

CHAPTER 9 – INSTALLATION OF WATER FACILITIES

9.1 General Conditions for Installation of Water Facilities.

a. Applicability.

Any work on District facilities, including the installation of new service connections, water main, backflow prevention devices, or associated appurtenances, or relocation or removal of existing facilities, not contracted for directly by the District, shall comply with the requirements of this Chapter. All work shall be submitted for review and approved in writing by the District, and required fees and charges paid to the District, prior to District approval. If the District determines that additional facilities, including major facilities, such as a reservoir, a main exceeding 24" in diameter, a pumping station, or infrastructure will be required to support service, reliability, or other factors for existing or proposed development, the developer or owner will be required to enter into a development agreement with the District.

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

b. Construction Plans.

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

1. A copy of the recorded final subdivision map, parcel map or any other map, if applicable.
2. Two sets (24" x 36") of detailed water plans or the equivalent electronic CAD file (formatted for printing at 24" x 36") in dwfx, dwf, or other format specified by the District.
3. A completed data sheet as provided by the District.
4. The required application fee.
5. Development approval or water commitment.

Water plans which meet the requirements of Items 1-5, which do not have a development approval or water commitment, may be accepted for review, but the acceptance for review does not provide any additional consideration toward a water commitment to a new development or other project. The plans shall be prepared by a Professional Engineer licensed in Nevada and shall clearly indicate the size and location of mains and appurtenances, including all lateral pipe and fire hydrants, and shall indicate size and location of all other existing and proposed utilities. Water plans shall designate boundaries of the applicant's property which will be served by the proposed main extension. Proof of rights-of-way or easements must also be provided.

The District will review the water plan and will upload a digital redline set and checklist letter for available download by the applicant or a representative of the applicant. A paper copy will only be available upon request. The applicant shall prepare and submit to the District a set of reproducible mylar water plans conforming with the revisions, which shall be retained by the District and considered the master water plan after approval by the

District. Upon execution of the appropriate agreements by the applicant and payment of all outstanding bills, applicable charges, fees, or deposits, and after approval of other governmental agencies, and any other requirements, the water plan may be approved and released for construction purposes.

c. Time Limitation.

Approval by the District for the installation of water facilities will be valid for a limited time. In the event that construction of the mains or services covered by any approved plan is not started within one year from the date of approval, or as designated in the development agreement, the project shall be deemed to have been abandoned, and any subsequent proposal for reactivation shall be treated as a new project, including fulfilling all water commitment requirements in effect at the time the project is reactivated. Construction is considered to have started upon the installation of 25 percent of the approved facilities, as determined by the District. The implementation of the approved water quality mitigation plan will be a condition of connection to the District system. Any limitations on approval for other than one year shall be shown on the drawings. The same shall apply when active construction work is discontinued for one year.

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

In the event the project received a water commitment pursuant to Chapter 2.2.b or Chapter 2.2.c, the District may, at its discretion, invoke the performance bond for the installation of the water facilities rather than canceling the project.

d. Construction, Assignment, Abandonment, Cessation, Cancellation.

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

If a project receives a water commitment under the provisions of Chapter 2.2.b, and the water plans are subsequently proposed for cancellation by the developer, owner, or the District, all prepaid installation fees and other charges and deposits shall be retained by the District until the water commitment is terminated, the project is reverted to acreage, and the developer or owner requests in writing the fees be returned in accordance with the service application or development agreement. A refund shall not include the application fees, inspection fees, or all costs incurred by the District to separate the project facilities from the District system. If the project changes owners prior to applying to terminate the water commitment, all refundable fees will be refunded to the current owner at the time the refund is made. If the project will require a new approval of the water plan, any retained fees shall be applied to any increased fees required at the time a water plan is reapproved.

If a project receives a water commitment under the provisions of Chapter 2.2.c and the water plans are subsequently proposed for cancellation prior to the installation of water facilities,

all prepaid installation fees and other charges and deposits shall be retained by the District until the water commitment is terminated, the building permit is terminated or expires, and the developer requests in writing the fees be returned. If the project will require a new approval of the water plan, any retained fees shall be applied to any increased fees required at the time a water plan is reapproved.

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

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

e. Compliance with Specifications.

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

1. Based on approved plans, all new water facilities shall be installed, disinfected, pressure tested, and maintained for water quality to the satisfaction of the District before connecting the new mains or to existing mains, unless otherwise permitted by the District.
2. Connections to existing mains shall be made only when authorized by the District, only in the presence of an authorized representative of the District, and only at times specified by the District. The approved Water Quality Mitigation Plan, if required, shall be implemented prior to connecting to existing mains.
3. Existing mains shall not be taken out of service for the purpose of making new connections when other options are feasible. Mains may only be taken out of service with the specific approval of the District.
4. All water facilities, once connected to existing District facilities, must maintain established water quality standards throughout the installed system. If the District determines that water quality standards are not being maintained following the connection of the approved facilities to the District system, a new or revised Water Quality Mitigation Plan will be required for District review and approval, and implementation at the sole expense of the developer.

f. Construction Inspection.

The District shall inspect the installation of water facilities from construction commencement through final water project acceptance, certificate of occupancy inspection, or cancellation, cessation, or abandonment. The District reserves the right to terminate service if the work does not comply with District requirements and approved water plans. Termination will result in a written notice by the District that all or part of the installed

facilities will be abandoned and disconnected by the District from the District system. Disconnection will be at the expense of the developer.

