

# LA HABRA HEIGHTS COUNTY WATER DISTRICT

## Rates, Rules and Regulations

### **Section 1 - Authority**

The La Habra Heights County Water District (“District”) is organized under the provisions of the California Water Code sections 30000 et. seq. Section 31024 of the Water Code allows District to establish rules and regulations. Water Code, Section 31025 provides that District shall fix and collect through its General Manager the water charges.

### **Section 2 – Purpose and Scope**

These Rates, Rules and Regulations set forth District's regulations pertaining to water service from the District to its customers; rates, fees and deposits to cover water costs; customer payment and related issues; regulations for water use and water facility construction; and other regulations pertaining to the interaction between District and its customers.

### **Section 3 - General**

The General Manager, under the direction of the Board of Directors, shall manage, control and operate the District's water system. The General Manager shall have the power to collect the fees and charges and enforce all rules and regulations of the District concerning the District's water system and the distribution of water there from. These rates, rules and regulations make provisions under which the customers of the District may obtain water service from the District.

The Board of Directors shall have the right and power, from time to time, to alter, amend, change and make supplements to these rates, rules and regulations, by resolution duly entered upon its minutes.

### **Section 4 - Application for Service**

Before water shall be supplied to any land or property within the District, the owner thereof or prospective user of such water shall first make application to the District for water service upon forms provided by the District.

All applicants for service connections or water service are required to accept such conditions of pressure and service as are provided by the distribution system of the District at the location of the proposed service connection, and to hold the District harmless for any damage arising out of low pressure or high pressure conditions or interruptions in service.

Application to the District for water service will signify the customer's willingness and intention to comply with these Rates, Rules and Regulations relating to regular water service provided by the District. The applicant also agrees to make payment for all water furnished by the District, as herein provided, and at the applicable rates fixed and revised by the Board of Directors.

An application for water service will not be considered by the District unless payment in full has been made for water service previously rendered to the applicant by the District. The application is subject to staff review and may be held in abeyance if further District requirements need to be met.

Any person taking possession of premises and using water from an active service connection without having made application to the District for water service shall be held liable for the water delivered from the date of the last recorded reading, and if the meter is found inoperative, the quantity consumed will be estimated by the District and charged to the user. If proper application for water service is not made upon notification to do so by the District, the service will be discontinued by the District without further notice.

All applicants for water service shall agree that all plumbing fixtures used in construction of dwelling shall be low usage water devices.

### **Section 5 - Notices**

Notices from the District to a customer will normally be given in writing, and either delivered, emailed, text or mailed to the customer at the last known email, cell phone number or address. Where conditions warrant and in emergencies, the District may, in addition to using the aforementioned delivery options, resort to notification either by telephone or messenger.

Notice from the customer to the District shall be given by that customer or by an authorized representative in writing, at the District's office located at:

1271 North Hacienda Road  
La Habra Heights, California 90631  
OR  
P.O. Box 628  
La Habra, California 90633-0628

It is the customer's responsibility to supply the District with the latest mailing address and telephone number or the address where bills are to be mailed and telephone number where customer can be reached.

### **Section 6 - Water Billing and Payments**

Water meters shall be read as close to monthly as is possible and practicable, and the District will mail to each customer a bill for the preceding month. All bills or charges shall be due and payable at the office of the District, upon presentation. Failure to receive a bill does not relieve the customer of responsibility for payment.

When payment for bills is not received in the District office on or before the 25th day after presentation the bills will become delinquent. When bills become delinquent a late charge will be added to the next bill, unless the customer has made prior arrangements with the District.

When the late charge has been added to the delinquent account, and the next regular bill is mailed, the customer shall be given notice of the need to pay the delinquent amount and to pay the late charge or to present an appeal as to why payment should not be made. Absent payment of the delinquent amount and the late charge and absent the presentation of an appeal water service will be restricted in accordance with the provisions and procedures set forth in Section 36, below. District office may waive one late fee in a twelve-month period.

If a customer will be absent from their residence for an extended period of time, e.g., due to vacation or business (for any reason), the customer should consider notifying the District office so there will be no water service discontinuance for non-payment of bills. Also, the customer may consider making a deposit for the estimated bills accruing during absence.

In case any house becomes vacant, the regular rates shall be charged and collected from the person who has applied for the water to be furnished to said house. Whether the water is used or not, unless the District is notified in writing that the property is unoccupied and a request to turn off water thereto has been received by the District, charges will continue to accrue.

### **Section 7 - Readiness-to-Serve Charge**

There shall be a monthly readiness-to-serve charge for each meter in service. The monthly charge will be based upon the size of the meter installed.

Where the use of water is seasonal or intermittent, no adjustment will be made for any temporary disconnection of the meter. Any customer resuming service on any such meter within 12 months after it was disconnected will be required to pay the charges which would have been billed as if the temporary disconnection had not been made.

