation, and the use of non-potable water for irrigation.
- b. May encumber or impair the CSWRD'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 CSWRD.

The conservation of groundwater is an integral component of the CSWRD's long-range water resource plan. The CSWRD, through these Service Rules, policies, and procedures makes a consistent effort to maximize the resources of groundwater basins. The CSWRD is required under various statutes and federal codes to provide for beneficial use and avert the waste of water. The CSWRD 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. Further, the CSWRD may conserve water by providing customers with non-potable water, when available, for use in an efficient, effective manner.

### 1. Interruption of Service

The CSWRD will exercise reasonable diligence and care to deliver a continuous supply of water and collection and treatment of wastewater. However, the CSWRD will not be liable for interruptions, shortage, and insufficiency of supply or for any loss, inconvenience, or damage occasioned thereby. The CSWRD will endeavor to notify customers in advance of any interruption in service due to repairs, or other causes. However, in emergency conditions, when notification is not practical, service may be interrupted without warning for indefinite periods of time.

### 2. Area Served

Water and wastewater services pursuant to these Service Rules may be provided to any property within the area described and approved by the CSWRD as its service area.

### 3. Parcel Location and Main Lines

New applications for service will be accepted only if flow and treatment capacity within CSWRD facilities are available. For a parcel adjacent to any water or sewer main line, main lines must be within a

dedicated right-of-way or easement grant to the CSWRD. Applications for service that do not meet these conditions will require a main extension or other improvements to meet CSWRD standards.

In order to obtain service to a parcel not immediately adjacent to any water or sewer main as required above, the applicant will be required to provide a main line extension in accordance with the requirements of these Service Rules, and in accordance with NRS 318.170.

4. Damage to Property

The CSWRD will not be liable for damage to property occasioned by water and/or wastewater running from open or faulty piping or fixtures on the customer's property.

5. Access to CSWRD 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 CSWRD facilities for work of any nature, shall be liable for costs incurred in removing such items. The CSWRD 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 property owner may correct the condition. If the property owner fails to remove the obstruction within the 60-day period, the CSWRD may complete the work, at the sole cost of the property owner. However, in the event of an emergency, the CCWRD has the right to cause the obstruction to be removed without notice to the property owner and all related costs are the property owner's responsibility. At the property owner's option, subject to CSWRD prior approval, the CSWRD 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 CSWRD; or the property owner may make application for relocation by the CSWRD 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 or wastewater service to the subject property.

For the purposes of providing service to offsite facilities, the CCWRD 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 CCWRD, such mains shall have non-exclusive right of access. Any construction by property owners, which affects those facilities, shall be allowed, subject to the removal and reinstallation of the facility to CCWRD specification and approval, at the expense of the property owner(s).

Subject to CSWRD prior approval, and at the property owner's option, CSWRD 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 CSWRD. Alternatively, the property owner may make application for relocation by the CSWRD and at that time pay a deposit towards the actual total cost to be borne by said property owner.

6. Customer's Premises

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

## 1-1.1 CSWRD Monthly Metered Rates for Domestic Service:

| Monthly Metered Rates |                      |                            |                                    |
|-----------------------|----------------------|----------------------------|------------------------------------|
| Meter Size (inches)   | Service Charge Daily | Rate Blocks Avg. Daily Use | Consumption Rate Per 1,000 gallons |
| 5/8"                  | \$0.1350             | First 167                  | \$1.10                             |
|                       |                      | Next 167                   | \$1.90                             |
|                       |                      | Next 333                   | \$2.65                             |
|                       |                      | Over 667                   | \$3.50                             |
| 3/4"                  | \$0.1555             | First 250                  | \$1.10                             |
|                       |                      | Next 250                   | \$1.90                             |
|                       |                      | Next 500                   | \$2.65                             |
|                       |                      | Over 1,000                 | \$3.50                             |
| 1"                    | \$0.1965             | First 417                  | \$1.10                             |
|                       |                      | Next 417                   | \$1.90                             |
|                       |                      | Next 1,666                 | \$2.65                             |
|                       |                      | Over 2,500                 | \$3.50                             |
| 1½"                   | \$0.2988             | First 833                  | \$1.10                             |
|                       |                      | Next 833                   | \$1.90                             |
|                       |                      | Next 6,667                 | \$2.65                             |
|                       |                      | Over 8,333                 | \$3.50                             |
| 2"                    | \$0.4217             | First 1,333                | \$1.10                             |
|                       |                      | Next 1,333                 | \$1.90                             |
|                       |                      | Next 16,000                | \$2.65                             |
|                       |                      | Over 18,666                | \$3.50                             |
| 3"                    | \$0.7493             | First 2,667                | \$1.10                             |
|                       |                      | Next 2,667                 | \$1.90                             |
|                       |                      | Next 42,666                | \$2.65                             |
|                       |                      | Over 48,000                | \$3.50                             |
| 4"                    | \$1.1179             | First 4,167                | \$1.10                             |
|                       |                      | Next 4,167                 | \$1.90                             |
|                       |                      | Next 125,000               | \$2.65                             |
|                       |                      | Over 133,334               | \$3.50                             |
| 6"                    | \$2.1417             | First 8,333                | \$1.10                             |
|                       |                      | Next 8,333                 | \$1.90                             |
|                       |                      | Next 400,000               | \$2.65                             |
|                       |                      | Over 416,666               | \$3.50                             |
| 8"                    | \$3.3703             | First 13,333               | \$1.10                             |
|                       |                      | Next 13,333                | \$1.90                             |
|                       |                      | Next 773,337               | \$2.65                             |
|                       |                      | Over 800,000               | \$3.50                             |
| 10"                   | \$4.8036             | First 19,167               | \$1.10                             |
|                       |                      | Next 19,167                | \$1.90                             |
|                       |                      | Next 1,303,333             | \$2.65                             |
|                       |                      | Over 1,341,667             | \$3.50                             |
| 12"                   | \$7.0560             | First 28,333               | \$1.10                             |
|                       |                      | Next 28,333                | \$1.90                             |
|                       |                      | Next 1,926,667             | \$2.65                             |
|                       |                      | Over 1,983,333             | \$3.50                             |

Average Daily Use Rate Blocks described in this Chapter 1, will be multiplied by the number of days in the billing period, and rounded to the appropriate whole consumption (1,000 gallons) to determine that billing period's rate blocks. Consumption within the billing period rate blocks will be billed at the appropriate block rate shown above. The Daily Service Charge as described in this Chapter 1, will be multiplied by the number of days in the billing period to determine the service charge for that billing period.

Charges for water may be affected by water budgeting rules.

A rate for raw water delivery and consumption will be set in the future.

#### 1-1.2 Private Fire Protection Service

Applicable to all services through which water is used solely for extinguishing fires. Private fire service shall be assessed a daily service charge.

| <u>Service Size</u> | <u>Daily Charge</u> |
|---------------------|---------------------|
| 2" and under        | \$0.2300            |
| 3"                  | \$0.3820            |
| 4"                  | \$0.5490            |
| 6"                  | \$1.0127            |
| 8"                  | \$1.5692            |
| 10"                 | \$2.2185            |
| 12"                 | \$3.2387            |

The consumption charge will be set at the third tier consumption rate of the adopted Rate Schedule for all non-fire related consumption.

#### 1-1.3 Combined Service

The service charge will be determined by applying the domestic daily service charge to the smaller meter and the private fire protection daily service charge (Chapter 1 of these Service Rules) to the larger meter. The consumption through both meters will be added together and billed at the appropriate domestic service rate (Chapter 1) based on rate blocks for the smaller meter. Charges for combined services include, but are not limited to, those on the table for this section.

| <u>Size</u> | <u>Fire</u> |
|-------------|-------------|
| 4" x 2"     | \$0.5490    |
| 6" x 2"     | \$1.0127    |
| 8" x 2"     | \$1.5692    |
| 10" x 2"    | \$2.2185    |
| 6" x 3"     | \$1.0127    |
| 8" x 4"     | \$1.5692    |
| 10" x 6"    | \$2.2185    |

## 1-1.4 Backflow Service Charge(s)

All customers having backflow prevention assemblies shall be required to pay the following daily service charges for each backflow prevention assembly required by the CSWRD in addition to other daily service charges:

| Assembly Size | Assembly Location | Daily Service Charge |
|---------------|-------------------|----------------------|
| 3/4"          | All               | \$0.1278             |
| 1"            | All               | \$0.1278             |
| 1½"           | All               | \$0.1278             |
| 2"            | All               | \$0.1278             |
| 3"            | Above Ground      | \$0.3834             |
| 3"            | Below Ground      | \$0.8307             |
| 4"            | Above Ground      | \$0.6391             |
| 4"            | Below Ground      | \$1.3848             |
| 6"            | Above Ground      | \$1.2779             |
| 6"            | Below Ground      | \$2.7687             |
| 8"            | Above Ground      | \$2.0447             |
| 8"            | Below Ground      | \$4.4301             |
| 10"           | Above Ground      | \$2.9395             |
| 10"           | Below Ground      | \$6.3690             |

## 1-1.5 Water and Wastewater Capital Infrastructure Surcharge

In addition to other rates, charges, usage and consumption charges, a monthly surcharge for water and wastewater infrastructure will be assessed in the amount of \$45 based on one ERU of equivalent service. This charge applies if the water service is shut off and remains off for any reason.

## 1-1.6 Asset Management Charge

The charge established for the financial impact of residential and non-residential services on the capital cost of infrastructure replacement shall be \$.63 per thousand gallons of potable water.