At the time of inspection for acceptance of facilities, the District may refuse to accept facilities if they could create a liability or a risk to public health, safety, or welfare for the District. A liability includes that ability of the project facilities to meet water quality operating standards for the development, noncompliance with District standards, or potential maintenance issues. At the time of certificate of occupancy inspection, the District may refuse to pass the inspection if previously accepted facilities are found to be damaged or no longer in compliance with District standards. The District may pass the certificate of occupancy inspection once repairs or corrections required by the District have been made and inspected by the District.

The District will not provide domestic water service to an approved permanent structure until all water facilities related to that structure, as shown on the approved water plans, consistently meet water quality standards.

g. Meter Installation.

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

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

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

h. Payment for Water.

Payment for water used from the time of initial meter installation shall be the responsibility of the user or customer and will be charged and billed monthly at the metered construction water rate. The District reserves the right to audit meter installation. The District reserves the right to start service at its discretion upon verification of meter installation, occupancy, or irrigation. Upon verification, monthly billing will be based on the rate for metered construction water.

The developer shall remain responsible for correction of all deficiencies and shall remain liable for the monthly bill payment for all metered water used and associated deficiency fees, regardless of whether subject facilities are in use by a subsequent developer, domestic, or commercial customer, or property owner until the defects are corrected by the applicant and are accepted by the District.

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

i. Guarantee.

Installation, materials, and workmanship shall be guaranteed complete and free of defects for a period of one year from the date of acceptance by the District. Upon receipt of notice of incomplete work or defect from the District, the developer shall immediately correct the situation, or shall reimburse the District for the cost of correction. The District will notify the developer or developer's contractor of any incomplete work or defect and give an opportunity for the contractor to make a correction. If the contractor fails to do so, the District may make the correction and bill the contractor for the cost of the correction. If the contractor fails to pay for the cost of the correction, the District will bill the developer.

j. Location.

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

k. Easements.

1. No buildings, structures, or trees will be placed upon, over or under any District easement, except that an easement can be improved and used for street, road, or driveway purposes and for other utilities, as long as the use does not interfere with the operation and maintenance of the District facilities within the easement.
2. Should the District act to repair any of its facilities within the easement, public utility easement, or dedicated public right of way, the District is not responsible for replacing any decorative surface improvements, such as pavers, stamped concrete, etc. The District will replace surface improvements to comply with Clark County Regional Transportation Commission standards for typical asphalt pavement and concrete sidewalk only. The District, upon request by a property owner and at the property owner's expense, may replace decorative surface improvements.

3. Should any of the District facilities within an easement be required to be relocated or repaired as a result of changes in grade or other construction within the easement, the property owner will bear the full cost of such relocation or repair.

1. Size of Mains.

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

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

| Street Width | Minimum Water Main Diameter |
|------------------|-----------------------------|
| Up to 60' | 8" |
| 61' to 80' | 10" |
| Greater than 80' | 12" |

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

- m. Fire Hydrants.

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

- n. Use of Facilities.

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

- o. Conveyance of Title.

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

- p. Construction by Private Contractor or District.

Construction work shall be performed by a Nevada licensed contractor and selected by the applicant. In certain circumstances when, as determined by the District, the extent of work to be performed is minor and can be accomplished efficiently and economically by District employees, the applicant will deposit an amount determined by the District. Upon

completion of construction, the difference between the estimated and actual costs will be either billed or refunded.

q. Refund of Frontage Connection Charges.

The Developer may receive frontage connection charges collected by the District for connections to the main extension installed under the provisions of a main extension agreement specifically providing for the refund of frontage connection charges. The potential refunds paid to the Developer shall be limited to the fees collected by the District up to ten years from the date of the agreement. The total of potential refunds made for connections on either side of the main extension for the development shall not exceed the amount stated in Appendix I A.3.c. Any refund for a connection to the main extension shall be made following the date the main or services are inspected and accepted by the District and a signed Bill of Sale is provided by the developer.

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

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

9.2 Service Connections Installed by Private Contractor.

If service connections are installed by private contractor, the provisions of this Chapter shall apply.

9.3 Standard Main Extensions.

a. Applicability.

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

b. Responsibility for Cost.

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

9.4 Oversized Main Extensions.

a. Refunding for Oversizing.

The District shall refund, without interest, to the developer the cost of oversizing the main extension, as stated below or as specified in the agreement, within 45 calendar days following acceptance by the District and delivery of an unencumbered bill of sale.

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

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

b. Cost Allowances.

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

| <u>Diameter</u> | <u>Cost Allowance per Lineal Foot</u> |
|-----------------|---------------------------------------|
| <8" | \$ 0 |
| 8" | \$ 36 |
| 10" | \$ 43 |
| 12" | \$ 52 |
| 16" | \$ 79 |
| 20" | \$ 111 |
| 24" | \$ 143 |
| 30" | \$ 224 |
| 36" | \$ 247 |
| 42" | \$ 271 |
| >42" | Based on competitive bids |

At the developer's option, the reimbursement amount may be based on actual construction costs if an open competitive bid process in accordance with NRS Chapter 338 is completed for the oversized main.

c. Alternate Method of Payment.

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

9.5 Bolstering.

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

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

9.6 Assessment District Improvements.

Property owners may petition the District for formulation of an assessment district for the purpose of providing a water supply system or for improving an existing system which is inadequate. NRS Chapter 271 governs the process for petition and formulation of an assessment district.

9.7 Residential Main Extensions.

a. Applicability.

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

b. Application.

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

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

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

The District reserves the right to deny a residential main extension application, including if there is an existing assessment district or another previously approved form of providing water.

There are no frontage connection charge refunds due the applicant of a residential main extension for any connection to the main.

c. Length Limitations.

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

d. Fire Hydrants.

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