

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Engineering Department
Water System Management Division

WATER RATES, RULES, AND REGULATIONS

APPLICABLE TO THE

WATER UTILITY

CITY OF FULLERTON
303 W. COMMONWEALTH AVE.
FULLERTON, CALIFORNIA 92832

The following Water Rates, Rules, and Regulations have been approved by resolution by the City Council of the City of Fullerton. No official or employee of the City of Fullerton or the Water Utility has any authority to waive, alter, or amend these rates, rules, and regulations or any part thereof in any respect, except in the manner provided herein.

The City Council of the City of Fullerton may, at any time, amend or cancel these rates and rules by resolution. Reasonable effort will be made to issue revised pages whenever any changes so require. Copies of the rates and rules in effect will be kept on file and up to date in the offices of the Utility. Customers or others contemplating any expenditures or activities governed by these rules should assure themselves that they have the most current and correct information by telephoning or otherwise contacting the Utility.

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Effective on 7/01/06

Resolution No. 9826

Dated 6/20/06

Superseding Resolution No. 9133

Dated: 5/2/00

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CITY OF FULLERTON
WATER UTILITY POLICY

Under the provisions of the California Constitution and Chapter 12.04 of the Municipal Code for the City of Fullerton, the City owns and operates a public utility service for water for the citizens of Fullerton.

The objectives of the Water Utility organization are to plan and carry out the development of the water resources of the City for the greatest benefit to the area and to the citizens of Fullerton. This includes providing dependable service without discrimination for the residents of the City of Fullerton to the fullest extent possible, consistent with overall sound business principles in planning, in financing, in construction of facilities, and in the operation and maintenance of the City's Utility facilities. The accomplishment of these objectives will maximize the benefits to the public.

It is recognized that the City Council is the governing body of the City and as such is responsible to the citizens of Fullerton for the Water Utility. With the City Council's direction and guidance, the City's management and supervisory personnel shall continually anticipate the water service and related needs of all the customers in the community and shall be responsive to their needs and requirements. Both the City Council and staff shall strive to maintain the highest level of service possible within the capability of the personnel of the Water Utility organization.

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RULE NUMBER 1

DEFINITIONS AND SUMMARY OF CHARGES

AGRICULTURAL SERVICE: The class of water service supplied for agricultural purposes where there is a bona fide cash crop produced.

APPLICANT: The person, association, developer, corporation, or governmental agency applying for water service.

APPLICATION: A written request to the Utility, on a form supplied by the Utility for service, as distinguished from an inquiry as to the availability of or charges for such service.

BACKFLOW PREVENTION DEVICE: An approved device or means to prevent backflow from the customer's private plumbing system into the Utility's potable water system.

BILLING PERIOD: The time interval between two consecutive billings.

CITY: The City of Fullerton, California, a municipal corporation.

CITY CLERK: The City Clerk of the City of Fullerton, California.

CITY COUNCIL: The City Council of the City of Fullerton, California.

CITY TREASURER: The City Treasurer of the City of Fullerton, California.

CLASS OF WATER SERVICE: The categories of water service established by the various Rate Schedules. The classes of water service are: Residential, Commercial, Industrial, Agricultural, Residential/Agricultural, Residential – Single and Multi-Family Landscape, Residential Fire Service, Fire Line, Temporary, and Municipal.

COMMERCIAL SERVICE: The class of water service rendered to premises devoted primarily to operations for profit.

CUSTOMER: The person in whose name service is rendered as evidenced by the signature on the application, contract, or agreement for that service, or in the absence of a signed instrument, by the receipt and payment of bills regularly issued in his name, regardless of the identity of the actual user of the service.

CUSTOMER CHARGE: A minimum charge to be paid regardless of the amount of water consumed.

CUSTOMER'S MAILING ADDRESS: The address specified in a customer's application or contract, or any other address subsequently given to the Utility by the Customer, to which any notice or other communication is to be mailed.

DATE OF PRESENTATION: The date upon which a bill or notice is mailed to the Customer.

DEVELOPMENT SERVICES DEPARTMENT: The Development Services Department of the City of Fullerton, California.

DIRECTOR OF ENGINEERING: The Chief Administrative Officer of the Department of Engineering of the City of Fullerton, California.

DIRECTOR OF ADMINISTRATIVE SERVICES: The Chief Administrative Officer of the Department of Administrative Services of the City of Fullerton, California.

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Rule Number 1 - Continued

DISTRIBUTION MAINS: Pipelines located in streets, highways, public ways, easements, or private rights-of-way, exclusive of service connections, which are used to serve the general public with water.

FIRE CHIEF: The Fire Chief of the City of Fullerton, California.

FIRE LINE SERVICE: The class of water service used exclusively for fire protection, whether said lines are connected with an automatic sprinkling system or private fire hydrants.

INDUSTRIAL SERVICE: The class of water service rendered to premises where the water is used primarily in manufacturing or processing activities.

MAILED: Any notice or other communication will be considered "mailed" when it is enclosed in a sealed envelope, properly addressed, and deposited in any United States Post Office box, postage prepaid.

MAIN EXTENSION: The extension of water transmission and distribution mains beyond existing facilities.

METER: An instrument used for measuring the water delivered to the customer.

METER ASSEMBLY: A part of the service connection that includes the meter and associated appurtenances necessary for testing and maintenance.

MULTIFAMILY ACCOMMODATION: An apartment building, duplex, court group, or any other group of residential units located upon a single premises, providing the residential units therein meet the requirements for a single family accommodation. Hotels, guest or resort ranches, tourist camps, motels, auto courts, and trailer courts consisting primarily of guest rooms and/or transient accommodations are not classed as multifamily accommodations.

MUNICIPAL SERVICE: The class of water service for buildings or facilities operated and maintained by the City of Fullerton.

PERMANENT SERVICE: Service which, in the opinion of the Utility, is of a permanent and established character. This service may be continuous, intermittent, or seasonal in nature.

PERSON: Any individual, group, developer, or organization operating as a single entity.

POINT OF DELIVERY: The point where the piping of the Utility is connected to the piping of the customer's property, regardless of the location of the Utility's meter.

PREMISES: The integral property or area, including improvements thereon, to which water service is provided, or for which an application for water service is filed.

RATE CHARGES: Charges in the rate schedules may include the following:

COMMODITY CHARGE: That portion of the charge for service that varies with the quantity of water consumed in accordance with the rate schedule.

CUSTOMER CHARGE: That portion of the charge for service which is a fixed amount without regard to water consumption in accordance with the rate schedule.

MINIMUM CHARGE: The least amount for which service will be rendered in accordance with the rate schedule.

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Rule Number 1 - Continued

RESIDENTIAL SERVICE: The class of water service supplying water to single and multifamily accommodations for household purposes, including water used on the premises for sprinkling lawns, gardens, and shrubbery, washing vehicles, and other similar and customary purposes pertaining to single or multifamily accommodations.

RESIDENTIAL FIRE SERVICE: The class of water service supplying water to single family accommodations with a fire sprinkler system in the house. Water service shall be used for household purposes, including water used on the premises for sprinkling lawns, gardens, and shrubbery, washing vehicles, and other similar and customary purposes per family to single family accommodations.

RESIDENTIAL SINGLE AND MULTI FAMILY LANDSCAPE: The class of water service supplying water to single and multi-family accommodations for landscape purposes.

SERVICE CONNECTION: The pipe or tubing, fittings, and valves necessary to conduct water from the distribution main to and through the meter.

SINGLE FAMILY ACCOMMODATION: A house, apartment, or other dwelling unit which is used as a residence by a single family.

TEMPORARY SERVICE: The class of water service for enterprises or activities which are temporary in character, or where it is known in advance that service will be of limited duration. Service, which in the opinion of the Utility, is for operations of a speculative character or the permanency of which has not been established, is also considered temporary service.

THEFT OF WATER: This shall mean the taking of water from any City water main, fire hydrant, service, or facility without a meter, permit, or application as provided for in the Rates, Rules, and Regulations, or with the intent to avoid payment therefor.

