

SIERRA LAKES COUNTY WATER DISTRICT

ORDINANCE NO. 97

Ordinance amending Division X, Chapter 2, Section 10.19 of the District Code regarding the testing of the water service line, installation of a water meter box and installation of water conserving plumbing fixtures upon the sale of the property, modification of the building's plumbing system or an increase in the building footprint.

BE IT ORDAINED by the Board of Directors of Sierra Lakes County Water District, Placer County, California, as follows:

SECTION ONE FINDINGS

The Board of Directors of the Sierra Lakes County Water District ("District") hereby determines and finds as follows:

- A. It is the policy of this State, as set forth in Article 10, Section 2 of the California Constitution, that no one has the right to waste water, that the water resources of the State be put to beneficial use to the fullest extent of which those resources are capable, that the waste or unreasonable use or unreasonable method of use of water be prevented and that the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare.
- B. The District may establish rules and regulations for the sale, distribution and use of water pursuant to California Water Code Section 31024
- C. In view of the strong policy of the State to conserve water, the District desires to require the installation of water meter boxes, testing of private water service lines and the installation of water conserving plumbing fixtures in accordance with the provisions set forth below

SECTION TWO METER BOX INSTALLATION, TESTING OF EXISTING PRIVATE WATER SERVICE LINES AND INSTALLATION OF WATER CONSERVING PLUMBING FIXTURES

Section 10.19 of the Sierra Lakes County Water District Code is amended to read:

Prior to a change of ownership, or an increase in the building's footprint (wherein the value is greater than fifty percent (50%) of the building's original value) or modification of the building's plumbing system of property connected to the District's water system, the following requirements shall be met:

- (a) The property owner shall request an inspection by the District of the water service line. Such request shall be made at least ten (10) days prior to the scheduled date for the close of escrow or issuance of a Certificate of Occupancy by Placer County. The owner shall test the water service line by shutting off all faucets inside the house and the District

shall observe the water meter for a five-minute period to verify that no water is leaking in the system. If the water service line is found to be leaking, the property owner shall be responsible for making any necessary repairs or replacement prior to the close of escrow. The costs of repair or replacement shall be borne by the owner. Following any repairs or replacement, the property owner shall request a re-inspection by the District. A re-inspection will include inspection of the repair work and a retest of the water line to verify correction of the water leak.

(b) Prior to the close of escrow or issuance of a Certificate of Occupancy by Placer County, the property owner shall install a water meter box if one does not exist. All equipment associated with metering including valves, fittings, settings and meter box shall be approved by the District and provided by the owner at the owner's expense. Installation of the meter box shall be in accordance with Section 10.16 of Division X of Chapter 2 of the District Code.

(c) If the private water service was connected to the District's main water line prior to 1992 and the stop-and-drain valve located under the house has not been replaced with a valve of the type currently approved by the District, the property owner, at his sole expense, shall replace the existing stop-and-drain valve with one of the type currently approved by the District (Mueller H10284-NL or equivalent). Such replacement shall occur prior to the close of escrow or at such time as required by the District.

(d) The property owner shall request that the District inspect the installation of the water meter box and, if required, replacement of the stop-and-drain valve. Such request shall be made at least 48 hours prior to the planned installation and replacement. If an owner fails to request such an inspection, the District may require that the installation(s) be uncovered, at the owner's sole expense, in order for the District to inspect such installation. Such inspection by the District will include a test of the water line as described in subparagraph (a) above. The property owner shall be responsible for making any repairs and/or corrective work if the District finds that the installation(s) was defective.

(e) In the event that installation of the water meter box and stop-and-drain valve, if required, and/or testing of the private water service line would be required during the period of October 15th to April 15th or during such other periods when such work would be impractical due to weather conditions, the owner shall escrow funds in an amount equal to one hundred twenty-five (125%) percent of the District's estimate of the costs of the water meter box and stop and drain valve installations and replacement of the water service line. The property owner or his successor shall install the meter box and stop-and-drain valve, if required, and request an inspection and test of the water service line no later than the following July 1st. The property owner shall request District inspection of the installation(s) in accordance with subparagraph (d) above. Funds escrowed will be released upon written notification by the District to the Title Company holding such funds in the case of the sale of the property. In the case of a building permit, the deposit shall be made with the District.