If a new customer applies for water at a temporary disconnected service they will be required to pay the charges from the start of service date indicated on water service application.

Where water service is provided, the water pressure at the meter is below 20 psi at the meter, and a larger meter had to be set to ensure an adequate delivery of water, the readiness-to-serve charge will be reduced to that corresponding to the next lower size, but in no case less than the smallest sized meter available.

### **Section 8 - Costs of Downsizing Meters**

Whenever a customer, who wishes to lower the monthly readiness-to-serve charge on the customer's bill, requests that the meter be downsized to a smaller meter, the General Manager shall do as requested, provided:

If the meter is a 2-inch, or smaller, the meter shall be downsized, one time only, at no cost to the customer. If a customer request that the meter be downsized an additional time, the additional downsizing costs shall be paid by the requesting customer, and;

If the meter is larger than 2-inch, the customer shall pay all costs associated with the downsizing, and;

Said customer shall advance to the District the General Manager's estimate of the downsizing costs. No interest will be paid on deposits held by the District.

If the customer finds that the downsized meter does not provide satisfactory service, the customer shall pay all costs to reinstall a larger meter.

### **Section 9 - Usage Rate**

In addition to the readiness-to-serve charge, there shall be a water usage rate. This charge shall be based upon the volume of water delivered to a particular property since the prior water billing. The volume of water billed shall be in units of one hundred (100) cubic feet, equaling 748 gallons. The usage rate shall be for the appropriate water system zone that provides service to each property.

Once in Lifetime Credit – When a customer has unusually high consumption for any reason they may request the District to calculate and credit their account with a Once in Lifetime Credit. It will be calculated by using the past five-year average of the customer account usage for the same month. If there is not five years of data may use past usage of prior customer for the property. The difference between the five year average and current month usage, divided by two, represents the usage that will be credited to the customer's account.

### **Section 10 - Rates and Fees**

Rates and charges for water and water service shall be as fixed and determined by the Board of Directors and may be revised from time to time by way of resolution. The current Rates and Fees are attached hereto as Exhibit "A." A copy of the applicable Rates and Fees shall be available for inspection by all customers upon request.

### **Section 11 - Rates Charged for Customers Outside District**

Rates charged for water used outside District boundaries will be charged at the existing readiness-to-serve charge for each size meter. Water usage will be charged at one and one half (1-1/2) times the rate charged for water used within District boundaries for the appropriate water system zone.

### **Section 12 - Meter Certification**

Any customer may demand that the meter through which water is being furnished be examined and tested by the District for the purpose of ascertaining whether or not it is registering correctly the amount of water which is being delivered through it. Such demands shall be in writing to the General Manager and shall be accompanied by a meter certification fee as specified in Exhibit "A" attached hereto. Upon receipt of such demand, it is the duty of the General Manager to cause the meter to be examined and tested. This duty is only triggered once per

year for any given parcel. If, upon such examination and test, the meter shall be found to register over five percent (5%) more water than actually passes through it, another meter shall be substituted. The meter certification fee shall be repaid to the person making the application and the water bill for the current month shall be adjusted in such manner as the General Manager shall deem fair and just. If a displacement or multi-jet meter is found to register not over 102 percent (102%) fast, propeller and turbine meter is found to register not over 103 percent (103%) fast and compound and fire service meter is found to register not over 104 percent (104%) fast the said fee shall be forfeited to the District and the water bill shall be paid as rendered.

### **Section 13 - Stopped Meter**

If a meter is not registering usage, the charges for service shall be based upon the estimated consumption. Such estimates shall be made from previous three year average consumption for a comparable period or by such other method as is determined by the General Manager.

### **Section 14 – Water Theft and Tampering**

#### **A. Definitions**

“Water theft” means an action to divert, tamper, or reconnect water utility services.

“Divert” means the unauthorized change of the intended course or path of LHHCWD water.

“Tamper” means to rearrange, injure, alter, interfere with, or otherwise prevent, frustrate, or hinder a water facility from performing its normal or customary function.

“Reconnection” means the reconnection of water service by a customer or other person after service has been lawfully disconnected by LHHCWD.

“Unauthorized water use” is defined as (1) the use of water from a stationary service connection where lawful water service has not been established or has been disconnected by LHHCWD; (2) the use of water from an LHHCWD-owned fire hydrant for any use other than fire suppression, except where a permit has been issued by LHHCWD for temporary service; and/or (3) any use of an LHHCWD-owned hydrant in violation of the terms and conditions of a hydrant permit.

#### **B. Administrative Citations**

In addition to any other available legal remedy, any person or responsible party in violation of any provision of this ordinance is subject to the issuance of an administrative citation or citations as provided for in this ordinance or elsewhere in LHHCWD’s Rates, Rules and Regulations.