TRACT OR SUBDIVISION: An area which may be identified by filed subdivision plans or as an area in which a group of dwellings may be constructed about the same time, either by a large scale builder, or by several builders working on a coordinated basis.

UTILITY: The municipal water system of the City of Fullerton.

UTILITY'S OPERATING CONVENIENCE: The term refers to the utilization, under certain circumstances, of facilities or practices not ordinarily employed which contribute to the overall efficiency of the Utility's operations. It does not refer to customer convenience or to the use of facilities or adoption of practices required to comply with applicable laws, ordinances, rules, or regulations, or similar requirements of public authorities.

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RULE NUMBER 2

DESCRIPTION OF SERVICE

A. QUANTITIES

The Utility will endeavor to supply water dependably and safely in adequate quantities to meet the reasonable needs and requirements of customers.

B. PRESSURES

1. Normal Operation and Variations

The Utility will endeavor to maintain normal operating pressures of not less than 40 pounds per square inch nor more than 125 pounds per square inch at the service connection, except that during periods of hourly maximum demand, the pressure at the time of peak seasonal loads may not be less than 20 pounds per square inch and that during periods of hourly minimum demand the pressure may not be more than 150 pounds per square inch. Variations in pressure under normal operation will not exceed 50 percent of the average operating pressure. (The average operating pressure is the arithmetical average of at least 24 consecutive hourly pressure readings.) Due to topography and other causes, the pressure is not uniform over the entire service area of the Utility, and the Utility reserves the right to change to different pressures in various areas served.

2. Customer Responsibility

Where higher or lower pressures than those provided by the Utility at the point of service connection are required, it shall be the customer's responsibility to install and maintain necessary booster pumps, pressure regulators, pressure relief valves, etc.

C. QUALITY

Whenever furnished for human consumption or for domestic uses, the Utility will endeavor to provide water that is wholesome, potable, in no way harmful or dangerous to health, and insofar as practicable, free from objectionable odors, taste, color, and turbidity.

D. SERVICE AREA

The area in which service is or will be furnished by the Water Utility is that area which is within the City boundaries as the boundaries now prevail or may from time to time exist and includes that area which was originally within the service area of the Sunny Hills Mutual Water Company. The area does not exclude those areas outside the City boundaries which may be serviced upon approval of the City Council.

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RULE NUMBER 3

APPLICATION FOR SERVICE

A. APPLICATION FOR SERVICE

Each applicant for utility service may be required to sign an application on a form provided by the Utility, and upon request, will be required to furnish to following information:

1. Name of applicant
2. Date and place of application
3. Location of premises to be served
4. Date applicant will be ready for service
5. Whether the premises have been heretofore supplied
6. Purpose for which service is to be used
7. Customer's mailing address
8. Whether applicant is owner, tenant of, or agent for the premises
9. Legal owner information
10. Information to establish credit of applicant
11. Such other information as the Utility may reasonably require

The above information may be supplied by the applicant either in writing or by telephone if the applicant's signature is not required.

The application is a request for service and does not in itself bind the Utility to serve, except under its filed tariff schedules, nor does it bind the customer to take service for a longer period than the minimum requirements of the rate schedule.

B. INDIVIDUAL LIABILITY FOR JOINT SERVICE

Two or more persons who join in one application or contract for service shall be jointly and severally liable thereunder and shall be billed by means of a single periodic bill mailed to the person designated on the application to receive the bill.

C. CHANGE IN CUSTOMER'S EQUIPMENT OR OPERATIONS

Customers shall give the Utility written notice of the extent and nature of any material change in the size or character of the plumbing, equipment, or operations for which the Utility is supplying service before making any such change.

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D. CHANGE OF ADDRESS

Water service shall not be given to any customer upon change of address until all delinquent charges owing thereon at a former place of residence or business have been paid.

E. SERVICE ESTABLISHMENT CHARGE

1. For each establishment of utility service, the Utility shall charge the "Service Establishment Charge" as listed in the adopted fee resolution.
2. In addition to the service establishment charge, a service turn on charge shall be made each time a turn on of utility service or a meter reading is made. Such charge shall be added to the customer's first regularly scheduled water bill rendered; this charge is designated as the "Service Turn On Charge – Future Date" in the adopted fee resolution.
3. In case the customer requests that utility service be turned on the same day of his request, an additional charge shall be made. This charge is designated as the "Service Turn On Charge – Day of Request" in the adopted fee resolution.
4. In case the customer requests that the utility service be turned on outside of regular business hours, an additional charge shall be made. This charge is designated as the "Service Turn On Charge – Outside of Regular Business Hours."

F. OTHER CONDITIONS OF SERVICE

Before water service will be provided by the Utility, the customer shall obtain any approval of facilities furnished or installed by customer which may be required by the Community Development Department or the Fire Department of the City of Fullerton or any other authority whose approval is required by law.

G. PRESSURE AND SERVICE CONDITIONS

The signing of an application for a water connection or for water service shall be prima facie acceptance and consent to such conditions of pressure and service as may from time to time exist, under the current operating practice prevailing on the water system of the Utility. The applicant thereby agrees to hold the Utility harmless from any and all damage caused by or arising out of low or high fluctuating pressure or interruption of service.

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RULE NUMBER 4

CONTRACTS

A. SERVICE REQUIRING CONTRACTS

Contracts, other than applications, may be required prior to service, under the following conditions:

1. Where required by provisions in these Water Rates, Rules, and Regulations.
2. When a main extension to be made under the provisions of Rule Number 15 is subject to refunds.
3. For temporary service not covered under the provisions of Rule Number 13.
4. For any service to be furnished at rates or under conditions other than the rates and conditions contained in these Water Rates, Rules, and Regulations.
5. When service is requested to supply a premises situated at such an elevation that it cannot be assured of a water supply at adequate pressure, water service shall not be furnished until the property owners of record execute an agreement to accept such water service as the Utility is able to furnish from its existing distribution system and provide any additional facilities required by any applicable law or plumbing code.
6. For connections with other water utilities.
7. For special standby service.

B. CONTRACT

Contracts shall become effective only after authorization by the appropriate Utility official.

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RULE NUMBER 5

SPECIAL INFORMATION REQUIRED ON UTILITY FORMS

A. UTILITY SERVICE BILL

The following statements will be printed on each Utility service bill:

1. "Payment is due and payable now and accounts become delinquent if not paid by the due date. AFTER THE DUE DATE, UNPAID BALANCES WILL BE CHARGED A LATE FEE. SERVICE MAY BE DISCONTINUED AFTER SIXTEEN (16) DAYS PAST THE DUE DATE. Please do not send cash. See reverse side for important information. Please make check payable to: City of Fullerton."
2. "FOR BILLING PURPOSES, ALL MONTHS ARE CONSIDERED TO HAVE 30 DAYS. A BILL IS DELINQUENT IF NOT RECEIVED IN OUR OFFICE BY 5:00 PM. ON THE DUE DATE SHOWN ON THE FRONT. SERVICE MAY BE DISCONTINUED AFTER SIXTEEN (16) DAYS PAST THE DUE DATE. IF SERVICE IS DISCONTINUED, ALL CHARGES MUST BE PAID AND A DEPOSIT MAY BE REQUIRED TO RE-ESTABLISH CREDIT AND/OR SERVICE."

"MAKE CASH PAYMENT(S) IN PERSON ONLY."

"PAYMENT MAY BE MADE AT CITY HALL OR BY DEPOSITING IT IN THE BOXES PROVIDED FOR THIS PURPOSE, OUTSIDE OF CITY HALL, ON THE NORTH SIDE. THE CITY ASSUMES NO LIABILITY FOR LOSS FROM POSTAL DELAYS OR PAYMENTS MADE ELSEWHERE. For water emergencies ONLY, after normal business hours, please call the Fullerton Police Department at (714) 738-6700."