## 1-1.7 Application for Service

Application for service for water or wastewater may be through:

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

The CSWRD will require any person requesting service to demonstrate that an adequate water supply exists to fulfill water commitment requirements, to sign appropriate application forms provided by the CSWRD, and to pay all required fees, charges, and deposits.

Notwithstanding any provision in these Service Rules or construction of water or wastewater facilities at a Developer or CSWRD's expense, the CSWRD may deny any request for a water commitment or request

for a water or sewer connection if the CSWRD has an inadequate amount of water, or there are physical limitations in the water or wastewater system capacity to serve the proposed customer and simultaneously maintain an adequate level of service to other customers, or the request compromises public health and safety.

The CSWRD permits persons to request water service turn-on and shut-off, over the telephone provided that the person has established credit with the CSWRD, is the property owner, or is indicated in CSWRD records as authorized by the customer to transact business on their behalf. The CSWRD may also permit persons to conduct business with the CSWRD, including requests for water service turn on and shut off, via facsimile transmission or through other electronic transmittal methods as determined by CSWRD.

#### 1-1.8 Existing Service Connection

Customers requesting service through existing service connections of the CSWRD must provide information as required by the CSWRD. Such information shall include, but not be limited to, full name and Social Security number or Tax I.D. number. If a spouse or co-owner wants to share the account credit history, that person's full name and Social Security Number must be provided as well. The customer shall provide any other information, which will assist the CSWRD in properly locating the service connection, including a description of the development, documentation of installation approval, and the use of water and plumbing plans of the private facilities if required.

Any costs incurred by the CSWRD to bring a service connection to CSWRD 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.

#### 1-1.9 New Service Connection

A new service connection to CSWRD facilities shall be made to a main only after evidence of a water commitment is presented to the CSWRD and a proper application has been made by the property owner or his legally designated representative on forms provided by the CSWRD, and the application is acceptable to the CSWRD. The application for a new service connection must conform to the requirements listed in Chapter 2 of these Service Rules.

#### 1-1.10 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, including, without limitation, Chapter 1 and Chapter 3 of these Service Rules.

#### 1-1.11 Inaccurate/Insufficient Information

In the event information provided by the applicant is found to be inaccurate or insufficient 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. Chapter 1 of these Service Rules will also apply in instances of onsite changes necessitating corrective action or modification to the service connection.

#### 1-1.12 Refusal of Service

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

- a. There is no water commitment to the property.
- 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 CSWRD, is to circumvent discontinuance of service in another name because of non-payment of bills or other infraction of these Service Rules.
- d. The requirements of these Service Rules are not fulfilled.

#### 1-1.13 Reapplication for Disconnected Service

The customer shall be required to pay all past due charges and 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 CSWRD 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 and shall be required to pay all applicable fees, charges, and deposits.

#### 1-1.14 Deserted Service Connection

Applicants who apply for activation of a service that has been classified in CSWRD records as a “deserted service” 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 his expense can locate a service classified as a “deserted service” the service must be brought to CSWRD standards at the property owner(s) or applicant’s expense, and an application fee paid, before it is reactivated.

#### 1-1.15 Wastewater Application for Service

It is unlawful for any person, to connect to or otherwise use CSWRD wastewater facilities without a system development approval. Connection to CSWRD facilities shall be granted when the following requirements are met:

- a. Submission of a completed application for sanitary sewer service provided by the CSWRD which shall include a legal description of the property to be served including address or the County Assessor’s parcel number (APN) assigned to the legal tax lot(s) and submission of complete plans showing the number and type of billing units to be connected to the sewer system and the type of waste to be generated;
- b. Approval by the CSWRD of completed application and plans in accordance with the CSWRD design criteria.
- c. Payment of the System Development Approval charges for the number and type of billing units shown on the plans.
- d. Payment of System Development Approval charges for all billing units on the property for which charges were not previously paid; and
- e. Payment of all delinquent charges related to the property for sewer charges, emergency relief, and lien or lien release recording and processing, interest penalties, and other charges. For the number of ERUs calculated from the number and type of billing units shown on the plans submitted with the completed application, System Development Approval charges for connection shall be due and payable in advance and at the rate in effect on the date of issuance of the system development approval. The CSWRD will keep a record of the total number of billing units or

ERUs for which each user has paid system development approval charges and a record of the type or location of any billing units upon the user's land. Before a user installs billing units or ERUs, which have not been paid for or are in addition to those for which charges have been paid, a system development approval for the additional billing units or ERUs must be obtained from the CSWRD. The CSWRD may at any time, but is not obligated to, inspect the billing units located upon any user's land for the purpose of calculating ERUs that have been installed.

System Development Approval charges for billing units or ERUs that have not been paid for or are in addition to the type for which charges have been paid are due and payable as of the date of discovery and at the rate in effect at the date of discovery by the CSWRD of such additional billing units or ERUs. Penalties at the maximum amount permitted by law shall be added to the amount due when System Development Approval charges are not paid prior to installation of additional billing units pursuant to applicable sections of NRS 318. Additional ERUs shall be billed to the property owner.

For projects which will be connected to CSWRD facilities, if construction is not commenced (as defined in Clark County Code), within one year from the date of issuance of a system development approval, or if construction is discontinued for a period of one year, the project shall be deemed to have been abandoned and any subsequent proposal to resume construction shall be treated as a new project. In the event of abandonment of a project, prepaid system development approval charges shall be refunded.

Projects which have obtained system development approvals under the provisions of a "presell resolution" shall be governed by the provisions of the specific "presell resolution" adopted by the Board.

#### 1-1.16 Water Pressures

Applicants for service from a main through which prevailing water pressure will either exceed or fall below normal operating limits shall be responsible for installation of pressure regulators, storage tanks, or other devices as required by the CSWRD. In accordance with the Uniform Plumbing Code, individual pressure reducing valves are required to be installed and maintained by the property owner whenever static water pressure exceeds 80 psi.

Prior to CSWRD service being provided which will either exceed or fall below normal operating limits, the customer will be required to give written acknowledgment and acceptance of the high or low-pressure conditions.

The CSWRD may adjust normal operating limits after advising the affected customers.

#### 1-1.17 Interruption of Service

The CSWRD will exercise reasonable diligence and care to deliver a continuous supply of water. However, neither the CSWRD, nor the LVVWD nor the CCWRD, will be liable for interruptions, shortage, and insufficiency of supply or for any loss, inconvenience or damage occasioned thereby. The CSWRD will endeavor to notify customers in advance of any interruption in service due to repairs, or other causes. However, in emergency conditions, when notification is not practical, service may be interrupted without warning for indefinite periods of time.

#### 1-1.18 Area Served

Water and wastewater service may be provided to property that is a part of the area in which the CSWRD is authorized to provide services, and as further described in the well permits approved by the State Division of Water Resources.

#### 1-1.19 Parcel Location Adjacent to Main

New applications for service will be accepted only if a minimum of twenty feet of useable main that meets the CSWRD's pressure, flow, and treatment capacity standards are located adjacent to the parcel to

be served. Said mains must be within a dedicated right-of-way or easement grant to the CSWRD. Applications for service that do not meet those conditions will require a main extension or other improvements to meet pressure, flow, and treatment capacity standards.

#### 1-1.20 Parcel Not Adjacent to Main

In order to obtain service to a property not immediately adjacent to a water or sewer main as required above, the applicant will be required to provide a main extension in accordance with the requirements of these Service Rules, and in accordance with NRS 318.170, or the applicant may make application for a non-standard service if the property meets the requirements for a non-standard water or sewer service.

#### 1-1.21 Damage to Property

The CSWRD will not be liable for damage to property occasioned by water or wastewater running from open or faulty piping or fixtures on any customer's property. Customers who request activation of a service shall be responsible for damage resulting from such activation due to open or faulty piping and fixtures on the customer's property. The CSWRD 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 CSWRD will endeavor to leave a notice of explanation for the customer. In the event of request for same day service activation, the associated fee will remain applicable.

#### 1-1.22 Efficient Water Use

Any person(s) or association(s) is prohibited from imposing private covenants, conditions, restrictions, deed clauses, or other agreements between the parties, which prevents person(s) from utilizing water efficient landscaping including, but not limited to, water smart landscape, in the conservation of water.

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

#### 1-1.23 Classes of Water Service

All service connections shall be classified as domestic, private fire, combined, construction, and/or supplemental for billing purposes.

##### a. Domestic Service

Includes all service connections through which water is delivered for all purposes permissible under the law except private fire service and construction service.

##### b. Private Fire Service

Includes all service connections through which water is delivered to private property for fire protection exclusively.

##### c. Combined Service

Includes all service connections through which water is delivered for domestic use and for onsite private fire protection.

##### d. Construction Water

1. Includes non-permanent, metered connections for delivery of water for use during construction projects.

2. Construction services may not be used to avoid installation of a permanent water service, connection for permanent irrigation, domestic service, or private fire service.

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

#### 1-1.24 Rates

Rates for areas operated by the CSWRD may be established and approved by the Board based on actual costs to serve those designated areas. The CSWRD shall have the right to directly access property, bill, receive, and collect all charges, fees, and deposits. The CSWRD shall maintain accurate records of such transactions subject to standard audit processes.

#### 1-1.25 Delinquent Processing Charge

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 the rate specified in 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 all past due charges plus processing fees. The CSWRD may, at its sole and exclusive discretion, make arrangements for other than full payment.