#### **C. Fines**

If water theft is committed via meter tampering in violation of this ordinance, it is punishable as follows:

(1) A fine not exceeding one hundred thirty dollars (\$130) for a first violation.

(2) A fine not exceeding seven hundred dollars (\$700) for a second violation of the same ordinance within one year of the first violation.

(3) A fine not exceeding one thousand three hundred dollars (\$1,300) for the third violation and each additional violation of the same ordinance within one year of the first violation.

All other forms of water theft or tampering, including but not limited to fire hydrant tampering or theft of water therefrom, in violation of this ordinance are punishable as follows:

(1) A fine not exceeding one thousand dollars (\$1,000) for a first violation.

(2) A fine not exceeding two thousand dollars (\$2,000) for a second violation of the same ordinance within one year.

(3) A fine not exceeding three thousand dollars (\$3,000) for each additional violation of the same ordinance within one year.

This ordinance does not preclude remedies available under any other law, including provisions in the Penal Code or the Civil Code, or under LHCWD's Rates, Rules and Regulations.

Each day a violation of this ordinance continues to exist shall constitute a new, separate, and distinct violation.

#### **D. Appeal and hardship waiver**

Administrative citations issued for violations of this ordinance may be appealed by contacting the General Manager of LHCWD, in writing, within thirty (30) days of the date of the notice of violation. Upon review of the appeal, the General Manager, or his/her designee, may, in his/her sole discretion, confirm the fine or, in the alternative, modify, reduce, or eliminate the fine upon a showing by the responsible party that payment of the full amount of the fine would impose an undue financial burden on the responsible party.

#### **E. Water Costs**

In addition to any fines or other remedies imposed by this ordinance, applicable laws, or LHCWD's Rates, Rules and Regulations, a person or party who has violated this ordinance shall be liable for the costs of the estimated volume of water used, as determined by LHCWD, charged at the applicable water rate adopted by LHCWD at the time of the violation.

#### **F. Cumulative Remedies**

The remedies available in this ordinance shall be cumulative with any other available remedy and in addition to any other remedy available at law or equity. The pursuit of one or more remedies by LHCWD shall not bar the use of any other remedy for the purpose of enforcement of this ordinance.

#### **G. Severability**

If any phrase, section, sentence, or word of this ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect any other phrase, section, sentence, or word of the ordinance that can be given effect without the invalid phrase, section, sentence, or word, and to this end each phrase, section, sentence, or word of this ordinance is declared to be severable."

### **Section 15 - Inspection**

The General Manager or his authorized representative shall have the right to enter the customer's premises, during reasonable hours, for any purpose reasonably connected with the activities of the District.

### **Section 16 - Access to Facilities**

All facilities installed by the District on private property for the purpose of rendering water service to such property shall remain the property of the District. These facilities may be maintained, repaired, or replaced by the District without the consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in the protection of the facilities. No payment shall be made by the District for placing or maintaining said facilities on said private property.

## **Section 17 - Operation of Facilities**

All of District's facilities, including but not limited to water pipelines, wells, reservoirs, fire hydrants, manholes, pumping stations, valves, connections, meters, treatment facilities and other accessories, property and appurtenances, shall be under the management and control of the General Manager. No other persons, except authorized employees of District, shall have any right to enter upon, inspect, operate, adjust, change, alter, move or relocate any portion of the foregoing or any of the District's property.

## **Section 18 - Main Extension Requirement**

If an applicant's entire property does not front upon an existing distribution main of the District that is located in a public street or right-of-way, in addition to the metered water service connection charges hereinafter mentioned, such applicant shall be required to pay the cost of a main extension, of a size determined by the General Manager, from a District distribution main (as determined by the General Manager) of at least equal capacity, to the extremity of such applicant's property boundary farthest from the District's distribution main. Applicant shall also be required to pay the cost of a circulation line to avoid dead end lines, if, such circulation line is necessary in the opinion of the General Manager. Said applicant shall advance to the District the General Manager's estimate of the cost of such main extension. No interest will be paid on deposits held by the District.

No dead-end lines shall be permitted, except in the discretion of the General Manager, and in cases where circulation lines are necessary they shall be designed and installed by the District as part of the cost of the main extension.

All mains connected to the District's distribution system shall become the property of the District and shall be installed and maintained by the District, or if desired by the District, by private contractors, with satisfactory references, under contract with the District.

## **Section 19 - Metered Water Service Ownership and Installation**

The service connections extending from the water main to and including the meter, meter box and meter valve, shall be installed, owned and maintained by the District. All pipes and fixtures extending or lying beyond the meter shall be installed and maintained by the owner of the property.

All meters shall be installed in either a dedicated public street right-of-way or in a private street where the developer installs and dedicates to the District at developer's expense the distribution system along with easements satisfactory to the District.