"A SERVICE FEE WILL BE CHARGED FOR RETURNED CHECKS, AND REPAYMENT MUST BE MADE BY CASH OR MONEY ORDER."

3. "QUESTIONS REGARDING YOUR UTILITY BILL

Should you have a question regarding this bill, call Utility Customer Service at (714) 738-6890, between the hours of 8:00 AM and 5:00 PM, M – TH and every other Friday. If you thereafter believe you have been billed incorrectly you may submit an appeal per Rule Number 10 of the Water Rates, Rules, and Regulations which can be found on the City website.

B. DISCONTINUANCE OF SERVICE NOTICE

The following statements will be printed on each Delinquent Bill:

1. "BY RECEIVING THIS DELINQUENT BILL, IT MEANS WE DID NOT RECEIVE PAYMENT OF YOUR REGULAR BILL BY THE DUE DATE. IF YOU HAVE ALREADY MAILED THE PAYMENT, PLEASE CALL (714) 738-6890 IMMEDIATELY. IF YOU HAVE NOT MADE PAYMENT, DO NOT MAIL UNLESS YOU ARE SURE IT WILL BE RECEIVED IN TIME. **SEE REVERSE SIDE FOR IMPORTANT INFORMATION ABOUT DISCONTINUANCE OF SERVICE.**"

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RULE NUMBER 5 - Continued

“URGENT DELINQUENT NOTICE. NO OTHER NOTICE WILL BE GIVEN: PLEASE PAY PROMPTLY. AS OF, _____ WE HAVE NOT RECEIVED PAYMENT FOR YOUR UTILITY BILL. IF YOU HAVE ALREADY MAILED THE PAYMENT, PLEASE CALL (714) 738-6890 IMMEDIATELY. YOUR SERVICE WILL BE DISCONNECTED WITHOUT FURTHER NOTICE IF YOUR PAYMENT IS NOT RECEIVED BY THE DATE AND TIME SHOWN ABOVE IN THE AMOUNT OVERDUE ABOVE.”

“IF YOUR SERVICE IS DISCONNECTED, IT WILL BE RESTORED ONLY AFTER THE FULL AMOUNT DUE AND A RECONNECTION FEE HAS BEEN PAID. IN ADDITION, A CASH DEPOSIT MAY BE REQUIRED TO RE-ESTABLISH YOUR CREDIT IF YOUR PAYMENT IS NOT RECEIVED BY THE DATE AND TIME SHOWN ABOVE, WHETHER OR NOT SERVICE IS DISCONNECTED.”

2. “This is a delinquent bill and may include late charges. PAYMENT MUST BE MADE AT CITY HALL OR BY DEPOSITING IT IN THE BOX PROVIDED FOR THIS PURPOSE, OUTSIDE OF CITY HALL, ON THE NORTH SIDE. The City assumes no liability for loss from postal delays or payments made elsewhere. For water emergencies ONLY, after normal business hours, please call the Fullerton Police Department at (714) 738-6700.”

“MAKE CASH PAYMENTS IN PERSON ONLY”.

3. “If this bill is not paid by the due date and time shown on the front, **THIS IS A NOTICE OF DISCONTINUANCE OF SERVICE.** If your service is disconnected, it will be restored only after the full amount due and reconnection fee has been paid. In addition, a cash deposit may be required to re-establish your credit and/or service. Service may be discontinued at a new location 15 days after service is established if there are unpaid bills for service at a prior location.”
4. The Water Rates, Rules and Regulations are available for inspection at the City of Fullerton **Treasurer’s Office.**”

“A SERVICE FEE WILL BE CHARGED FOR RETURNED CHECKS AND REPAYMENT MUST BE MADE BY CASH OR MONEY ORDER.”

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RULE NUMBER 6

ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

A. ESTABLISHMENT OF CREDIT - ALL CLASSES OF SERVICE

Each applicant for Utility service shall be required to satisfactorily establish credit which will be deemed established upon qualifying under any one of the following:

1. If applicant makes a cash deposit to secure payment of bills for service as prescribed in Rule No. 7.
2. If applicant furnished a guarantor, satisfactory to the Utility, to secure payment of bills for service requested.
3. All classes of service are required to post a deposit as specified in Water Rule No. 7
4. If applicant's credit is otherwise established to the satisfaction of the Utility.

B. ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

1. An applicant who previously has been a customer of the Utility and whose service has been discontinued by the Utility during the past twelve months of that prior service because of nonpayment of bills may be required to re-establish credit by depositing the amounts prescribed in Rule No. 7 for that purpose, and by paying utility bills regularly due; except an applicant for residential service will not be denied service for failure to pay such bills for other classes of service.
2. A customer who fails to pay bills before they become past due as prescribed in Rule No. 11-A, and who further fails to pay such bills by the date indicated on a discontinuance of service notice for nonpayment of bills, may be required to pay said bills and re-establish credit by depositing the amount prescribed in Rule No. 7. This rule will apply regardless of whether or not service has been discontinued for such nonpayment.
3. A customer using other than residential service may be required to re-establish credit in accordance with Rule No. 6-A in case the conditions of service or basis on which credit was originally established have, in the opinion of the Utility, materially changed.

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RULE NUMBER 7

DEPOSITS

A. GENERAL

A deposit will be required for all classes when a new account is established or service is reconnected following termination for nonpayment and/or when the City Treasurer of the City of Fullerton has determined it is in the best interest of the City of Fullerton.

B. AMOUNT OF DEPOSIT

1. The amount of deposit shall be twice the estimated average bill for each service as listed under "Deposit for New Service" in the adopted Public Works fee resolution. If an average use for the site is not available, the average will be determined by similar business or residential use in the same area
2. In case the new service requested is for a vacant property that is for sale or between rental tenants, the owner of listing party shall pay a deposit amount listed as "Deposit for Clean and Show" in the adopted Public Works fee resolution.
3. The City Treasurer may require a higher deposit amount based on an average monthly bill that is significantly greater than the citywide average.

C. RETURN OF DEPOSIT

The utility will refund the customer's deposit by means of a credit to the customer's bill, if the customer makes twelve (12) consecutive payments (2 years for accounts billed bi-monthly and 1 year for accounts billed monthly) with no record of delinquency, or when a customer closes their account.

D. INTEREST ON DEPOSITS

There shall be no interest paid on Utility deposits held by the City.

E. DEPOSITS FOR TEMPORARY SERVICE

Deposits for temporary service shall be specified in Rule No. 13, Temporary Service.

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RULE NUMBER 8

NOTICES

A. NOTICES TO CUSTOMERS

When notices from the Utility to a customer are required, they will normally be given in writing, either mailed to the customer's mailing address, or delivered to him, or posted in the local newspaper of records, except that in emergencies the Utility may give notices in the manner most suitable under the existing conditions (radio, television, telephone, etc.).

B. NOTICE FROM CUSTOMERS

Notices from a customer to the Utility may be given by written communication mailed to the City Treasurer's office or may be given orally to an authorized agent at the City Treasurer's office except when written notice is specifically required in tariff schedules or in any written agreement.

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RULE NUMBER 9

RENDERING AND PAYMENT OF BILLS

A. RENDERING OF BILLS

1. Billing Period

Bills for water service will be rendered bimonthly, monthly, or as otherwise provided in the tariff schedules. The Director of Administrative Services may change the billing period of a customer if such change is considered in the best interests of the Utility.

2. Metered Service

a. Bills for metered service will be based on meter registrations. Meters will be read as required for the preparation of regular bills, opening bills, and closing bills.

b. If because of unusual conditions or for reasons beyond its control, the Utility is unable to read the customer's meter on the scheduled reading date, the Utility may bill the customer for estimated consumption during the billing period and make any necessary corrections when a reading is obtained. Estimated consumption for this purpose will be calculated considering the customer's prior usage, the Utility's experience with other customers of the same class in that area, and the general characteristics of the customer's operations. Adjustments for any underestimate or overestimate of a customer's consumption will be reflected on the first regularly scheduled bill rendered and based on the actual reading following the period of estimated consumption. If the cause for the Utility's inability to read the meter is because of inaccessibility, then access to the meter sufficient to permit its being read shall be provided by the customer as a prerequisite to the Utility making any adjustment of water consumption billed on an estimated basis.