Should the customer reactivate the service or tamper without consent of the CSWRD, an additional charge of \$120 will be made for each such occurrence. In addition to the \$120 fee, the CSWRD may determine that a shutoff valve is to be installed at the expense of the property owner in accordance with these Service Rules.

#### 1-1.26 Fee to Reestablish Service

Customer(s) or property owners will be charged a \$120 fee per incident for services that have been locked for tampering, illegal use, and/or prevention of further damage to CSWRD facilities. Further service to the parcel must be established only in the name of the property owner. When service is shut off at the main, or restricted from use by the CSWRD by means other than locking the service, the property owner or the property owner's representative possessing an appropriate power of attorney must pay a deposit of \$1,800 in the form of cash, cashier's check, or money order to the CSWRD to cover the actual cost of damage incurred by the CSWRD in addition to any other applicable fees, charges or deposits before a turn-on will be scheduled. Once actual costs are determined, the property owner will be billed or refunded the difference between the deposit and the actual cost.

If it can be demonstrated to the CSWRD that neither the property owner nor an authorized representative is available to meet the above-mentioned requirements for turn-on, a resident of the property may have water service reinstated by securing and delivering to the CSWRD a one year irrevocable letter of credit or a bond in a form approved by the CSWRD, in an amount equal to the average of the three (3) highest water bills for the property in question over the last calendar year prior to turn-on, in addition to posting a cash deposit in the amount of \$1,800 to cover the actual cost of damage incurred by the CSWRD. Should the deposit exceed the damages incurred by the CSWRD, a refund of the excess will be made.

#### 1-1.27 Late Fees - Delinquent Accounts

If payment of a bill is not received by the CSWRD prior to the due date as stated on the bill, said date being the first working day twenty-four (24) calendar days after the billing date, the account shall be charged on a succeeding bill, at a rate of four percent (4%) of the first \$300 in arrears, plus two percent (2%) of any amount in arrears in excess of \$300. Said fees shall not be compounded by more than a single application to delinquent accounts. Government agencies shall be exempt.

## 1-1.28 Turn-On/Shut Off Fees

- a. An existing water service will be turned on or shut off for a fee of \$100, provided that the requested effective date for service activation or service interrupted for delinquency is at least one business day after an application is accepted.

Same-day service activation or restoration for service interrupted for delinquency may be provided for a fee of \$120 for requests received prior to the close of the business day. Requests received after normal business hours, or on weekends, or during a holiday for same day service activation or restoration will be assessed a fee of \$180 provided that the CSWRD can respond to the customer's request.

- b. Same day shut off service may be provided for a fee of \$120 for requests received prior to the close of the business day. Requests received after normal business hours, or on weekends, or during a holiday for same day service shut-off will be assessed a fee of \$180 provided that the CSWRD can respond to the customer's request.

## 1-1.29 Damage to or Tampering with CSWRD Property

Persons causing damage to, or tampering with, CSWRD 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.

## 1-1.30 Prosecution for Illegal Use of Water

Any person who shall wrongfully and maliciously appropriate or use any CSWRD water or wrongfully and maliciously interfere with any officer, agent, or employee of the CSWRD, LVVWD or CCWRD in the proper discharge of his or its duties as related to the CSWRD 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 CSWRD officer, agent, or employee 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.

## 1-1.31 Service Guarantee Program

At the CSWRD's sole discretion, CSWRD will apply a single, non-aggregating, and non-compiling, \$10 credit to a current customer's active account in the following situations:

- a. If the CSWRD turns off the customer's water service in error.
- b. If the CSWRD does not activate the customer's service on the date requested.
- c. If the CSWRD does not respond to a billing inquiry within seven (7) business days.
- d. If the CSWRD validates receipt of payment, but does not process the payment correctly.
- e. If the CSWRD, in its sole discretion, may determine if this credit is warranted due to actions of the CSWRD's staff.

## 1-1.32 Locked Service

If a lock installed on a service connection to restrict use of water is removed by anyone other than an authorized CSWRD employee, the customer or Developer shall be charged \$140 for a damaged simple lock, \$220 for a damaged complex (Birdcage) lock, in addition to any other charges or fees.

1-1.33 Automated Meter Reading Equipment

The customer or owner of record may be charged \$104 for replacement of a damaged automated meter-reading device on their property.

1-1.34 Meter Testing Fee

A customer serviced by a meter 2” and smaller may request that the meter, once tested onsite, be removed for further accuracy testing and replaced with another meter for a fee of \$75. 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.

1-1.35 Payments Not Honored by Financial Institutions

Payments 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 CSWRD that are paid by checks or electronic presentment that are not honored by any financial institution shall be charged a \$15 “returned payment fee” in addition to any other 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 CSWRD.

Remittance for amounts due on accounts with the CSWRD which 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 CSWRD, 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 amount and charges due in cash.

1-1.36 Water Waste - Administrative Fees

Customers issued a violation notice as defined by the CSWRD shall be assessed a fee according to the listed schedule. Violation levels shall be based upon violation history for the preceding 36 months.

| Sustainable, Concerned and Critical Schedule |                           |                           |                           |                           |                            |
|--|---------------------------|---------------------------|---------------------------|---------------------------|----------------------------|
| Meter Size                                   | 1 <sup>st</sup> Violation | 2 <sup>nd</sup> Violation | 3 <sup>rd</sup> Violation | 4 <sup>th</sup> Violation | 5 <sup>th+</sup> Violation |
| 1” and Less                                  | \$100                     | \$100                     | \$100                     | \$160                     | \$ 320                     |
| Over 1” but less than 3”                     | \$120                     | \$140                     | \$160                     | \$320                     | \$ 640                     |
| 3” and over                                  | \$140                     | \$160                     | \$320                     | \$640                     | \$1,280                    |

| Emergency Schedule       |                           |                           |                           |                           |                            |
|--------------------------|---------------------------|---------------------------|---------------------------|---------------------------|----------------------------|
| Meter Size               | 1 <sup>st</sup> Violation | 2 <sup>nd</sup> Violation | 3 <sup>rd</sup> Violation | 4 <sup>th</sup> Violation | 5 <sup>th+</sup> Violation |
| 1” and Less              | \$120                     | \$140                     | \$160                     | \$200                     | \$ 400                     |
| Over 1” but less than 3” | \$140                     | \$160                     | \$180                     | \$400                     | \$ 800                     |
| 3” and over              | \$160                     | \$200                     | \$400                     | \$800                     | \$1,600                    |

1-1.37 Wastewater Billing Schedule

The rate for the collection and treatment of wastewater shall be \$20.00 monthly, per ERU, for both residential and non-residential customers, per the schedule below.

The current method for determining ERUs from which all residential charges will be calculated shall be determined as follows:

| SCHEDULE                   |                                  |      |
|----------------------------|----------------------------------|------|
| Customer Class             | Billing Unit                     | ERU  |
| Single-Family              | Each Dwelling Unit               | 1.00 |
| Mobile Home                | Each Dwelling Unit, Lot or Space | 1.00 |
| Recreational Vehicle Parks | Each Space or Site               | 0.10 |
|                            | Each Outside Fixture             | 0.45 |
| Multiple Residential       | Each Dwelling Unit               | 0.70 |
| Senior Apartment           | Each Dwelling Unit               | 0.50 |
| Condominiums/Townhouses    | Each Dwelling Unit               | 0.50 |
| Other                      | Each Dwelling Unit               | 1.00 |

The number of ERUs for all commercial and other customer classes shall be determined in accordance with the schedule set forth below:

| SCHEDULE                                |              |      |
|---|--------------|------|
| Customer Class                          | Billing Unit | ERU  |
| Hotel                                   | Each Room    | 0.60 |
| ** Plus fixtures outside of hotel rooms | Each Fixture | 1.50 |
| Casino                                  | Each Fixture | 1.50 |
| Restaurant                              | Each Fixture | 1.33 |
| Hospital                                | Each Bed     | 1.20 |
| Convalescent and Rest Homes             | Each Bed     | 0.75 |
| Church                                  | Church       | 0.50 |
| Theme Parks                             | Each Fixture | 1.00 |
| Special Events Centers                  | Each Fixture | 0.65 |
| Limited Events Centers <sup>4</sup>     | Each Fixture | 0.45 |

Business operations separately rated:

**Type A** – Each Fixture = 1.00 ERUs

Dry cleaners, markets with garbage disposals, bars/taverns with food sales, and motor vehicle sales with automated wash facilities

**Type B** – Each Fixture = 0.65 ERUs

Bars and taverns, retail sales, drug stores, service stations, food sales without cooking facilities, and miscellaneous businesses not separately rated

**Type C** – Each Fixture = 0.45 ERUs

Offices, office-warehouses, Laundromats, and maintenance and repairs

**Type D** – Each Fixture = 0.25 ERUs

Beauty and barbershops and all types of medical or dental clinics

School <sup>2</sup>, both public and private facilities – Each Student = 0.10 ERUs

Large commercial, commercial  $\frac{\text{adjusted annual water use}}{90,000 \text{ gallons}}$  = Total ERUs

Laundry and car washes <sup>3</sup>

To calculate total ERUs, multiply the number of billing units by the ERU factor for the applicable customer category.

Examples:

Single Family home x 1.00 per dwelling unit = 1.00 ERUs

8 Multiple Residential x 0.70 per dwelling unit = 5.60 ERUs

An office with 20 Fixtures x 0.45 per plumbing fixture = 9.00 ERUs

A dental office with 10 Fixtures x 0.25 per plumbing fixture = 2.50 ERUs

For purposes of this Chapter, the following footnotes shall apply:

<sup>1</sup> A “Dwelling Unit” is the billing unit for mobile homes on private property and not within a park or mobile home estate. “Lot” is the billing unit for mobile homes on a privately owned parcel within a park or estate. “Space” is the billing unit for each mobile home site within a park or estate.