The District reserves the right to determine the location of service connections with respect to the boundaries of the premises to be served and said connections must comply with local plumbing code requirements.

The rights of an applicant are subject to the prior rights of the District to determine appropriate location through the District's General Manager and are subject to all other provisions to these rates, rules and regulations.

Services in new subdivisions will not be installed prior to the rough grading of the streets.

Should the owner of property desire a change in the location of the meter or service connection on the same property, the cost shall be borne by the owner as determined by the General Manager. (The owner may down-size the meter, one time only, at no charge by the District. See Section 8A.) Said owner shall advance to the District the General Manager's estimate of the relocation costs. No interest will be paid on deposits held by the District.

In the event an applicant gives incorrect information as to the description of the property or the location where the connection is desired, and as a result thereof, the service connection is installed in the wrong location the applicant shall pay all expenses incurred by reason of such error.

If, after the installation of a service, a customer constructs a sidewalk, driveway or other structure or encroachment at or near a meter, meter box or fitting in such a way as to cause additional expenses in removing or installing the meter, or in repairing leaks in the service, such additional expenses shall be charged to and collected from the owner of the property.

## **Section 20 - Land Division**

A person desiring to provide a water system within a tract of land he/she proposes to subdivide shall make written application therefore to the District.

Said application shall state the number of the tract, the name of the subdivision, and its location. Before any construction is commenced, the District shall be provided with a copy of the plans, profiles and specifications for the street work therein.

Upon receiving the application, the General Manager shall make an investigation of the proposed subdivision and make his recommendation as to the facilities required to provide water service to the proposed subdivision. Said investigation shall include a review of whether the developer shall be required to pay for the construction of new capital facilities or modifications to existing capital facilities including, but not limited to, transmission mains, reservoirs, booster stations and sites for such capital facilities.

Fire hydrants shall be so located within said tract, such that each proposed residence is within the distance of a hydrant as specified by the fire protection agency having jurisdiction.

The size, type and quality of materials and location of the lines shall be specified by the General Manager. The actual construction will be done by the District or a contractor working for the District.

Developers will be required to pay to the District the entire cost, including but not limited to overhead charges, of the water system within said subdivision, together with the costs of necessary main extensions, and necessary capital facilities and sites therefore. The developer shall be required to advance to the District the General Manager's estimated cost thereof. The sub divider shall pay to the District or the District shall refund to the sub divider any difference between the estimated and the actual cost of the water system within the subdivision.

All distribution lines and service connections, including meters, shall be the property of the District.

The developer shall, at his/her cost, provide all connections to houses and structures constructed by him/her, as herein provided.

### **Section 21 - Separate Ownership**

Each house or structure under separate ownership and each separate parcel of land receiving water service from District shall have a separate service connection. Two or more houses or structures under one ownership and on the same lot or parcel of land may be supplied through the same connection, or a separate service connection may be provided for each such house or structure. The Board reserves the right to limit the number of houses or the area of land under one ownership to be supplied by one service connection.

Not more than one service connection for domestic or commercial supply shall be required for one building or structure, except under special conditions.

No customer shall resell any of the water received by the customer from the District, nor shall such water be delivered to premises other than those specified in the application for service or diverted from those premises.

An applicant may apply for as many services as may be reasonably required for his/her premises provided that the pipeline system for each service be independent of the others and that they not be inter-connected.

When property provided with a service connection is divided, each service connection shall be considered as belonging to the lot or parcel of land which it directly enters.

The responsibility for payment of charges for all water furnished to combined units, supplied through a single service connection must be assumed by the applicant.

### **Section 22 - Deposits for Construction**

Prior to the District commencing any segment of any construction project, including pre-construction tasks, the applicant shall post a cash deposit with the District. The amount of the deposit shall be determined by the General Manager. Once the construction is completed an accounting of total costs, including overhead charges as provided elsewhere herein, shall be made. If the deposit is in excess of the costs a refund of the excess amount shall be made to

the depositor. If the deposit is less than the total costs, including overhead, an additional billing for the balance of these costs shall be made. No water will be provided to any property until these costs or deposits are paid in full.

No interest will be paid for deposits held by the District.

### **Section 23 - Overhead Charges**

Overhead charge shall be added to the other costs for work performed in the installation and/or repair of any District facilities where payment for said installation and/or repair is the obligation of those other than the District. Said overhead charges shall be three (3) times direct District labor costs as determined by the General Manager, plus ten percent (10%) of all direct non-labor costs of the District, including but not limited to materials, contract services, rental equipment, and other costs.

### **Section 24 - District Participation**

Should the District desire to install facilities in excess of those needed to meet the applicant's obligations under these Rates, Rules and Regulations, the cost of said excess facilities shall be borne by the District.