3. Pro Rata Computation

When the total period of service is less than thirty days, no prorations will be made for the customer charge. The bill shall include the full monthly customer charge, plus charges for the commodity used.

B. READINGS OF SEPARATE METERS NOT COMBINED

For the purpose of billing, each meter upon the customer's premises will be considered, separately, and the readings of two or more meters will not be combined, except as follows:

1. Where combinations of meter readings are specifically provided for in the tariff schedules.
2. Where the Utility's operating convenience requires the use of more than one meter per service connection.

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RULE NUMBER 9 - Continued

C. PAYMENT OF BILLS

1. All bills are due and payable before the due date shown on the bill. Payment shall be made to the City of Fullerton, Treasurer's Office.
2. Charges for reconnection of service, and payments of deposits or payments to reinstate deposits as required under the rules of the Utility, shall be paid before service will be reconnected.
3. If payment of a bill is not received by the Treasurer's Office on or before the due date, a late charge as designated in the adopted fee resolution will be added to the total amount due.

D. RETURNED CHECK CHARGE

The Utility shall require a charge for any check returned from the bank unpaid. The amount of said charge shall be set by resolution on file at the City Clerk's Office.

E. CHECK READ CHARGE

When a customer requests that the Utility verify the accuracy of the read as shown on the bill, the Utility shall charge a "Check Read Charge" as designated in the adopted fee resolution, for sending a field representative to the service address to obtain another reading of the meter. If said check read shows that the previous read is in error, no check read charge would be imposed. Such charge shall be added to the customer's next regularly scheduled water bill.

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Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Engineering Department
Water System Management Division

RULE NUMBER 10

DISPUTED BILLS

A. BILLED WATER CONSUMPTION

1. A customer who believes that the water consumption portion of the utility bill is in error must first contact the Utility Services Division by phone or in writing before the due date on the bill stating the nature of their dispute. The City shall contact the customer within ten (10) days from the date the dispute is received with a determination. Once a determination has been provided by the Utility the customer shall submit payment for the total or adjusted utility bill before the existing due date listed on the bill or within seven (7) days from the Utility's determination if the due date has already expired.

B. DISPUTED WATER BILL APPEAL

1. If the customer is not satisfied with the determination, the customer may formally appeal the disputed bill in question to the Water System Manager for review by submitting a written statement setting forth the reasons why the customer believes the bill is incorrect. The customer must submit the appeal within seven (7) days of the initial dispute determination to the Water System Manager, City of Fullerton, 303 W Commonwealth Ave, Fullerton, California 92832. However, in order to have the disputed bill considered by the Water System Manager, the customer must submit a payment equal to the customer's most recent paid utility bill to the Utility Services Division (payable to the City of Fullerton). Upon timely receipt of the written statement and payment, the Water System Manager or his designee will review the basis of the billed amount, and communicate the results of the review and determination to the customer. Once a determination has been provided by the Water System Manager the customer shall submit payment for the total or adjusted utility bill before the existing due date listed on the bill or within seven (7) days from the Water System Manager's determination if the due date has already expired.

A customer who formally disputes the accuracy of the water consumption portion of a utility bill will not have the water service discontinued for nonpayment and will not be responsible for any late fees that may occur during the review period. If before completion of the Water System Manager's review, an additional bill becomes due the customer must send payment (payable to the City of Fullerton) for the entire amount of the additional bill. Failure to do so will constitute acceptance by the customer of the bill(s) as rendered, and authorize discontinuance of service in accordance with Rule No. 11.

2. Failure of the customer to file a written appeal with the Water System Manager and provide a good faith payment to the Utility Services Division within the required seven (7) day period will constitute acceptance by the customer of the initial bill determination rendered, and Utility Services Division may authorize discontinuance of service in accordance with Rule No. 11.
3. If the customer is not satisfied with the dispute determination by the Water System Manager or his designee the customer may submit an appeal to the Infrastructure and Natural Resources Advisory Committee who will then conduct a review of the disputed bill. Within ten (10) days of the Water System Manager's dispute determination, the customer must submit a written statement setting forth the reasons why the customer believes the bill is incorrect. The appeal must be mailed to the Chairman of the Infrastructure and Natural Resources Advisory Committee, City of Fullerton, Attention Engineering, 303 W

Effective on 1/1/19

Resolution No. 2018-15

Dated 5/1/18

Superseding Resolution No. 2013-25

Dated: 5/7/13

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Issued By:
Engineering Department
Water Engineering Division

RULE NUMBER 10 - Continued

Commonwealth Ave, Fullerton, California 92832. Upon receipt of a timely appeal, the Infrastructure and Natural Resources Advisory Committee will review the appeal within sixty (60) days. A written decision of the Infrastructure and Natural Resources Advisory Committee determination shall be delivered to the customer by personal delivery or certified mail within ten (10) days following the appeal hearing. Once a determination has been provided by the Infrastructure and Natural Resources Advisory Committee the customer shall submit payment for the total or adjusted utility bill before the existing due date listed on the bill or within seven (7) days from the Infrastructure and Natural Resources Advisory Committee's determination if the due date has already expired.

If before completion of the Infrastructure and Natural Resources Advisory Committee's review, an additional bill(s) becomes due the customer must submit payment (payable to the City of Fullerton) for the entire amount of the additional bill. Failure to do so will constitute acceptance by the customer of the bill(s) as rendered, and authorize discontinuance of service in accordance with Rule No. 11.

4. If the customer is not satisfied with the written determination of the Infrastructure and Natural Resources Advisory Committee the customer may submit a written appeal to the City Council. The appeal must be submitted in writing to the City Council, City of Fullerton, 303 W Commonwealth Ave, Fullerton, California 92832, together with reasons for the dispute within ten (10) days following receipt of the Infrastructure and Natural Resources Advisory Committee's determination. In the absence of a timely filed appeal, the decision of the Infrastructure and Natural Resources Advisory Committee shall be final. Upon receipt of a timely appeal, the City Council will review the appeal. A written decision of the City Council determination shall be delivered to the customer by personal delivery or certified mail within ten (10) days following the appeal hearing. Once a determination has been provided by the City Council the customer shall submit payment for the total or adjusted utility bill before the existing due date listed on the bill or within seven (7) days from the City Council's determination if the due date has already expired.

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Water Utility
303 West Commonwealth Avenue
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Issued By:
Engineering Department
Water System Management Division

RULE NUMBER 11

DISCONTINUANCE AND RESTORATION OF SERVICE

A. PAST DUE BILLS

Bills rendered shall be considered past due if not paid before the due date shown on the bill.

B. NONPAYMENT OF BILLS

1. When a bill for utility service has become past due and a discontinuance of service notice for nonpayment has been issued, service may be discontinued if the bill is not paid within the time required by such notice.
2. A customer's service may be discontinued for nonpayment of a bill for service previously rendered customer at any location served by the Utility provided such bill is not paid within fifteen (15) days after presentation of a notice that present service will be discontinued for nonpayment of such bill for prior service. Single family residential service shall not be discontinued because of nonpayment of bills for other classes of service.
3. If a customer is receiving more than one service, any or all services may be discontinued when any service, regardless of location, is discontinued for nonpayment. However, single family residential service will not be discontinued because of nonpayment of bills for other classes of service, except when other classes of service serve the same premises.
4. Under no circumstances may service be discontinued for nonpayment of a bill to correct previously billed incorrect charges for a period in excess of the preceding four months, unless such incorrect charges have resulted from the customer not abiding by the rate schedules.
5. Bills which require special posting notification on the premises by a field Utility representative shall include a "Special Posting/Shutoff Notice Charge" as designated in the adopted fee resolution.