<sup>2</sup> The number of a students from which the number of ERUs shall be calculated shall be the average daily attendance for the 12-month period ending June 30 of each year, where reporting of such information is required by the State of Nevada. Should the information not be available, ERUs shall be calculated by the number of full-time students for which the school is licensed by Clark County, if licensed, or the number of full-time students, which the school is designed to accommodate, if not licensed.

<sup>3</sup> Customers in these classes must have meters on all sources of water. Annual water use is based upon the actual metering records of the local water purveyor for the 12-month period (May 1-April 30) of water supplied from all sources to the commercial property. For purposes of calculating ERUs, the annual water use may be adjusted upon written request of the user to the CSWRD for consumptive water uses, which do not contribute, to the sewage system, as determined by the CCWRD GM on behalf of CSWRD.

<sup>4</sup> The user shall have the one-time option at the commencement of sewer service to decide whether the sewer charge shall be based upon the Total ERUs for the Limited Events Center, or actual records for the 12-month period (May 1-April 30) of actual wastewater flow or metered water supplied from all sources to the property.

Pretreatment Permit Charges - The following permit fees will be charged annually:

|                                |         |
|--------------------------------|---------|
| Grease or Sand/Oil Interceptor | \$ 225  |
| On-Site Lift Station           | \$ 500  |
| Industrial User Permits        | \$ 300  |
| Categorical                    | \$1,000 |
| Significant Industrial User *  | \$1,000 |
| Industrial User                | \$ 300  |

\*Any industrial facility discharging in excess of 40,000 gallons of industrial wastewater per day.

1-1.38 The following definitions apply to the customer classes set forth above in Chapter 1.

- a. “Casino” means a place where the main function is to provide games of chance or gambling devices that are made available for play by the public.
- b. “Church” means a structure primarily used for religious services by a religious organization.
- c. “Commercial Laundry” means an establishment where clothing, linens, rags, rugs, or other articles are washed for remuneration by the employee(s) or agent (s) of the establishment in addition, but not limited to, industrial laundries providing services for commercial and industrial businesses not located on the same site and linen services that launder on premises.
- d. “Convalescent and Rest Homes” mean establishments used or designed to provide personal and health care supervision to convalescents, invalids, aged, or infirm persons.
- e. “Dwelling Unit” means one or more rooms designed or used as living quarters for one family and having facilities for the preparation of food.
- f. “Family” means one or more individuals living together as a single housekeeping unit.
- g. “Fixture” means a plumbing device or appliance that is permanently connected to the water supply system, and is connected to the wastewater collection system of the CSWRD either directly or through a drain. Examples of the definition of “fixture” include, but are not limited to, the following. Each of the following examples is considered to be one fixture:

|  |   |
|--|---|
| Bathtub (with or without overhead shower)                              | Bedpan Washer                                   |
| Bidet  | Clothes Washing Machine                         |
| Combination Sink and Tray (with or without food disposal unit) dipwell | Dishwashing Machine                             |
| Faucet Head (in conjunction with a floor drain) <sup>5</sup>           | Kitchen Sink                                    |
| Lavatory   | Laundry (1 or 2 compartments)                   |
| Pot Filler (with adjacent trough)                                      | Shower Stall (domestic) <sup>5</sup>            |
| Showers (group) per head <sup>5</sup>                                  | Sink  |
| Steam Table  | Urinal  |
| Urinal Trough (each 2-foot section)                                    | Wash Sink                                       |
| Water Closet (tank operated or valve operated)                         | Water Supply Outlet (in conjunction with drain) |
| Wok  |   |

<sup>5</sup> Faucet head(s) or shower head(s) that flow into a single drain.

Devices and appliances expressly excluded from the definition of “Fixture” are contained in, but not limited to, the following list:

|                       |                   |                       |
|-----------------------|-------------------|-----------------------|
| Air Conditioner       | Boiler            | Coffee Urn            |
| Garbage Disposal Unit | Glass Filler      | Ice Machine           |
| Refrigerator          | Drinking Fountain | Garbage Disposal Unit |
| Soft Drink Machine    | Water Softener    | X-ray Machine         |

- h. “Hospital” means an establishment staffed and equipped to provide diagnosis, care, and treatment of human illness or injury and which provides 24-hour professional nursing services under the direction of physicians.

- i. “Hotel” means a structure containing two or more rooms, each of which is designed or used for sleeping quarters for one family and contains one or more fixtures.
- j. “Large Commercial” means a commercial establishment (of single ownership or operation) which uses more than calendar year average of 250,000 gallons of water per day.
- k. “Mobile Home” means a vehicular structure that is built on a chassis or frame, which is designed to be used with or without a permanent foundation and which is used as living quarters and suitable for year-round occupancy as a residence.
- l. “Multiple Residential” means a structure containing two or more contiguous dwelling units under one ownership and situated upon the same parcel of land.
- m. “Recreational Vehicle” means a vehicular structure, which is built on a chassis, or frame, which is designed to be used as a temporary living quarters, whether drawn by a motor vehicle or propelled by its own power.
- n. “Recreational Vehicle Park(s)” means a place that is used or intended for use to park two or more recreational vehicles for occupancy as living quarters for persons for less than thirty (30) days.
- o. “Restaurant” means a place, which is not a part of a hotel, which has cooking facilities and whose primary business is serving food to the public. A restaurant may or may not include a bar/tavern.
- p. “School” means an establishment, whether public or private, in which is offered a full-time academic, vocational, or technical course of study or other educational services, whether elementary, secondary, or post-secondary, and the definition includes childcare facilities.
- q. “Senior Apartment” means a rental unit within a multiple residential property, which consists solely of rental units averaging eight-hundred twenty-five (825) interior square feet or less, which is intended and operated for occupancy exclusively by persons fifty-five years of age or older, and is limited to one or two occupants per unit. ERUs for any fixtures outside the residential units will be calculated at the applicable commercial rate.
- r. “Single-Family Residence” means a structure containing only one dwelling unit and each individually owned unit, in a structure containing two or more dwelling units.
- s. “Special Events Center” means any permanent location designed and used primarily for entertainment, exhibitions or trade shows which display, show, or demonstrate technology, concepts, designs, art, science or history, or any concerts, sporting events, special events, and other such similar activities.
- t. “Theme Park” means any permanent location, which is open to use, or attendance by the public at which is exclusively offered activities for entertainment, amusement, pleasure, or relaxation.

#### 1-1.39 Designation / Customer Classes

- a. Should the billing unit and/or ERU factor per billing unit for a given customer class be revised by these Service Rules, that revision will affect the charges beginning with the next billing cycle, and will not require additional System Development Approval Charges for connections already properly paid for at the previous rate, unless a change in use or classification occurs.
- b. All commercial user classifications shall be based on the primary use of the structure(s) as determined by the CSWRD.

The CSWRD may use the classification of the business license issued by the Clark County Department of Business License in determining the primary use. The CSWRD GM shall have the authority to change the customer class, change the number of ERUs, or change the number or type of billing units applicable to any user or adjust charges or establish credit against future charges, if the user demonstrates that the customer class, the number of ERUs, the number or type of billing unit or the charges were not in accordance with these Service Rules.

#### 1-1.40 Extra Strength Surcharge

In addition to the sewer charge, users who discharge wastewater having concentrations exceeding domestic strength wastewater shall be assessed an “extra strength surcharge” if applicable. The extra strength surcharge shall be:

|            |                                   |          |
|------------|-----------------------------------|----------|
| BOD        | - \$ 0.10/ERU for each mg/l above | 250 mg/l |
| TSS        | - \$ 0.08/ERU for each mg/l above | 250 mg/l |
| PHOSPHORUS | - \$10.00/ERU for each mg/l above | 5.5 mg/l |
| AMMONIA    | - \$ 0.56/ERU for each mg/l above | 19 mg/l  |

#### 1-1.41 Surcharge Adjustment

The CSWRD shall determine average extra strength concentrations of BOD, TSS, Phosphorus, and Ammonia for each surcharged user class. The CCWRD GM, upon written request of the surcharged user, may adjust the surcharge based upon onsite monitoring of each of the user’s wastewater source(s). The “pretreatment section or division” of the CSWRD must approve any such monitoring. Costs associated with monitoring are the responsibility of the user.

#### 1-1.42 Interest on Deposits

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

#### 1-1.43 Bills Due When Presented

Meters will be read or estimated monthly. CSWRD will, as soon after the meter reading date as practical, issue a bill to the property owner for each connection to the CSWRD facilities, consumption, and usage. Failure to receive a bill does not relieve a customer of liability for payment of any such bills.

Customers are responsible for payment of all water recorded as having passed through the meter, regardless of whether such water was put to beneficial use and for all internal wastewater use. When current CSWRD bills are not paid within twenty-four (24) days from the billing 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 on the succeeding bill statement. The CSWRD may, at its sole and exclusive discretion, make arrangements to extend this payment deadline and/or allow the customer to pay the unpaid balance amount in installments. Failure to remit valid payment in compliance with arrangements made may result in service discontinuance without notice.

#### 1-1.44 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.

#### 1-1.45 Basis for Billing

All services shall be billed in accordance with the adopted rate and charge schedules for CSWRD. These rates shall apply to all lots commencing at the time the service is installed and shall apply for each month of the year.