### **Section 25 - Easements**

Any applicant shall, without cost to the District, grant or cause to be granted to the District an easement or easements for the installation, maintenance and replacement of water lines, valves, meters and appliances, determined by the General Manager to be necessary for the installation of adequate facilities to approve such application. Said easement or easements shall be granted to the District prior to the District granting the application.

### **Section 26 - Damage to District Facilities**

The customer shall be liable for any damage to District facilities when such damage is from causes originated on the premises by an act of the customer, the customer's tenants, agents, employees, contractors, licensees or permittees, including the breaking or destruction of locks on or near a meter, and any damage to a meter. The District shall be reimbursed by the customer for any such damage promptly on presentation of a bill therefore. Water service may be refused or discontinued to any premises where apparatus or appliances are in use that unreasonably endanger District's facilities or services.

### **Section 27 - Damages to Private Property**

The District assumes no responsibility for loss or damage due to water pressure, either high or low, or lack of water. The District agrees to furnish such quantities of water and pressures as are available in its general distribution system. Water service is subject to shutdowns and variations in pressure required by the operation of the system.

The District shall not accept responsibility for the maintenance of pressure and it reserves the right to discontinue service while making emergency repairs and shut-downs required in the operation of the water system. Customers dependent upon a continuous supply should provide emergency storage.

If a house or property is vacant when water supply is turned on as requested, District will endeavor to ascertain if water is running on the inside of the building or property. If water is found to be running the water will be left shut off at the meter stop, on the inlet side of the meter. The District's jurisdiction and responsibility ends at the outlet side of the meter and the District will in no case be liable for damages occasioned by water running from opened or faulty fixtures, or from broken or damaged pipes behind the outlet side of the meter.

### **Section 28 - Customer's Plumbing**

The customer shall, at customer's own risk and expense, furnish, install and keep in good and safe condition all equipment that may be required for receiving, controlling, applying and utilizing water, and the District shall not be responsible for any loss or damage caused by the improper installation of such equipment, or the negligence or wrongful act of the customer or any of his tenants, employees, contractors, licensees or permittees installing, maintaining, operating or interfering with such equipment.

### **Section 29 - Fire Service Meters**

Any property served by private, on site, separate, fire protection systems, such as, fire hydrants and/or fire sprinkler systems shall be served by a fire service meter. The monthly charge will be based upon the size of fire service installed.

There shall be no connection between private fire protection service and any other water distribution system on the premises.

There shall be no water used through the fire service meter, except to extinguish fires or to test the installed fire fighting equipment. Any unauthorized water use shall be billed at one and one-half (1-1/2) times the regular rate.

### **Section 30 - Fire Hydrant Use**

Fire hydrants connected to the mains of the District are for use by the District or by organized fire protection agencies. Applicants desiring to use fire hydrants for any purpose must complete a Fire Hydrant Meter-Temporary Service form. Applicants shall operate the hydrant in accordance with District requirements. All water will be metered through a District meter.

Whenever permission is granted for applicants for temporary service connections to use water from a fire hydrant the General Manager shall require a deposit to cover the cost of water used as well as the cost of the meter setting and relocation fee. The applicant will be billed monthly

for water used. The final bill will be applied against the deposit. The rate to be charged for this water delivery will be two (2) times the regular water rate.

### **Section 31 - Temporary Service Connections**

The General Manager may authorize a temporary service connection that will be disconnected upon the predetermined time frame that the customer requests the temporary service.

The applicant for a temporary service connection shall deposit, in advance, the estimated cost of installing and removing the facilities required to furnish such service.

All facilities for temporary service to the customer connection shall be made by the District and shall be operated in accordance with District instructions.

The customer shall use all possible care to prevent damage to the meter or to any other facilities of the District which are involved in furnishing temporary service from the time they are installed until they are removed. If the meter or other facilities are damaged or lost, the cost of making necessary repairs or replacements shall be paid by the customer.

The rate to be charged for water delivered through a temporary service connection will be one and one-half (1-1/2) times the regular water rate.

### **Section 32 - System Buy-In-Fee**

An applicant for water services that currently does not have water service to the applicant's property shall pay a System Buy-In-Fee for each new metered water service installation. Said System Buy-In-Fee is to be used for future capital development and replacement of the existing water system. The System Buy-In-Fee is set by the Board of Directors.

A District customer may request in writing that District increases the size of the customer's service line. If District, in its sole but sound discretion, agrees to the requested increase, customer shall (1) pay for all costs associated with the increase and (2) pay the difference between the System Buy-In-Fee charged at the time of the installment of the existing service line and the System Buy-In-Fee in effect for the larger size at the time of the customer's request.

### **Section 33 - Water Availability Statement**

Prior to the issuance of a Building Permit, the City of La Habra Heights may require the builder to secure a Water Availability Statement from the District. The builder shall pay the Water Availability fee per District's fee schedule..