C. UNSAFE EQUIPMENT AND CROSS-CONNECTIONS

The Utility may refuse or discontinue service to a customer if any part of the customer's plumbing, backflow prevention devices, or other equipment, or the use thereof, shall be determined by the Utility to be unsafe in violation of applicable laws, ordinances, rules, or regulations of public authorities, or if any condition existing upon the customer's premises shall be thus determined to endanger the Utility's service facilities, until it shall have been put in a safe condition or the violation remedied.

The Utility does not assume any responsibility of inspecting or repairing the customer's plumbing or other equipment or any part thereof and assumes no liability therefor.

1. Cross-connection items that create a basis for water service discontinuation shall include, but are not limited to, the following:
 - a. Refusal to install or test a backflow prevention device.

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RULE NUMBER 11 - Continued

- b. Refusal to repair or replace a faulty backflow prevention device.
- c. Direct or indirect connection between the public water system and a sewer line.
- d. Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants.
- e. Unprotected direct or indirect connection between the public water system and an auxiliary water system.
- f. A situation which presents an immediate health hazard to the public water system.

The Utility will terminate service to a customer's premises after a written notice has been sent specifying the corrective action needed and the time period in which it must be done. If no action is taken within the allowed time period, water service may be terminated. The water service will remain inactive until correction of violations has been approved by the Utility.

D. SERVICE DETRIMENTAL TO OTHER CUSTOMERS

The Utility will not provide service to any equipment, the operation of which will be detrimental to the service of the Utility or its other customers and will discontinue water service to any customer who shall continue to operate such equipment after having been given notice by the Utility to cease so doing.

E. FRAUD

The Utility may refuse or discontinue service if the acts of the customer or the conditions upon the premises are such as to indicate an intent to defraud the Utility.

F. FAILURE TO ESTABLISH OR REESTABLISH CREDIT

If for an applicant's convenience, the Utility should provide service before credit is established or should continue service to a customer when credit has not been reestablished in accordance with Rule Number 6, and fails to establish or reestablish credit, the Utility may discontinue service.

G. NONCOMPLIANCE

Except as otherwise specifically provided in this Rule Number 11, the Utility may discontinue service to a customer for noncompliance with the rate schedules and the rules and regulations, if after written notice of at least five (5) days, the customer has not complied with the notice. The Utility may dispense with the giving of such notice in the event there exists, in the Utility's opinion, a dangerous condition, thus rendering the immediate discontinuance of service to the premises imperative.

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RULE NUMBER 11 - Continued

H. CUSTOMER'S REQUEST FOR SERVICE DISCONTINUANCE

When a customer desires to terminate responsibility for service, the Utility shall be given not less than two days' notice of intention. The customer shall state the date on which termination becomes effective. A customer may be held responsible for all service furnished at the premises until two days after receipt of such notice by the Utility or until the date of termination specified in the notice, whichever date is later.

I. RESTORATION - RECONNECTION CHARGE

1. The Utility shall require a payment of a "Reconnection Charge" as designated in the adopted fee resolution plus other associated fees or charges for each service that has been discontinued for nonpayment of bills or for failure otherwise to comply with rules prescribed by the Utility. Such charges shall be paid before service is reconnected; this charge is designated as the "Reconnection Charge – Future Date".
2. In case the customer requests that such service be reconnected on the day of the request during regular business hours, the customer shall be charged a "Reconnection Charge, Day of Request" as designated in the adopted fee resolution. However, if the request is for other than regular business hours, this charge shall be per the "Reconnection Charge Outside of Regular Business Hours" as designated in the adopted fee resolution.
3. If the customer turns on a service or allows or causes it to be turned on after it has been turned off for the above reasons, the Utility may remove the meter and not reinstall it until amounts due from the customer are collected or rules are complied with, and the Utility will charge the actual cost for restoration of a meter under these conditions. In addition, the customer shall be charged the cost for any and all damages to the meter.
4. If the customer turns on a service or allows or causes it to be turned on after it has been turned off for non-payment of a utility bill, by means of cutting or otherwise removing a city lock, they will be charged a "damaged lock charge" as designated in the adopted fee resolution for each damaged.
5. If the customer requests that service be permanently stopped there will be no charge for the final reading of the meter and turn off of the meter. If the customer contacts the utility after the final reading and the water has been turned off, the charge to reconnect the services will be charged the same as a "Service Turn On Charge" as designated in the adopted fee resolution.

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Issued By:
Engineering Department
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RULE NUMBER 12

INFORMATION AVAILABLE TO PUBLIC

A. GENERAL INFORMATION

The Utility will maintain, open for public inspection at its offices, pertinent information regarding the service rendered, including the following:

1. Characteristics of water

Copies of the most recent Annual Water Quality Report of the water supplied to customers.

2. Rates and rules

A copy of the tariff schedules consisting of the rates and general rules of the Utility.

B. NEW OR REVISED RATES

Should new or revised rates be established after the time application is made, the Utility will, within a reasonable time, use such means as may be practicable to bring them to the attention of those of its customers who may be affected thereby.

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Issued By:
Engineering Department
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RULE NUMBER 13

TEMPORARY SERVICE

A. CONDITIONS OF SERVICE

The City shall, if no undue hardships to its existing customers will result therefrom, furnish temporary service for construction work, circuses, Christmas tree lots, bazaars, fairs, plumbing pressure testing, or other similar uses, that because of their nature will not be used steadily or permanently. All such services shall be subject to the following conditions:

1. Application for a temporary service permit with the appropriate deposit shall be made to the Utility. The deposit for temporary service shall be refunded after charges for water consumption and the loss or damage of a meter and/or fittings have been deducted at the termination of service.
2. Temporary service connections may be terminated at any time and will be made at the discretion of the Utility.
3. Charges for loss or damage to a meter and fittings will be based upon current prices.
4. Temporary services shall generally be taken from existing outlets on the water system or from fire hydrants designated by the Utility. Any special outlets shall be installed at the customer's expense.
5. Backflow prevention devices and approved plumbing materials may be required for certain types of uses and shall be installed at the customer's expense.
6. An Eddy valve will be required on all fire hydrant connections.
7. The temporary service permit must be kept at the job site at all times.

B. METERED SERVICES

Generally, all temporary services will be metered and will be subject to the following conditions:

1. Deposits for temporary metered service shall be as follows per the "Temporary Service Deposit" as designated in the adopted fee resolution.
2. Permit charge for temporary metered services shall be per the "Temporary Service Permit; Meter," as designated in the adopted fee resolution. This fee includes the installation and removal of the meter by the Utility. Meter is locked on fire hydrant to prevent theft and insure meter is at authorized location for future inspection and meter readings.

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3. Temporary meters may be moved from one location to another, with the approval of the Utility (only). "Temporary Service Relocation Charge" as designated in the adopted fee resolution is charged for all relocations.
4. A "Daily Service Charge" will be charged per the adopted fee resolution.

C. UNMETERED SERVICES

If, in the opinion of the Utility, the setting of a temporary meter is impractical or uneconomical, a temporary unmetered service connection can be made. Unmetered connections will be subject to the following conditions:

1. Charge for unmetered services, other than spacers, shall be as follows:
 - a. Permit charge¹⁵ designated as "Temporary Service Permit; Unmetered" in the adopted fee resolution.
 - b. Commodity charge, based on current rate and estimated quantity to be used.

D. RATES

Rates for temporary service shall be as specified in Rate Schedule W-T.

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RULE NUMBER 14

CONTINUITY OF SERVICE

A. SHORTAGE AND INTERRUPTION

1. The Utility will exercise reasonable diligence to furnish a continuous and sufficient supply of water to its customers and to avoid any shortage or interruption of delivery thereof. It cannot, however, guarantee a continuous or sufficient supply or freedom from interruption.
2. The Utility will not be liable for interruption or shortage of supply, nor for any loss or damage occasioned thereby.
3. Whenever, in the operation of the Utility's water system, interruption in the delivery of water to customers results from or is occasioned by causes other than the exercise by the Utility of its right to suspend temporarily the delivery of water for the purpose of making repairs or improvement to its system, notice of any such interruption will not be given to the customers of the Utility, but the Utility shall exercise reasonable diligence to reinstitute delivery of water.