#### 1-1.46 Commercial Subdivisions

In the event a commercial subdivision does not have individual meters to each parcel, the CSWRD is not responsible for dividing water and wastewater 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.

#### 1-1.47 Estimated Bills

- a. 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 CSWRD reserves the right to estimate residential meter readings periodically. The next succeeding bill that is based upon actual meter readings will reflect the difference between prior estimates and actual consumption.
- b. If a meter reading is obtained which indicates a meter malfunction, an estimate shall be made of the quantity of water used and a bill rendered for the estimated quantity.
- c. Estimates shall be based first on account history and/or comparable services within the area. If there is no comparable service within the area, then estimates shall be based on comparable service within the CSWRD.

#### 1-1.48 Collection Stations

For the convenience of its customers, the CSWRD may designate and authorize others to serve as agents for the collection of water bills; however, delinquent bills must be paid at the office of the CSWRD, unless otherwise designated in writing by the CSWRD.

#### 1-1.49 Billing Errors

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

#### 1-1.50 Water Bills

For the purpose of computing charges, each service will be considered separately.

#### 1-1.51 Billing Adjustments

The CSWRD at its discretion and for purposes of account dispute resolution offers to a customer a one-time partial consumption adjustment for unexplained non-beneficial usage. This adjustment will be based on recorded average daily usage for historically comparable usage periods and will be applied only when a thorough investigation conducted by the CSWRD has concluded no reasonable or viable explanation for the usage.

## **SECTION 2- CHARGES, FEES, AND DEPOSITS**

1-2.1 Charges, fees, and deposits for areas operated by the CSWRD may be established and approved by the Board based on actual costs to serve those designated areas. The CSWRD shall have the right to directly access property, bill, receive, and collect all charges, fees, and deposits. The CSWRD shall maintain accurate records of such transactions.

### 1-2.2 Charges for Installing Service Connections

Charges, fees, and deposits shall be in accordance with the approved rate schedule in effect at the time of water plan approval or at the time the CSWRD's water service application form is signed and returned to the CSWRD. All charges, fees, and deposits must be paid directly to the CSWRD, prior to approval of water plans for construction by others, or prior to commencement of any scheduling or construction activity for services to be installed by the CSWRD.

### 1-2.3 Connection

A connection is 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.

The application fee is required for the reactivation of a service classified as deserted, a temporary service, or an interim service.

Application fees are due for relocations of existing fire hydrants or service connections on the same parcel of land.

### 1-2.4 Deposits - Based on Projected Costs

When the CSWRD is requested to perform work and there is no fixed charge, the applicant shall deposit an amount established by the CSWRD, in addition to connection charges and other applicable fees, prior to commencement of work. A refund or billing will be made when the job is completed and actual cost determined. When requested by the applicant, the CSWRD may establish a "not to exceed" upper limit.

### 1-2.5 Reactivation of Deserted or Inactive Service Connections

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 CSWRD standards. If the service cannot be located, it will be classified as an abandoned or removed service. If a service is located but found to be non-functional, the service may be classified as abandoned or removed.

### 1-2.6 Illegal Service Connection

A service connection which is located in the field, but whose existence is not documented in CSWRD records will be considered as a new service. All fees, charges, and deposits required by the CSWRD must be paid before the account is established in the CSWRD's system. In the event an illegal service is discovered and a water commitment is required by the CSWRD and is not obtained, or the fees, charges, and deposits are not paid, the CSWRD may physically remove the illegal service connection at the property 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 listed herein.

### 1-2.7 Relocation of Service Connection

An existing service connection may be relocated on the same parcel, with the approval of the CSWRD, 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 facilities connection charge shall be applied.

### 1-2.8 Change in Meter Size

Meters in place, which are of a size less than the diameter of the lateral pipe, may be replaced with a larger size not to exceed the size of the lateral pipe. 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. Facilities connection charges shall apply to increases in meter sizes. A water commitment in accordance with Chapter 2 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 CSWRD 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.

The CSWRD may replace a battery of meters with a single meter, replace a single meter with a battery of meters, or install an appropriately sized meter, service, and backflow prevention assembly, to meet a current demand, providing such replacement does not impair service to the customer. The applicant shall be responsible for all applicable fees and charges

### 1-2.9 Increase in Size of Service Connection

An existing service connection may be enlarged with the approval of the CSWRD, provided a water commitment is obtained in accordance with 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. Service size cannot change unless the property use legally changes, subject to the discretion of the CSWRD and payment of appropriate fees.

### 1-2.10 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 CSWRD. The meter and other salvageable materials may be removed by the CSWRD on an actual cost basis, without credit to the property owner, or by a private contractor in accordance with the requirements of CSWRD standards. Any water commitment associated with a removed service shall terminate, except as provided in Chapter 2. In the event a service will be relocated or the size of service changed, the service removal may be done either by the CSWRD on an actual cost basis or by a private contractor in accordance with the requirements of Chapter 2.

### 1-2.11 Installation of Shut Off Valve

If it is necessary to shut off any existing service and there is no shut off valve at the property line, the CSWRD shall install the shut off valve at the expense of the property owner.

### 1-2.12 Public Fire Hydrants

Charges for water available through public fire hydrants shall be periodically negotiated with appropriate governmental agencies and shall be billed accordingly.

### 1-2.13 Private Use of Public Fire Hydrants

Connections to public fire hydrants are prohibited unless a use permit is issued by the CSWRD and a CSWRD-owned hydrant valve and meter is utilized. The applicant shall pay a use permit fee in accordance with the rate schedule prior to issuance. The applicant shall designate the period of time and purpose for which water is to be used. The CSWRD may discontinue the supply and remove its equipment at the expiration of the period so designated if the supply is used for any purpose or manner other than designated by applicant, or if any part of the fire hydrant is operated. The CSWRD may establish limitations on the location, rate of flow, and time of use. The CSWRD will install all equipment necessary for the metered connection and no water will be used until such equipment is installed. Water may only be provided for use within the limits and

service area of the CSWRD, as described in Chapter 1 of these Service Rules. The applicant is responsible for providing any required backflow protection required by CSWRD. The CSWRD requires hydrant valves and meters when using hydrants that have not been accepted for public use and maintenance. In the event that an unauthorized connection is made to a fire hydrant, the user shall be required to pay appropriate charges as determined by the CSWRD, and may be subject to other penalties as established by law. Except for emergency service connections, this may be established by the CSWRD for a limited time. Water service from a fire hydrant for domestic purposes is prohibited.

#### 1-2.14 Public Agency Deposit Requirements

In lieu of cash deposits, or sureties, purchase orders may be accepted from public agencies.

#### 1-2.15 Security Deposits to Assure Payment of Bills

The CSWRD may require security deposits from new customers who have not established credit with the CSWRD, or from customers whose accounts are consistently delinquent, or in any situation where the CSWRD has cause to believe that a deposit is required to assure payment. For accounts where credit has not been established, or for accounts that are consistently delinquent, the deposit will be proximate to, but not less than, the sum of the three (3) highest monthly bills as estimated during a twelve-month period. The CSWRD may establish standard deposits for individual units within multi-unit developments, e.g., townhouses or condominiums, and for single-family residences with a one-inch (1") service or less.

Deposits must be paid in full on the date they were assessed to the account, or service may not be activated or restored on the date requested. The CSWRD may, at its sole and exclusive discretion, make arrangements to extend this payment deadline and/or allow the customer to pay the required deposit amount in installments. Failure to remit valid payment in compliance with arrangements made may result in service discontinuance without notice. In lieu of a cash deposit, either a surety bond, or an irrevocable letter of credit is acceptable.

Deposits will be applied as a credit on the customer account at such date as the customer has established credit to the satisfaction of the CSWRD, refunded to the customer at the CSWRD discretion, or applied to the closing bill upon discontinuance of service. Interest on security deposits will be credited to the customer's security deposit account on a quarterly basis and/or on the date the customer's deposit account is closed.

The annual interest rate for the ensuing year will be a rate equal to the regular savings deposit rate of a major local commercial bank as of the first business day of the calendar year.

#### 1-2.16 Unauthorized Use of Private Fire Service

When it is found that a private fire service is being used for purposes other than standby fire protection, the CSWRD shall notify the customer of unauthorized use. Failure to discontinue unauthorized use will be cause for shutoff, and/or prosecution as prescribed by law. The customer may be charged for the estimated water consumed through unauthorized use.

#### 1-2.17 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 CSWRD as part of the payment for the first water bill issued for such permit.

Additionally, if CSWRD personnel, while in the course and scope of CSWRD duties, physically damage a customer's property that is not improperly located within, above or near a CSWRD easement or CSWRD property, the CSWRD will repair, or pay to have repaired, the customer's property.

## **SECTION 3– CONSERVATION AND DEMAND MANAGEMENT**

Groundwater is used to meet water demands in Coyote Springs, but there is a second, tangible resource that is critical to managing and extending that resource over time, conservation.

### 1-3.1 Introduction

These Service Rules serve as an enforceable mechanism to contribute to system reliability, and growing water demands on the Coyote Springs water resources system.

### 1-3.2 Drought and Water Supply Conditions

Drought occurs when existing water supplies cannot meet established demands for a period of time. Communities can also induce or aggravate drought conditions through high water consumption or inefficient water use.