### **Section 34 – Will Serve Letter**

The District will provide at no cost will serve letters for customers who require them. These letters will indicate if the District can serve water to a particular property and any required improvements to the water system. If water service can be provided by District and is requested

by the customer, the cost of water service and all related charges shall be borne by the customer as specified within these Regulations, District's fee schedule, and any other applicable rules, orders, regulations, or resolutions as may be imposed or adopted by the District.

### **Section 35 - Notification for Discontinuance of Service**

Customers desiring to discontinue service shall notify the District at least two days prior to the date they desire to discontinue service. Unless discontinuance of service is ordered, the customer shall be liable for charges irrespective of whether any water is used.

Upon notification that a customer desires the water service discontinued the District will shut off the water supply, on the inlet side of the meter, read the meter and prepare a closing bill covering the period through the turn off date.

### **Section 36 – Flow Restrictions for Non-Payment or Partial Payment of Water Bills**

Water service to residential parcels shall not be discontinued for non-payment of water bills. District may discontinue water service for all other lawful purposes.

To preserve water and encourage payment of water bills, District will impose restrictions on the flow of water to customers where water bills are not paid in full, as set forth below, unless the customer has been granted a waiver or an extension of time to pay the water bills. The level of flow restriction shall be determined at the sole discretion of the General Manager or his/her assignee.

As set forth in Section 6, above, a customer's account is delinquent when payment in full for water bills is not received in the District office on or before the 25th day after presentation of the bills. Customers with delinquent bills are subject to flow restrictions.

Prior to imposing flow restrictions, District will call the delinquent customer to inform customer of the impending flow restrictions. If District is not able to speak with customer, a door tag will be delivered to customer's property, informing customer of the impending flow restrictions. Once a District utility worker is dispatched from District's office with a door tag, a door tag fee in an amount to be determined by District will be added to the customer's account. Once service has had a flow restriction device installed, a flow restriction delinquent charge will also be added to the customer's bill. Unrestricted water flow will be restored when the entire outstanding bill is paid, including current and previous bills, late charges, door tag fee, flow restriction delinquent charges, and any other fees or charges authorized by these Regulations.

If the customer, or any unauthorized party, removes or otherwise tampers with the flow restriction equipment, District will re-install a flow restriction device and add another flow restriction delinquent charge for each unauthorized tampering or removal of the flow restrictor. Any damages to water system facilities or other costs associated with flow restrictions shall be

paid in full before service is restored. A customer who tampers with District's water facilities or obtains water from those facilities in violation of these Regulations or California law is also subject to further penalties, as authorized by law.

When water service has a flow restriction device installed for delinquency, service will only be restored during normal business hours.

### **Section 37 - Unlawful to Turn On Water**

It shall be unlawful for any person to turn on the water after the same shall have been turned off as herein provided, without the written consent of the General Manager.

### **Section 38 – Fraud and Abuse**

Service may be discontinued, in District's discretion, to protect the District against fraud or abuse.

### **Section 39 - Returned Checks**

Whenever a bill or charge is paid by a check that is not honored by a bank and returned to the District for any reason customer will be notified.

If water service was subject to termination customer will be required to redeem the returned check in three (3) days with cash, money order or a cashier's check.

If water service was not subject to termination the customer has until due date to redeem check returned to District to avoid late fees.

Additionally, a returned check charge will be added to the amount to be paid as provided elsewhere herein. Any late fees that were averted by the customer presenting a returned check by the bank may be charged to the customer.

If a customer has two returned checks within a twelve-month period, it will be required that payments be made in cash, money order or cashier's check during the 12 months following the last returned check.

### **Section 40 - Apportionment of Water Supplies**

During the time of threatened or actual water shortage, the General Manager shall apportion the available water supply among the customers in the most equitable manner possible, with due regard to public health and safety. During periods of drought or high demand the General Manager shall have the authority to terminate water service if a customer refuses to cooperate when asked to curtail certain water uses.

### **Section 41 - Waste of Water**

No customer shall knowingly permit waste or the leakage of water. Where District finds that water is wastefully or negligently used on the customer's premises, the District may discontinue the service if such conditions are not corrected within five (5) days after giving the customer written notice.

## **Section 42 - Cross-Connection Control Program**

La Habra Heights County Water District (District), designated as CA1910218, is a public agency dedicated to providing safe and reliable drinking water to the communities of La Habra Heights, unincorporated areas of Los Angeles County, and small portions of the cities of Whittier and La Habra. The District serves approximately 5650 residents and maintains nearly 2006 service connections across its service area, which spans the south eastern region of Los Angeles County. Currently, there are no recycled water distribution lines within the District's jurisdiction.

The District holds the crucial responsibility of protecting the public water supply from potential contamination caused by cross connections. Cross connections, which occur when non-potable water sources or other substances have the potential to enter the potable water system, pose significant health risks if not properly managed. To mitigate these risks, the District has established a Cross Connection Control Program to prevent backflow incidents and ensure compliance with all regulatory requirements.