B. TEMPORARY SUSPENSION FOR REPAIRS

The Utility, whenever it shall find it necessary for the purpose of making repairs or improvements to its system will have the right to suspend temporarily the delivery of water. In all such cases, as reasonable notice thereof as circumstances will permit will be given to the customer, and the making of such repairs or improvements will be completed as rapidly as may be practicable and, if practicable, at such times as will cause the least inconvenience to its customers.

C. APPORTIONMENT OF SUPPLY DURING TIME OF SHORTAGE

Should a shortage of supply ever occur, the Utility will apportion its available supply of water among its customers as authorized or directed by the Director or Engineering in the manner that appears most equitable under conditions then prevailing.

D. USE OF WATER DURING EMERGENCY

In the case of an emergency necessitating the use of water from the City mains, the Fire Chief designee may limit the use of water on adjoining properties which in the opinion of the designee would prevent or hamper the water flows for the emergency.

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Issued By:
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RULE NUMBER 15

MAIN EXTENSIONS

A. GENERAL PROVISIONS

1. Applicability

- a. All extensions of distribution and transmission mains from the Utility's existing water system to serve new customers shall be made under the provisions of this rule.
- b. Extensions solely for temporary, standby, or supplemental service shall not be made under this rule.
- c. The Utility may extend transmission and distribution mains prior to development at its cost, provided these extensions are considered to be in the best interests of the Utility. The total cost of any such extension shall be reimbursed to the Utility by the owner or developer of properties benefited by said extension by payment of front footage charges at the time application for water service is made.
- d. The Utility may approve extensions under this rule in easements or rights of way where final grades have not been established or where street grades have not been established. If extensions are made when grades have not been established and there is a reasonable probability that the existing grade will change, the Utility shall require that the applicant or applicants for the main extension deposit the estimated net cost of relocating, raising, or lowering facilities upon establishment of final grade.
- e. The design of an extension shall be based upon:
 1. The provisions of adequate capacity to meet the present and future requirements of the area to be benefited.
 2. Distribution system operational needs and efficiency.
 3. Maintenance requirements.
 4. Anticipated life of extension.
- f. Main extensions shall generally be located on dedicated City streets or on rights of way granted to the City of Fullerton or water main location. Under no circumstances shall any building or private structure be placed over or around any water main or extension, unless first approved by the Director of Engineering along with conditions such as provisions for ready and easy access to any and all parts or points of such main or extension.
- g. Materials and standards of construction shall be those which have been adopted and are used by the Utility for the area and class of service to be provided.
- h. The design, location, materials, and standards of construction of any and all extensions shall be approved by the Director of Engineering.
- i. All extensions shall originate at the nearest adequate existing main as determined by the Director of Engineering and shall extend the full length of the property to be provided with water service.

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RULE NUMBER 15 - Continued

2. Special Conditions

- a. Special conditions of service and related matters applicable to these rules and regulations not expressly covered shall be resolved by the Director of Engineering.
- b. In unusual circumstances, when the application of these rules appears impractical or unreasonable, the applicant may refer the matter to the Director of Engineering for special ruling or for the approval of special conditions, which are agreed upon prior to commencing construction. If the matter is not satisfactorily resolved with the Director of Engineering, the applicant may petition the City Council for final determination.

B. EXTENSIONS TO SERVE INDIVIDUALS, SUBDIVISIONS, TRACTS, AND COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

1. Distribution Mains

Where a distribution main must be extended to a new subdivision or development, the entire cost of the main shall be paid for and be installed by the developer of the property to which the system is extended.

The Director of Engineering may determine that the best interests of the distribution system would be served by a main larger than that required by the applicant's needs and require the applicant to install a larger size main. Applicants shall be responsible for the entire cost of all mains up through twelve inches in diameter.

2. Transmission Mains

A main extension which is larger than 12 inches in diameter shall be designated as a transmission main. Transmission mains shall be paid for jointly by the Utility and the developer extending the main. The Utility shall pay only those costs attributable to the larger size main on an incremental basis, not on a proportional basis. The cost to be paid by the Utility for said incremental difference shall be the subject of an agreement between the Utility and the developer and shall be based on current estimates or actual bid prices.

3. The Developer's Responsibility

- a. Complete engineering of the main extension shall be by a registered civil engineer and shall include submission of a full set of detailed improvement plans of a scale acceptable to the Utility, along with the plan check and inspection fees.
- b. After all changes, modifications, and additions requested by the Utility have been made on the plans and they have been approved, the owner or developer shall file a complete set of reproducible permanent transparencies of the approved plans with the Utility. Said transparencies shall become the property of the City.
- c. The developer shall have the required installation performed by a contractor who possesses a current California contractor's license permitting this type of construction work and shall furnish the necessary surety as required under Title 16 of the Fullerton Municipal Code.

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If the developer plans to enter into a reimbursement agreement with the Utility, the main must be competitively bid with at least three bids. The applicant shall provide the Utility with copies of all bids and upon completion of the project, a statement of actual construction cost in reasonable detail.

- d. All laboratory analyses required in connection with chlorinating and sanitizing the newly-installed system shall be performed by a State of California licensed and certified laboratory. All charges shall be borne by the developer.
- e. Newly installed mains must be pressure tested prior to acceptance by the Utility.
- f. The developer shall dedicate the main extension to the Utility, free of all liens, together with all necessary rights of way for future maintenance and upkeep.

4. City's Responsibility

- a. The submitted plans shall be examined for conformance with the Utility's Standard Specifications and other requirements. Any errors and omissions found by the Utility will be indicated on the plans, and they shall be returned to the engineer for correction.
- b. The Utility shall charge the actual cost for time spent checking plans and inspecting the construction of main extensions. The Utility shall estimate the plan check fee and the inspection fee when plans are first submitted, and this estimated cost shall be deposited before plan check begins.
- c. The Utility's inspector shall inspect all facilities installed by the developer's contractor to insure compliance with the plans and specifications.
- d. Upon completion and acceptance of the work, the Utility shall prepare a final accounting of the checking and inspection and either bill for the additional amount owed or refund excess payments.

5. Reimbursement Agreements

Where main extensions are required of developers or property owners and where the size or location of said mains, in the opinion of the Director of Engineering, benefit other properties, then the Utility will enter into a reimbursement agreement with the developer under the following conditions:

- a. Reimbursements shall be made only if and when the front footage charge for said main extensions are collected from benefited applicants requiring service from the water main extension within ten years of the Utility's acceptance of the main extension.
- b. The front footage charge (Rule 15.C.1) collected for subsequent service connections to the main extension shall be reimbursed to the person who paid for such extension or to any successors or assignees, in accordance with said agreement only, for a period of ten years.
- c. After expiration of the agreement or upon the beneficiary's receipt of the total amount to be reimbursed, all benefited applicants requiring service from the main extension shall be subject to the Utility's then current front footage charge.

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- d. Reimbursements shall bear no interest.
- e. The total amount of a reimbursement shall not exceed the cost of main extensions as determined from invoices and billings submitted to the Utility upon completion of the work per agreement.
- f. The Utility shall not be liable for payment of any refund by reason of its failure to collect a front footage charge from future applicants requiring service.

C. PAYMENTS REQUIRED FOR EXISTING MAINS

- 1. Every applicant for a service connection shall pay a front footage charge for mains constructed with funds of the Utility, or a main constructed by a previous applicant that has entered into a reimbursement agreement with the Utility. Applicant shall, in the case of a reimbursement agreement, pay the amount provided for in said agreement; and shall pay, in the case of mains constructed by the Utility, per foot of frontage of such premises on the street or rights of way in which the mains are located, a charge of one-half of the current main construction cost. Frontage footage fees are as designated in the adopted fee resolution.