(f) In the event that the water meter box and stop-and-drain valve, if required, have not been timely installed, and an inspection has not been timely requested as required by subparagraph (d) above, the District may make such installation(s) and conduct such testing and submit a bill for its costs therefor for payment from funds being held in escrow or by the District. In the event that the District's costs exceed the amount of funds being held in escrow, then the District may bill the then owner of the subject property for the excess costs. The bill shall be paid within thirty (30) days after its date. Interest shall accrue on any late payment at the legal rate. In the event that the District is required to bring action to collect any sum in default, the applicant shall pay any and all attorney's fees and other costs incurred by the District to bring such action and enforce compliance with this provision. The District shall not be limited to any one remedy in the event of default, but may avail itself of any remedy or legal procedure available to it in such event.

(g) The District shall have the power to waive the private water service line testing requirement if the water service line has been installed and tested by the District within a prior eight (8) year period or tested within a prior five (5) year period and there is good reason to believe that such testing is not necessary. The waiver shall not be available for any building whose water service line is more than 30-years old.

(h) Nothing herein shall constitute a warranty by the District of the soundness or ability of the private water service line to accomplish its purpose or remain in compliance with District ordinances.

(i) The property owner shall pay the sum of \$50.00 to the District for each re-inspection of an initially failing test conducted pursuant to this Section 10.19.

Prior to the sale or the remodel of any property triggering a water and sewer test that is connected to the District's water system, all installed plumbing fixtures (toilets, kitchen and bathroom faucets and showerheads) shall meet the definition of Water Conserving Plumbing Fixtures contained within Section 10.10 of the District Code and California Senate Bill 407. The property owner shall request an inspection by the District of the plumbing fixtures at least ten (10) days prior to the scheduled date for the close of escrow or at such time as required by the District.

SECTION THREE INCONSISTENCY.

To the extent that the terms and conditions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior District ordinance, motion, resolution, rule or regulation governing the same subject, the terms and conditions of this Ordinance shall prevail with respect to the subject matter thereof, and such inconsistent or conflicting provisions of prior ordinances, motions, resolutions, rules or regulations are hereby repealed.

SECTION FOUR SEVERABILITY.

If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, no other provision of this Ordinance shall be affected thereby.

SECTION FIVE POSTING OF ORDINANCE AND EFFECTIVE DATE

This Ordinance shall become effective immediately upon Board adoption so long as the Ordinance is posted at least five days prior to the date of the Board’s action in three (3)-public places in the District and within fifteen (15) days after its adoption.

SECTION SIX ENVIRONMENTAL FINDINGS

The District Board finds that the adoption of this Ordinance does not constitute a “project” under the California Environmental Quality Act (“CEQA”) (Public Resources Code Sections 21000, et seq.) or its implementing Guidelines (14 Cal. Code of Regulations Sections 15000, et seq.) (“CEQA Guidelines”). The District Board further finds that the adoption of this Ordinance falls within the activities described in Section 15378(b)(3) of the CEQA Guidelines which are deemed not to be “projects”. Even if adoption of this Ordinance were a “project” for purposes of CEQA, the District Board finds that it is exempt from review pursuant to Section 15061(b)(3) which provides that an activity is not subject to CEQA review where it can be seen with certainty that there is no possibility that it may have a “significant effect on the environment”. The District Board finds that it can be seen with certainty that there is no possibility that the adoption of this Ordinance and the approval of the rules and regulations contained herein may have a significant effect on the environment. The President of the District is authorized to execute and file a Notice of Exemption pursuant to the above provisions.

PASSED AND ADOPTED by the Board of Directors of the Sierra Lakes County Water District, County of Placer, State of California, on the 11th day of July of 2014, by the following vote:

- AYES: Directors Freedle, Burns, Fisco, Heald and Oudegeest
- NOES: None
- ABSENT: None
- ABSTENTION: None

SIERRA LAKES COUNTY WATER DISTRICT

/s/ Wade Freedle
President, Board of Directors

ATTEST:

/s/ Thomas G. Burns
Secretary, Board of Directors