## **Program Overview**

The District's cross-connection program encompasses a total of 2006 service connections, and 9 temporary construction meters, categorized into five groups:



Commercial/Industrial



Fire Protection



Construction Meter



Residential



Irrigation

24

6

9

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This Program has been developed in accordance with the California State Water Resources Control Board (SWRCB) outlines the policies, procedures, and preventative measures implemented by the District to safeguard water quality, protect public health, and maintain regulatory compliance. Through systematic testing, inspection, and enforcement of backflow prevention requirements, the District remains committed to upholding the highest standards of water system integrity and safety.

Upon adoption of Resolution 25-05, this Cross Connection Control Program repeals and replaces, in its entirety, in the District's Rates, Rules, and Regulations, Section 42 – Cross Connection Control Plan.

## Table of Contents

1. Definitions
2. Cross Connection Control Policy Resolution
3. Cross-Connection Control Program Coordinator
4. Hazard Assessments
5. Backflow Prevention Requirements
6. Certified Backflow Prevention Assembly Testers
7. Backflow Prevention Assembly Testing
8. Recordkeeping
9. Backflow Incident Response, Reporting, and Notification
10. Public Outreach and Education
11. Local Entity Coordination
12. Other Provisions

## Exhibits

- A. Cross Connection Control Resolution
- B. Residential Cross Connection Hazard Assessment Survey
- C. High Hazard Cross-Connection Control Premises List (Appendix D of the CCCPH)
- D. List of Current Backflow Prevention Assemblies within District's System
- E. List of Identified Untestable Fire Protection Devices
- F. Tester Code of Conduct Form
- G. Backflow Incident Report Form
- H. Backflow Incident Response Plan

## 1. Definitions

**Air Gap Separation (AG):** A physical vertical separation of at least two (2) times the effective pipe diameter between the free-flowing discharge end of a potable water supply pipeline and the flood level of an open or non-pressurized receiving vessel, and in no case less than one (1) inch. (2.54 cm).

**ABPA:** American Backflow Prevention Association

**AWWA:** American Water Works Association

**Approved Backflow Prevention Assembly:** Backflow prevention assemblies approved by the Foundation for Cross-Connection Control and Hydraulic Research at the University of Southern California.

**Approved water supply:** A water source that has been approved by the State Water Board for domestic use in a public water system and designated as such in a domestic water supply permit issued pursuant to section 116525 of the CHSC.

**Auxiliary Water Supply:** Any water supply on or available to the premises other than the potable water distribution system supply from the District.

**Backflow Prevention Assembly:** or “BPA” means a mechanical assembly designed and constructed to prevent backflow, such that while in-line it can be maintained and its ability to prevent backflow, as designed, can be field tested, inspected and evaluated.

**Backflow:** The undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substance into the distribution pipes of the potable supply of water from any source or sources. Backpressure is one cause of backflow. Back-siphonage is the other cause.

**Backpressure:** Any elevation of pressure in the downstream piping system (by pump, elevation of piping, steam pressure, air pressure, etc.) above the supply pressure at the point of consideration, which would cause or tend to cause a reversal of the normal direction of flow.

**Back-siphonage:** A form of backflow due to a reduction in system pressure, which causes a sub-atmospheric pressure to exist in the water system.

**Certified Testers and Cross-Connection Specialists:** Only persons with a valid certification from an ANSI-accredited certifying organization shall satisfy the requirements of testing the Districts BPAs. Note: This does not preclude the local health agency from maintaining a BPA tester or specialist certification program for field testing BPAs in the health agency's jurisdiction.

**Connection:** The point of connection of a user's piping to the water supplier's facilities.

**Contamination:** A degradation of the quality of the potable water by any foreign substance which creates a hazard to public health, or which may impair the usefulness or quality of the water.

**Cross-Connection:** Any actual or potential connection or structural arrangement between a public or consumer's potable water system, and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied.

**An indirect cross-connection:** is a cross-connection that is subject to back-siphonage only.

**A direct cross-connection:** is a cross-connection that is subject to both back-siphonage and backpressure

**DDW:** Division of Drinking Water of the SWRCB

**District:** La Habra Heights County Water District

**Double-check Valve Backflow Prevention Assembly (DC):** An assembly composed of two independently acting, approved check valves including tightly closing resilient-seated shut-off valves attached at each end of the assembly and fitted with properly located resilient seated test cocks.

**Health Agency:** Los Angeles County Department of Public Health (LADPH), also known as LA County Health Department.

**LACDPH:** Los Angeles County Department of Public Health

**Pollution:** An impairment of the quality of the water to a degree which does not create an actual hazard to the public health, but which adversely affects such waters for domestic use.