The front footage charge is in addition to any other service charges. The costs per linear foot as shown in the adopted fee resolution represent the Utility's best estimate of current construction costs. (Front footage fees are 1/2 of current construction costs per lineal foot of pipe). These unit prices may be adjusted quarterly and shall be adjusted annually.

- 2. The legal description, plot plan, or field check shall be used to establish the front footage charge. One-half of existing street and alley intersections shall be considered as frontage when computing the front footage charge.
- 3. If the size of the existing main is inadequate for providing the applicant's domestic and fire demands, the extension of additional water mains will be required at the applicant's own expense.

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RULE NUMBER 16

SERVICE CONNECTIONS, METERS, AND CUSTOMER'S FACILITIES

A. GENERAL

1. After application has been made and all applicable fees have been paid (for all services); the applicant shall furnish and install the service connection and meter assembly. Said service connection and meter assembly shall be installed to Utility standards by a qualified private contractor.
2. For service connections two inches and smaller, the meter assembly will generally be installed at a convenient location between the curb or edge of pavement and the property line. For larger service connections, including firelines, the meter assembly will generally be installed above ground upon the customer's premises, in which case the applicant shall allow the meter assembly and service line to occupy the premises by the granting of the necessary easements, rights of way, or by the application agreement at the Utility's option.
3. The service connection will generally determine the point of delivery of water service to the customer.
4. For any service connections installed by the Utility (including fire lines) the charge shall be equivalent to the cost of all labor, materials, rental of equipment, and overhead and incidentals.
5. In the event that a customer is required or requests to have a larger or smaller service connection and/or meter, the net salvage value of the existing service connection and/or meter will be subtracted from the price of the new one.

B. CUSTOMER'S RESPONSIBILITY

The customer, as a condition precedent to receiving service shall:

1. Make application for services (see Rule Number 3).
2. Furnish and lay the necessary piping to make the connection to the place of consumption and shall keep such piping in good repair in accordance with such reasonable requirements of the Utility as may be incorporated in the rules herein.
3. Provide a main valve on the piping between the service connection and the point of customer use for conveniences and safety.
4. Provide a bacterial clearance certificate for services three inches and larger.
5. Provide an approved backflow protection device if required per Section F.

C. CITY'S RESPONSIBILITY

1. The submitted plans and application shall be examined for conformance with the Utility's Standard Specifications and other requirements. Any errors and omissions found by the Utility will be indicated on the plans, and they shall be returned to the engineer for correction.

Effective on 7/01/06

Resolution No. 9826

Dated 6/20/06

Superseding Resolution No. 9133

Dated: 5/2/00

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Issued By:
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RULE NUMBER 16 – Continued

2. The Utility shall charge a plan check and inspection fee based on the amount of the proposed work. The plan check and inspection fee shall be per the adopted fee resolution.
3. The Utility's inspector shall inspect all facilities installed by the developer's contractor to insure compliance with the plans and specifications.

D. OWNERSHIP AND ABSENCE OF RENTAL OBLIGATION WHERE FACILITIES ARE ON THE PREMISES OF CUSTOMER

1. The service connection from the main and the meter assembly located wholly or partially upon a customer's premises, whether in an easement or not, are the property of the Utility.
2. No rent or other charge will be paid by the Utility where the Utility-owned service facilities are located on a customer's premises.
3. In cases where the location of a meter assembly on the applicant's premises is a considerable distance back of the property line, the applicant shall grant the necessary easements or rights of way or authorize such occupancy by the application agreement and will own and be responsible for maintaining the service line from the property line to the meter assembly.

E. ACCESS TO PREMISES OF CUSTOMER

1. The Utility shall at all reasonable hours have access to meters, service connections, and other property owned by it which may be located on a customer's premises for purposes of installation, meter reading, maintenance, operation, or removal of the property. The customer's system shall be open for inspection at all reasonable times to authorized representatives of the Utility.
2. Any inspection work or recommendations made by the Utility or its agents in connection with plumbing or appliances, or any use of water on the customer's premises either as a result of a complaint or otherwise, will be made without charge.
3. Any person who, as owner or occupant of any premises, refuses admittance to or hinders or prevents inspection by an authorized employee of the Utility, may, after service of a notice of intention and after 24 hours or such service, have all water shut off.

F. CROSS-CONNECTIONS

1. Protective Regulation

The Utility shall implement a cross-connection control program toward the goal of protecting the public water supply from contamination. No physical connection between the water supply system of the Utility and that of any other private water supply will be permitted except in compliance with the regulations of the State Department of Health Services contained in Title 17 of the California Administrative Code entitled

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"Regulations Related to Cross-Connections," hereafter referred to as Title 17 with sections incorporated by reference. Definitions shall be as outlined in Section 7583 of Title 17.

2. Evaluation of Hazard

Evaluation of hazards or potential hazards requiring backflow protection shall be outlined in Section 7585 of Title 17.

3. Type and Location of Protection Required

The type and location of protection that shall be provided to prevent backflow into the public water supply shall be as outlined in Sections 7603 and 7604 of Title 17.

4. Type and Expense of Prevention Devices

Any backflow prevention device utilized shall be of the type and design specified and approved by the . State of California Department of Health Services current approved backflow prevention assemblies. Such device shall be installed by and at the expense of the customer in a manner approved by the Utility and the public health agency having jurisdiction when so required, and in a location that is readily available for periodic inspection. The Utility will provide, upon request, to any affected customer a list of approved backflow prevention devices.

5. Periodic Inspection and Testing of Prevention Devices

Certified tests of backflow prevention devices are required immediately after they are installed; relocated, or repaired periodically at least once a year or more often where successive inspections indicate repeated failure thereof. The Utility will notify affected customers by mail when the annual testing of a device is needed and furnish the necessary forms which must be filled out each time a device is tested or repaired. These tests shall be conducted by a person who has been certified for this testing by the County of Orange. Records of such tests and repairs shall be kept and made available to the Utility and the public health agency having jurisdiction. All testing, repairs, and replacements shall be done at the expense of the customer.

6. On-Premises Inspections

The Utility may require an on-premises inspection or re-inspection to evaluate cross-connected hazards. The Utility will request an inspection appointment to each affected water user. Any customer which cannot or will not allow an on-premises inspection of their piping system shall be required to install the backflow prevention device the Utility considers necessary.

The Utility will notify the water user of the survey findings listing corrective action to be taken if required and the time period in which it must be done.

7. User Supervisor

As outlined in Section 7586 of Title 17, the Health Agency and Utility may, at their discretion, require an industrial water user to designate a user supervisor when the water user's premises has a multi-piping

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system that conveys various types of fluids, some of which may be hazardous and where changes in the piping system are frequently made. The user supervisor shall be responsible for the avoidance of cross-connections during the installation, operation, and maintenance of the water user's pipelines and equipment.

G. IMPAIRMENT OF SERVICE TO OTHER CUSTOMERS

Where the use of water is unusually intermittent or is subject to violent fluctuations of a character that may impair service to other customers, the Utility may require that the customer provide at the customer's expense, suitable equipment to reasonably limit fluctuations in use and pressures caused by the customer's equipment or operations.

H. PREVENTION OF FLOW FROM ONE SERVICE CONNECTION THROUGH ANOTHER

If a premises is supplied by more than one service connection, the customer may be required to install a check valve (double check valve for fire lines) at each service connection to prevent the flow of water from one service through another.

I. DAMAGE TO UTILITY'S PROPERTY

The customer shall be liable for any damage to a meter or other property owned by the Utility which is caused by an act of the customer or his tenants, agents, employees, contractors, or permittees (including the breaking or destruction of locks or angle meter stops by the customer or others on or near a meter) and any damage to a

meter that may result from hot water or steam from a boiler or heater on the customer's premises. The Utility shall be promptly reimbursed by the customer for any such damage upon presentation of a bill for same.