Water conservation is necessary to manage demands on the Coyote Springs water system and its groundwater wells. For the purpose of demand management, four “Operating Condition” stages shall apply:

1. “Sustainable” or “Sustainable Operating Conditions”
2. “Concerned” or “Concerned Operating Conditions”
3. “Critical” or “Critical Operating Conditions”
4. “Emergency” or “Emergency Operating Conditions”

The CSWRD will continually monitor the effectiveness of the water management measures during each year and revisit its operating condition declarations to reflect the status of the water resource environment. The CSWRD may consider several factors in making an operating condition determination, including, but not limited to, anticipated or actual higher demands for water, system failure or water quality issues.

### 1-3.3 Notification of Operating Conditions

When a concerned, critical, or emergency Operating Condition is declared, the applicable sections of these Service Rules shall take effect. Official public notice shall be provided by way of publication for two consecutive weeks in a newspaper of general circulation following the declaration by the CSWRD, and direct mailed correspondence providing notice of the effective date of the declared operating condition within 45 days following the CSWRD declaration. The mailed notice shall serve as official notification to customers of the Operating Condition and its subsequent effects on CSWRD Service Rules and procedures.

### 1-3.4 Water Waste Enforcement

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

### 1-3.5 Water Waste Prohibited

- a. The term “water waste” shall include, but not be limited to allowing water provided by the CSWRD to flow or spray off the parcel for which the water was provided. Rule violations may result from, but are not limited to:
  1. The operation of landscape watering systems.

2. Malfunctioning device or supply line, where the customer or their agent has known of the problem for more than 48 hours.
  3. Washing vehicles, equipment, driveways, parking lots, sidewalks, streets or other surfaces or objects, where water is allowed to flow off the parcel for a continuous period of five minutes or greater.
  4. Using spray irrigation (sprinklers) between the hours of 11:00 a.m. and 7:00 p.m. from May 1 through September 30 each year.
  5. Under an operating condition declaration described in Chapter 1, non-compliance with regulations relating to watering assignments shall be considered water waste.
- b. Exceptions

The following shall not be considered wasting water:

1. Water waste generated as an inherent outcome of water used to abate a health or safety hazard where the proper application of water is the most appropriate and practical technology, or water used to reasonably meet the provisions of federal, state, or local law.
  2. Spray irrigation used at any time of day, during any month, to sustain plantings less than 30 days old. The exemption does not, however, allow water to spray or flow off the parcel.
  3. Supervised testing or maintenance of a system to repair, adjust, or conduct a performance assessment. Both the operation of spray irrigation and the generation of spray or flow from the parcel shall be exempt by this provision, provided that no reasonable alternative exists.
- c. Violations

Under sustainable, concerned, and critical operating conditions and upon the first observation of waste, the customer will be notified and allowed a prescribed period of time to take corrective action. Subsequent violations will result in a formal violation notice and fee assessment, pursuant to Chapter 1 of these Service Rules.

Under emergency operating conditions and upon observation of water waste, the customer will be issued a formal violation notice and fee assessment. If the customer is unavailable or refuses to comply with the appropriate management measures prescribed in these Service Rules during emergency operating conditions, the service may be terminated and a fee will be assessed.

Policies and procedures to support these Service Rules include:

1. Specifically define water waste and exceptions.
2. Require observation and documentation of water waste by a representative of the CSWRD.
3. Require notification to the customer by the CSWRD explaining the CSWRD's policy prior to issuance of a violation during all operating conditions except emergency operating conditions.
  - a. During the Emergency Operating Stages the CSWRD may terminate service and/or issue a violation without prior notice.

4. Provide a mechanism by which a customer may protest the finding of violation.
5. May allow a customer to receive additional time to pursue corrective action.
6. Provide educational and/or incentive programs to assist customers to abate water waste.

1-3.6 Water Efficiency and Conservation Codes

All customers of the CSWRD are expected to comply with all applicable water efficiency codes. The CSWRD, may reject the application for, rescind, or terminate water service to any parcel or use determined to be in violation of applicable codes or standards, which are directly or indirectly intended to conserve or protect the waters of the CSWRD.

1-3.7 Demand Management

a. Spray Irrigation Restrictions

As determined by operating conditions, all designated customers will comply with the irrigation watering restrictions.

1. During all Operating Stages, it shall be considered water waste to spray irrigate outdoor vegetation between the hours of 11:00 a.m. and 7:00 p.m. between May 1 and September 30 of each calendar year.
2. During concerned, critical, and emergency operating conditions watering days are restricted. It shall be considered water waste to spray irrigate outdoor irrigation in variance with the following table:

| Maximum Watering Frequency    |  |                              |           |
|-------------------------------|--|------------------------------|-----------|
| Season                        | Concerned  | Critical                     | Emergency |
| Winter<br>November – February | One Assigned Day<br>Per Week                     | One Assigned Day<br>Per Week | TBD       |
| Spring<br>March – April       | 3 Assigned Days<br>per Week &<br>Sunday (Option) | 3 Assigned Days<br>Per Week  | TBD       |
| Summer<br>May- August         | Any Day  | Any Day                      | TBD       |
| Fall<br>September - October   | 3 Assigned Days<br>per Week &<br>Sunday (Option) | 3 Assigned Days<br>Per Week  | TBD       |

b. Watering Schedules

For the purpose of managing the water distribution system, specific watering days and/or schedules will be assigned by the CSWRD. Affected water users will be provided notification by way of phone calls, direct mailed correspondence, visible signage, email or any combination thereof. This notice shall serve as official notification to customers of the Operating Condition and its subsequent effects on CSWRD Service Rules and procedures.

c. Golf Course Water Budgets

Any golf course using CSWRD-supplied water is encouraged to develop and implement a water budget. All water used for golf course-related irrigation must be accounted, planned, and projected in the annual water resource and supply plan. Golf courses shall be charged for potable, raw, and non-potable water use. Golf courses implementing a water budget shall be measured and charged based upon a specified amount of acre-feet of water, including potable, raw and non-potable for each acre currently being irrigated. The acreage will include lakes and ponds existing within a golf course, and lakes and ponds serving in total or in part, as a golf course irrigation reservoir.

A suggested water budget for established golf courses is shown below:

| <u>Operating Condition</u> | <u>Annual Budget</u>             |
|----------------------------|----------------------------------|
| Sustainable                | 6.8 acre-feet per irrigated acre |
| Concerned                  | 6.5 acre-feet per irrigated acre |
| Critical                   | 6.3 acre-feet per irrigated acre |
| Emergency                  | TBD                              |

The water demand management “Operating Condition” will be declared by the Board. At the end of each calendar year, the annual water budget will be determined by the reconciliation of the water resource plan.

As part of the annual water resource and supply plan process, each golf course shall be required to submit its own water use reduction plan containing at least the following elements: a physical description of the course, calculated irrigation acreage; an itemized accounting of the most recent calendar year of water use by water type; a review of spray irrigation efficiency; and a description of key potable water use reduction strategies and timelines for implementing those strategies.

In the event a golf course customer contests the calculated irrigated acreage as determined by the CSWRD, the golf course may provide calculations supported by other methods acceptable to the CSWRD. Alternative measurements would need to be determined by an independent consultant not affiliated with the golf course. In any case however, the CSWRD shall make the final determination of irrigated acreage. Once measured, the irrigated acreage shall remain fixed, thus creating an incentive for golf courses to convert unneeded turf to other styles of water efficient landscaping. However, if a golf course expands its course by increasing the number of playing holes, a new irrigated acreage will be determined.

1-3.8 Exemptions

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

| Water Use Exemptions                   |                            |  |  |  |            |
|--|----------------------------|--|--|--|------------|
|  | Type                       | Sustainable                                    | Concerned                                      | Critical                                       | Emergency  |
| Hand Watering                          | Time of Day                | Exempt   | Exempt   | Exempt   | Prohibited |
|  | Assigned Day               | Exempt   | Exempt   | Exempt   | Prohibited |
|  | Flow or Spray Off Property | Not Exempt                                     | Not Exempt                                     | Not Exempt                                     | Prohibited |
| New Landscape <sup>1</sup>             | Time of Day                | Exempt 30 days                                 | Exempt 30 days                                 | Exempt 30 days                                 | Prohibited |
|  | Assigned Day               | Exempt 30 days                                 | Exempt 30 days                                 | Exempt 30 days                                 | Prohibited |
|  | Flow or Spray Off Property | Not Exempt                                     | Not Exempt                                     | Not Exempt                                     | Prohibited |
| Supervised Testing                     | Time of Day                | Exempt   | Exempt   | Exempt   | TBD        |
|  | Assigned Day               | Exempt   | Exempt   | Exempt   | TBD        |
|  | Flow or Spray Off Property | Exempt   | Exempt   | Exempt   | TBD        |
| Public Health and Welfare              | Time of Day                | Exempt   | Exempt   | Exempt   | TBD        |
|  | Assigned Day               | Exempt   | Exempt   | Exempt   | TBD        |
|  | Flow or Spray Off Property | Exempt   | Exempt   | Exempt   | TBD        |
| Residential Car Washing                | Time of Day                | Exempt   | Exempt   | Exempt   | TBD        |
|  | Assigned Day               | Exempt   | Exempt   | Exempt   | TBD        |
|  | Flow or Spray Off Property | Exempt for 5 Minutes                           | Exempt for 5 Minutes                           | Exempt for 5 Minutes                           | TBD        |
| Non-Spray Irrigation                   | Time of Day                | Exempt   | Exempt   | Exempt   | Prohibited |
|  | Assigned Day               | Exempt (not to exceed Maximum Water Frequency) | Exempt (not to exceed Maximum Water Frequency) | Exempt (not to exceed Maximum Water Frequency) | Prohibited |
|  | Flow or Spray Off Property | Not Exempt                                     | Not Exempt                                     | Not Exempt                                     | Prohibited |
| Irrigation of Commercial Nursery Stock | Time of Day                | Exempt   | Exempt   | Exempt   | TBD        |
|  | Assigned Day               | Exempt   | Exempt   | Exempt   | TBD        |
|  | Flow or Spray Off Property | Not Exempt                                     | Not Exempt                                     | Not Exempt                                     | TBD        |
| Syringing                              | Time of Day                | Exempt   | Exempt   | Exempt   | Prohibited |
|  | Assigned Day               | Exempt   | Exempt   | Exempt   | Prohibited |
|  | Flow or Spray Off Property | Not Exempt                                     | Not Exempt                                     | Not Exempt                                     | Prohibited |
| Overseeding <sup>1,2</sup>             | Time of Day                | Exempt 30 Days                                 | Exempt 30 Days                                 | Exempt 30 Days                                 | Prohibited |
|  | Assigned Day               | Exempt 30 Days                                 | Exempt 30 Days                                 | Exempt 30 Days                                 | Prohibited |
|  | Flow or Spray Off Property | Not Exempt                                     | Not Exempt                                     | Not Exempt                                     | Prohibited |

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

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

### 1-3.9 Compliance with Water Efficiency and Conservation Codes

All customers of the CSWRD are required to comply with all applicable water efficiency and landscape codes. The CSWRD may reject the application for, rescind, or terminate water service to any property or use determined to be in violation of applicable codes or standards that are directly or indirectly intended to conserve or protect the waters of the CSWRD.

### 1-3.10 Demand Restrictions

#### a. Community Use Recreational Turf Area or “CURTA”.

Public or private areas designated as CURTA by government jurisdictions shall comply with the following restrictions:

1. During the spring and fall a watering schedule for each area may not exceed seven (7) days out of 14 days and the schedule must be posted at each location.
2. During the winter a watering schedule for each area may not exceed two (2) days out of seven (7) days and the schedule must be posted at each location.
3. Irrigation shall be eligible to commence no earlier than 9:00 p.m. the day prior to the designated day.
4. The CSWRD may require areas designated as CURTA to submit an irrigation schedule to the CSWRD for the current season (Spring, Winter, Fall) within 30 days of the designation. Irrigation schedules for subsequent seasons must be submitted 30 days prior to the next season.

Government bodies may approve an alternative to landscape watering restrictions on a specific CURTA, and under such circumstances the CSWRD shall defer enforcement of provisions set forth in these Service Rules

#### b. Mist System Restrictions

During sustainable, critical, and concerned operating conditions, residential mist systems used for human comfort will not be restricted. However, commercial use is allowed only under the following conditions:

1. From May 1 to August 31 and,
2. Between noon and midnight

#### c. Water Feature Conditions and Exemptions Community Use Recreational Turf Area

Water features may not be operated during concerned or critical operating conditions. During concerned and critical stages, a water feature will not be required to be drained. It can maintain a re-circulating water pool to sustain pumps, pond liners, surface coatings, and ancillary equipment. The water feature may be operated only between 1:00 a.m. and 4:00 a.m., or whenever freezing conditions require system preservation. This shall include the use of CSWRD water that has been recycled or reprocessed by the customer.

The following uses are exempt:

1. Residential

A water feature of less than 200 square feet surface area during concerned operating conditions, and less than 25 feet surface area during critical operating conditions:

- a. At a single-family residence.
  - b. Centrally located within a residential development.
2. Non-Residential
- Government bodies may approve exemptions to water feature restrictions, and establish any other conditions or requirements that may apply.
3. Swimming pools and recreational water parks, both public and private.
  4. Water features that are necessary and functional components serving other allowable uses (e.g., storage ponds on a golf course, or aeration devices).
  5. Indoor water features or features with the majority of the total water volume contained indoors or underground. If practical alternatives exist for separating indoor and outdoor components, they shall be separated and managed accordingly.
  6. Recreational water parks, both public and private.
  7. Fountains and water features at resorts as defined by the governing jurisdiction.
  8. Fountains or water features necessary to sustain aquatic animals provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of drought.
  9. Fountains and water features supplied by privately owned water rights, unless restricted by the code of the applicable jurisdiction.
- d. Other Outdoor Water Use Restrictions
1. Surface, Building, and Equipment Washing (excluding motor vehicles).
- During sustainable, concerned, and critical conditions, surface, building, and equipment washing will be prohibited, unless the water is discharged to a sanitary sewer through approved methods, or contained on site.
2. Personal Vehicle Washing
    - a. Under sustainable, personal vehicles may be washed upon residential properties with a leak free hose equipped with a positive shut-off nozzle and where water does not flow off the property for a continuous period of five minutes or greater.
    - b. Under concerned and critical operating conditions, washing of personal vehicles upon residential properties shall be limited to once per week, per vehicle.
  3. Commercial Vehicle Washing
- Commercial vehicles may only be washed at a commercial facility where water is discharged to the sanitary sewer through approved methods or, with the use of a high-

pressure, low volume sprayer using less than ten (10) gallons per vehicle. There is no limitation on frequency.

e. Manmade Lake Provisions

All man-made lakes with over one acre of surface area shall pay the same rate as metered construction water. Lakes that serve, in whole or part, as a functional reservoir for a golf course are included in the calculation of a golf course water budget.

f. Landscape Reservoirs

Landscape reservoirs may be established to store non-potable water for irrigation of all areas other than golf courses. Such reservoirs shall provide water for irrigation at the rate identical to metered construction water.

g. Governmental Facility Provisions

1. Government facilities shall be subject to landscape water restrictions.
2. Government facilities shall be subject to CSWRD water rates and water waste fees.
3. During a concerned and critical, government facilities with greater than five (5) acres of turf must conduct a self-assessment of water conservation potential and implement a plan to maximize outdoor water use efficiency.

## SECTION 4- TERMINATION OF SERVICE

### 1-4.1 Customer's Request

#### a. Water Service Termination

Customers desiring to terminate service shall notify the CSWRD and provide a mailing address to which the closing bill will be mailed. The legal owner of the property will be billed for water service even if the property is vacant or leased to a tenant. Failure to notify CSWRD of changes in billing address shall not relieve the property owner of responsibility for payment of the water charges.

#### b. Sewer Service Terminations

A user receives sewer services at all time during which there is any billing unit or ERU on the user's parcel of land that is connected to and may contribute to the sewer system, except for periods during which the user qualifies for the emergency relief rate. The legal owner of the property will continue to be billed for sewer service even if the property is vacant or leased to a tenant. Failure to notify CSWRD of changes in billing address shall not relieve the property owner of responsibility for payment of the sewer charges.

### 1-4.2 Cause

Service may be terminated for any of the following causes, including, but not limited to:

- a. Non-payment of water bills, or any other outstanding charges, fees, or deposits
- b. Non-compliance with these Service Rules.
- c. Water waste.
- d. Damage to property.
- e. Actual or potential cross-connection.
- f. Obstructing access to CSWRD facilities.
- g. Illegal connection.
- h. Interconnection.
- i. Tampering with meters, seals, or equipment.

### 1-4.3 Notice of Termination

The CSWRD shall endeavor to notify the customer prior to terminating or discontinuing a service. The CSWRD, 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 CSWRD will endeavor to also notify the property owner prior to the service termination or disconnection.

### 1-4.4 Bankruptcy Actions

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

## **SECTION 5 – WASTEWATER PRETREATMENT**

Pretreatment Service Rules and enforcement matters deal with the commercial establishment operator. Compliance with these Service Rules is ultimately the responsibility of the property owner.

Control of grease, sand and oil loadings to the CSWRD collection system is achieved by the use of grease and sand-oil interceptors, approved alternates, or other means. In addition to the following requirements/prohibitions, the provisions set forth within promulgated federal law 40 CFR Part 403 applies to all customers of the CSWRD.

1-5.1 The following are prohibited from unregulated discharge into the collection system:

- a. Non-domestic concentrations of liquid wastes containing grease and oil, which are a bi-product of animal or vegetable origin.
- b. Liquid waste containing concentrations of sand and/or inert substances or oil of petroleum origin.
- c. Any non-domestic concentration(s) of grease and/or oil.
- d. Any other discharge from either food handling establishments or vehicular facilities that may impede, obstruct or cause damage to the collection system.

Note: vehicular facilities shall be defined as (but not limited to); car washes, motor vehicle boat or airplane storage yards, gasoline and diesel service stations, repair garages or any other similar facility.

- e. Chemical toilet wastes or septage.
- f. Groundwater or any other inflow, bypass water.
- g. Industrial sludge, hazardous wastes including any grit or grease from such.
- h. Non-domestic reverse-osmosis discharge, including that which is generated by mister systems.
- i. Sodium potassium discharging softeners. Only regenerative ion exchange water softeners are allowed.
- j. All substances following under the Federal Resource Connection and Recovery Act (RCRA).

1-5.2 Requirements for Grease Interceptors

- a. Where Required:

A grease interceptor as described in these Service Rules shall be installed in any business establishment with kitchen facilities or trash compactors, including restaurants, cafes, lunch counters, cafeterias, supermarkets, convenience stores, bakeries, bars and clubs, hotels, hospitals, sanitariums, factory or school kitchens, or any other commercial establishment where non-domestic concentrations of grease may be introduced into the collection system.