J. RELIEF VALVE REQUIRED

As a protection to the customer's plumbing system, a suitable pressure relief valve must be installed and maintained by the customer when check valves or other protective devices are used. The relief valve shall be installed between the check valves and the water heater.

K. METER BOX OBSTRUCTION

No person shall place trash, dirt, building materials, or other objects or obstructions on or around meter boxes; or shall allow meter boxes to become obstructed or obscured by vines, trees, shrubs, grass, or plants that will make their location difficult to determine or interfere with their free access or use.

In the event of obstruction or obscuring, a message will be printed on the water bill stating the obstruction must be removed by the due date shown on the bill.

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RULE NUMBER 17

MEASUREMENT OF SERVICE

A. METHOD OF MEASURING SERVICE

1. Metering

All water sold by the Utility will be upon the basis of metered volume sales except that the Utility may at its option provide flat rate or estimated service for the following:

- a. Temporary service where the water use can be readily estimated.
- b. Public and private fire protection service.
- c. Water used for street sprinkling, storm drain flushing, and sewer cleaning, when provided for by contract between the Utility and the municipality or other governmental authority.

2. Registration of Meter

All meters used for metered sales shall have registration devices indicating the volume of water in United States gallons.

B. METER TEST FACILITIES AND EQUIPMENT

The Utility shall provide the necessary standard facilities, instruments, and other equipment for testing meters in compliance with these rules.

C. ACCURACY REQUIREMENTS OF WATER METERS

1. General

All meters used for measuring quantities of water delivered to customers shall be in good mechanical condition, shall be adequate in size and design for the type of service which each measures, and shall be accurate to within generally accepted standards.

2. Test Flows and Determination of Accuracy

For test flows and the standards of accuracy for water meters, the Utility adopts as a guide the American Water Works Association's Manual M6, entitled "Water Meters."

3. Sealing of Meter

Upon completion of adjustment and test of any water meter under the provisions of these rules, the Utility shall affix thereto a suitable seal in such a manner that adjustment or registration of the meter cannot be tampered with without breaking the seal.

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4. Record of Test

A complete record of all displacement and other mechanical meter tests and data sufficient to allow checking of test calculations shall be recorded by the meter tester.

5. Repaired or Tested Meters

All water meters removed from service for repair or testing in accordance with these rules shall be restored to the prescribed limits of accuracy as required by these rules before again being placed in service.

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RULE NUMBER 18

METER TESTS AND ADJUSTMENTS OF BILLS FOR METER ERROR

A. TESTS UPON CUSTOMER REQUEST

1. Compliance by Utility

The Utility will, within one week after request by a customer, proceed to test the meter serving the customer's premises, except where such test may be deferred for a reasonable length of time when it would necessitate the interruption of service to any other customer. Such test of meters, other than meters for which standards of accuracy are established in Manual M6 of the American Water Works Association, will consist of an acceptable method of verifying the accuracy of the meter.

2. Charge for Test

- a. The customer shall deposit with the Utility a "Meter Test Deposit" as designated in the adopted fee resolution
- b. For testing a three-inch or larger meter, the charges shall be made on the basis of an estimate of cost by the Utility.

3. Test Procedure

Every meter tested at the request of a customer will be tested in the condition as found in the customer's service prior to any alteration or adjustment, in order to determine the average meter error. This test will consist of testing at the three rates of flow as determined in the American Water Works Association's Manual M6 under "Accuracy Tests for New and Repaired Cold-Water Meters"

4. Return of Deposit

Any deposit made under Paragraph 2 above will be returned to the customer if the average meter error is found to be more than two percent fast. The customer will be notified not less than five days in advance of the time and place of the test.

5. Location of Test

A customer will have the right to require the Utility to conduct the test in such customer's presence or in the presence of a representative of such customer. Where the Utility has no proper meter testing facilities available, the meter may be tested by a meter manufacturer or its agency or by any other reliable organization equipped for water meter testing.

6. Report of Test to Customer

A report showing the results of the test will be furnished to the customer within 15 days of the completion of the test.

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B. ADJUSTMENTS OF BILL FOR METER ERROR

1. Fast Meters

When upon test a meter is found to be registering more than two percent fast, the Utility will refund to the customer the amount of the overcharge based on corrected meter readings for the period the meter was in use, but not to exceed a period of six months.

2. Slow Meters

When upon testing a meter used for residential service is found to be registering more than 25 percent slow or any meter for other classes of service is found to be registering more than five percent slow, the Utility may bill the customer for the amount of the undercharge based on corrected meter readings for the period the meter was in service, but not to exceed a period of four months.

3. Non-registering Meters

The Utility may bill the customer for water consumed while the meter was non-registering, but not to exceed a period of four months for single family residents at the minimum monthly meter rate, or upon an estimate of the consumption based upon the customer's prior use during the same season of the year if conditions were unchanged, or upon an estimate based upon a reasonable comparison with the use of other customers during the same period receiving the same class of service under similar circumstances and conditions. For other classes of service with a meter 2" or larger, a twelve-(12) month period may be used, or an amount of time or consumption deemed reasonable by the Utility until the service is corrected.

4. General

When it is found that the error in a meter is due to some cause, the date of which can be fixed, the overcharge or the undercharge will be computed back to such date provided, however, that adjustment of errors shall be limited to the immediate preceding two-year period.

C. ADJUSTMENTS OF BILLS FOR UTILITY ERROR

When it is found that an error in billing has occurred due to a Utility error, the date of which can be reliably established, the overcharge or the undercharge will be computed back to such date provided, however, that adjustment of Utility billing errors shall be limited to the immediate preceding two-year period.

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RULE NUMBER 19

SERVICE TO SEPARATE PREMISES AND MULTIPLE UNITS, AND RESALE OF WATER

A. NUMBER OF SERVICES TO SEPARATE PREMISES

Separate premises under single control or management will be supplied through separate individual service pipes unless the Utility elects otherwise.

B. SERVICE TO MULTIPLE UNITS ON SAME PREMISES

Separate houses, buildings, living, or business quarters on the same premises or on adjoining premises, under a single control or management, may be served at the option of the applicant by either of the following methods:

1. Through separate service connections to each or any unit providing that the piping system from each service is independent of the others, and is not interconnected.
2. Through a single service connection to supply the entire premises.

The responsibility for payment of charges for all service furnished to combined units through a single service pipe, in accordance with these rules, must be assumed by the applicant and/or owner.

C. RESALE OF WATER

A customer shall not resell to another person at any charge higher than his pro rata share of the total charges as rendered by the Utility.

RULE NUMBER 20

FIRE PROTECTION

A. PRIVATE FIRE PROTECTION

1. Private fire protection services will be provided under the conditions specified in Rule Number 16, "Service Connections, Meters, and Customer's Facilities"
2. The location of all private fire hydrants shall be determined by the City of Fullerton Fire Department.
3. The rates for private fire protection services are specified in Rate Schedule W-FL, "Fire Line Service."

B. PUBLIC FIRE PROTECTION

1. The Utility and the City of Fullerton Fire Department shall determine the location of all public fire hydrants.
2. Public fire hydrants requested by a customer or required by the City of Fullerton Fire Department as a condition of development, shall be installed by a private contractor at the customer's expense.
3. A customer's request for a public fire hydrant relocation will be granted provided that the relocation is agreed upon by the Utility and the City of Fullerton Fire Department and is paid for by the customer.
4. Public fire hydrants installed as part of a main extension by a customer shall be paid for by the customer.

C. OBSTRUCTING USE OF FIRE HYDRANTS

No person shall place on or about fire hydrants or fire hose connections any materials, trash, dirt, or other objects or obstructions or shall allow fire hydrants to become obstructed or obscured by vines, trees, shrubs, or plants that will make their location difficult to determine or interfere with their free access or use, except as provided for in Rule 13.

In the event of obstruction or obscuring, notice shall be given by the Utility to the property adjacent to such hydrant that the obstruction be removed within a designated time. If obstructions are not removed within the designated time, the Utility will remove at the property owner's expense.