Special consideration shall be given to every fish, fowl and animal slaughterhouse or establishment; every fish, fowl and meat packing or curing establishment; every soap factory, tallow rendering, fat rendering and hide curing establishment; or any other establishment from which considerable amounts of grease are likely to be discharged into the collection system. Written application describing exact operation, anticipated volumes of grease, and proposed interceptor size and design shall be made to the CSWRD for approval.

- b. Fixtures

The wastewater discharge from fixtures and equipment in food handling establishments that may contain grease shall be drained through a grease interceptor or grease interceptors that comply

with these Service Rules.

Fixtures, such as, but not limited to, the following are included: Scullery sinks, pots and pans sinks, dishwashing machines, soup kettles and similar cooking equipment, trash compactor areas, floor drains in grease generating areas, and trash can wash areas.

c. Prohibited Fixtures

The waste lines from toilets, urinals and other similar fixtures shall not drain through a grease interceptor.

d. High-Heat Discharge

When the temperature of any waste discharge is in excess of one hundred and forty (140) degrees Fahrenheit and drains through a grease interceptor, the size of the interceptor shall be doubled. The addition of cold water to the influent of the interceptor is not allowed.

e. Location

i. Location of all interceptors shall be shown on the approved plans.

ii. Grease interceptors shall be:

- a) Located on the exterior of buildings unless specifically approved otherwise by the Health District.
- b) Placed as close as practical to the fixtures served.
- c) Installed and connected that at all times they shall be easily accessible for inspection, cleaning and removal of the intercepted grease.
- d) Located so that they can be serviced without the use of ladders or the removal of bulky equipment.

f. Sizing & Design Requirements

Sizing and Design requirements shall conform to approved CSWRD design criteria.

- i. Each establishment for which a grease interceptor is required shall have an interceptor, which will serve only that establishment. Multiple connections to a single interceptor shall not be permitted.
- ii. A grease interceptor or interceptors may serve a single business establishment that includes multiple restaurants if and only if the owner or the owner's designated representative(s) of the establishment submits a written declaration of responsibility for maintenance to, and is accepted by, the CCWRD Pretreatment Section. Further, if the establishment is sold, the new owner must abide by the maintenance agreement or separate interceptors must be installed by the new owner(s) at their expense.
- iii. No grease interceptor shall be installed which has a design rate of flow of more than fifty-five (55) gallons per minute (3.5 L/s), nor less than twenty (20) gallons per minute (1.3 L/s), except when specifically approved, in writing, by the Clark County Development Services Department.
- iv. Each fixture discharging into a grease interceptor shall be individually trapped and vented

in an approved manner. An approved type grease interceptor may be used as a fixture trap for a single fixture when the horizontal distance between the fixture outlet and the grease interceptor does not exceed four (4) feet (1.2 m), and the vertical tailpipe or drain between the fixture outlet and interceptor does not exceed two and one-half (2½) feet (0.8 m).

- v. No water-jacketed grease trap or grease interceptor shall be approved or installed.
- vi. Each grease interceptor shall have an approved water seal of not less than two (2) inches (50.8 mm) in depth or the diameter of its outlet whichever is greater.
- vii. Design standards other than those listed above may be acceptable. Any alternate design shall be designed for review by a Nevada Registered Professional Engineer and submitted for approval to the CSWRD and the Clark County Development Services Department.

### 1-5.3. Requirements for Sand/Oil Interceptors

#### 1. Where Required

A sand/oil interceptor shall be provided for the proper handling of liquid wastes containing oil (of petroleum origin), sand, inert solids or any other similar substances.

NOTE: A sand/oil interceptor is not intended for the disposal of hazardous waste or as a backup system for accidental spills.

Interceptors as described in these standards shall be installed in, but not limited to, the following locations: car washes, applicable parking garages, storage yards for motor vehicles, boats, or airplanes, gasoline and diesel service stations, repair garages, or any other similar facility which may introduce sand and oil into the sewer system. A written application describing the exact facility operation and the types and anticipated volumes of waste to be generated shall be submitted to the CSWRD, and the Clark County Development Services Department.

#### 2. Fixtures

The waste discharge from fixtures and equipment that may contain sand, oil-based wastes and inert solids shall drain through an interceptor. This requirement includes, but is not limited to, the following: floor drains, floor sinks, special processing equipment, trench drains, and area drains.

#### 3. High Heat Discharge to Separators

When the temperature of the waste to be drained through a separator exceeds 140 degrees Fahrenheit (60 degrees Celsius), the size of the interceptor shall be doubled. The addition of cold water to the influent of the interceptor is not allowed.

#### 4. Prohibited Fixtures

The waste line from toilets, urinals, lavatories and other similar fixtures, which discharge domestic wastes only, shall not drain through the interceptor.

#### 5. Prohibited Materials

Materials which may not be discharged into the separator include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides or other substances that have been determined by the CSWRD, State of Nevada, or the United States Environmental Protection Agency to be a fire danger or other hazard to the system. In no case may a user discharge any pollutant or wastewater having a pH of less than 5.0 or greater than 11.0. The user shall

introduce no materials, which may cause pass through, interference, or upset of the collection or treatment systems.

- a. Each establishment for which a sand/oil interceptor is required shall have an interceptor, which will serve only that establishment. Multiple connections to a single interceptor shall not be permitted.
- b. A sand/oil interceptor or interceptors may serve a single business establishment with multiple shops if and only if the owner or the owner's designated representative of the establishment submits a written declaration to, and is accepted by the CSWRD Pretreatment Section. Further, if the establishment is sold, the new owner(s) must abide by the maintenance agreement or separate interceptors must be installed by the new owner(s) at their expense.
- c. An alternate design must be prepared by a Nevada Registered Professional Engineer and submitted for approval to the CCWRD and the Clark County Development Services Department.

#### 6. Maintenance of Interceptors

Interceptors shall be installed in a location that allows for physical access related to maintenance and/or pumping conditions.

- a. Grease and sand/oil interceptors shall be maintained in an efficient operating condition by removal of accumulated grease or sand/oil, and be pumped a minimum of two times in a twelve-month period, or more frequently as needed. The CSWRD may require a specified removal schedule if it is deemed necessary. No such collected grease or sand/oil, or any material collected from the interceptor shall be introduced into public sewers or any piping draining into public sewers. The materials removed from interceptors shall be handled and disposed of in a proper manner in accordance with established Southern Nevada Health District requirements. Illegal dumping of waste into the CSWRD sewer system shall be considered non-compliance with the CSWRD's pretreatment regulations, and may be subject to enforcement and administrative and/or monetary penalties by local, state, or federal authorities.
- b. Maintenance records for each installed interceptor shall be maintained on the premises at all times and presented to a duly authorized agent of the CSWRD upon request.
- c. The use of enzymes and emulsifiers is specifically prohibited from use in grease and sand/oil interceptors as a method of maintenance.

#### 7. Abandoned Interceptors

Abandoned interceptors shall be cleaned and filled as specified in the Uniform Plumbing Code, as amended, for abandoned sewers and sewage disposal facilities. Prior approval to abandon an interceptor is required from the CSWRD and the Clark County Development Services Department.

#### 8. Existing Buildings

All facilities must meet current pretreatment criteria prior to commencing business. The most current standards with regards to; interceptor capacity (sizing), interceptor location, interceptor design criteria and floor drains, must be met regardless of what was present within the existing structure. The most current standards, shall be defined as; those pertinent requirements, mandated by CSWRD and the current Uniform Plumbing Code. Compliance must be achieved,

even though a retrofitting process may be necessary to bring an existing structure into compliance.

9. Alternate Materials and Methods

Any alternate designs must be prepared by a Nevada Registered Professional Engineer, be stamped by the Engineer, and be submitted for approval to the CSWRD and Clark County Development Services Department. The Clark County Development Services Department may require that sufficient evidence or proof be submitted for any claims that may be made regarding the use of alternate materials and methods.

10. Permits

Each user required by these regulations to have a grease interceptor, sand/oil interceptor, or other approved alternate device, must register with the CCWRD and obtain a permit for discharge into the public system. Annual permit fees will be assessed in accordance with these Service Rules.

1-5.4 Enforcement and Penalties

Whenever CSWRD finds that any person does not comply with any prohibition, limitation or requirement contained in these Service Rules, CSWRD shall serve upon such person a written notice stating the nature of the non-compliance. In the case of written notice, the person shall submit to the CSWRD within thirty (30) days of the date of notice, a plan for the satisfactory correction of the non-compliance. Such plan shall be at the person's expense, and shall address installation, maintenance, and monitoring programs to correct the non-compliance. If any person fails to comply with these regulations, the CSWRD shall take such steps, as it deems necessary, including immediate severance of the sewer connection, and may commence an action for other appropriate legal or equitable relief.

If any person is found to have contributed to stoppages, blockages, obstructions or other damage to the water or sewer system or facilities as a result of a non-compliance with these Service Rules, the person may be required to reimburse the CSWRD for any and all costs incurred by the CSWRD to clean or repair the sewer system.

Any person who fails to comply with any provision of these Service Rules may be guilty of a misdemeanor and may pay a fine of up to \$1,000 per offense per day. In addition to the various penalties provided herein, any person not in compliance with these Service Rules shall pay all reasonable attorneys' fees, court costs, other expenses of litigation and damages for any loss sustained or costs incurred as a result of any non-compliance of these Service Rules or of bringing such non-compliance into compliance herewith.