**Potable:** Water that is approved and safe for human consumption (drinking).

**Non-Potable:** A liquid or water that is not approved for safe drinking but may have other uses (i.e. landscape irrigation).

**Potable Water Distribution System:** La Habra Heights County Water District's publicly owned water system operating under a valid permit from the State Water Resource Control Board to supply water for domestic purpose. This system includes all sources, facilities and appurtenances between the source and the point of delivery.

**Premises:** Any and all areas on a customer's property that are served or have the potential to be served by the District's potable water distribution system.

**Reduced Pressure Principle Backflow Prevention Assembly (RPZ or RP):** An assembly containing two independently-acting, approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves, and at the same time below the first check valve. The unit shall include properly located, resilient-seated test cocks and tightly closing, resilient-seated shutoff valves at each end of the assembly.

**SWRCB:** State Water Resource Control Board

**Water Supplier:** La Habra Heights County Water District or the District.

**Water User:** Any person obtaining water from an approved water supply

## 2. Cross-Connection Control Policy Resolution

La Habra Heights County Water District (District) adopted Resolution 25-05 (Exhibit A) on April 22, 2025, granting the District the authority to implement this Cross-Connection Control Program (Program). This Program was written in collaboration with members of other public water agencies using pooled resources of Cross Connection Control Specialists. The Resolution provides the District legal authority to take corrective actions if a customer fails

to comply in a timely manner with the District's requirements regarding the installation, inspection, field testing, or maintenance of backflow prevention assemblies.

The requirements of the Program are pursuant to the State Water Resources Control Board's Cross-Connection Control Policy Handbook (CCCPH), as well as the District's Rates, Rules, and Regulations, which encompasses the Program.

The District will not provide water service (except for testing purposes) until the customer complies with the District's cross connection requirements.

If the customer fails to comply with the District's installation and maintenance requirements, the District may proceed with the corrective action provisions stipulated in the Resolution. The District holds the authority to deny or discontinue water service for noncompliant customers.

### **3. Cross-Connection Control Program Coordinator**

The General Manager of the District, Joe Matthews, will be the Cross Connection Control Coordinator responsible for administering the Program. As an alternative, or when no staff or employees are properly qualified, the District may retain a certified Specialist on contract to provide the necessary expertise and services. The Cross Connection Control Coordinator will be responsible for:

- Developing and implementing the Program
- Establishing general policy direction and risk management decisions
- Reviewing and approving all Hazard Assessments
- Reporting, tracking, and other administrative duty oversite

The District may also contract with companies or platforms authorized to engage in Cross Connection Control operations, track and distribute backflow prevention assembly notifications for testing, recordkeeping, tester verification, and other requirements of the Program.

The District's Program was developed in consultation with Cross-Connection Control Specialists from the Public Agency Water Group (PWAG) and lead by the following Cross-Connection Control Specialist:

<b>Name of Coordinator</b>	<b>Tara Robinson</b>
<b>Telephone Number</b>	818-429-6981
<b>Email Address</b>	trobinson@vcwd.org
<b>CCCS Certification Number</b>	01808
<b>Certifying Agency</b>	CA-NV AWWA

The following identifies the current authorized designees employed by the District:

<b>Name of Designee</b>	<b>Ivan Ramirez</b>
<b>Telephone Number</b>	562-697-6769
<b>Email Address</b>	Ivan@lhhcwd.com

  

<b>Name of Designee</b>	<b>Matt Cerda</b>
<b>Telephone Number</b>	562-697-6769
<b>Email Address</b>	Mcerda@lhhcwd.com

<b>Name of Designee</b>	<b>Michelle Savage</b>
<b>Telephone Number</b>	562-697-6769
<b>Email Address</b>	Msavage@lhh cwd.com

<b>Name of Designee</b>	<b>Dale Snooks</b>
<b>Telephone Number</b>	562-697-6769
<b>Email Address</b>	Dsnooks@lhh cwd.com

<b>Name of Designee</b>	<b>Ronnie Segura</b>
<b>Telephone Number</b>	562-697-6769
<b>Email Address</b>	Rsegura@lhh cwd.com

<b>Name of Designee</b>	<b>Michael Tafolla</b>
<b>Telephone Number</b>	562-697-6769
<b>Email Address</b>	Mtafolla@lhh cwd.com

## 4. Hazard Assessments

In accordance with the CCCPH, the District will conduct both initial and ongoing hazard assessments to identify and mitigate potential cross-connection risks. These assessments will be carried out using a combination of on-site evaluations performed by the District's authorized designees and customer-completed surveys to gather essential information about potential hazards. All hazard assessments will be thoroughly reviewed and approved by the Cross-Connection Control Program Coordinator to ensure compliance.

Subsequent to the initial hazard assessment the District will perform hazard assessments under the following criteria:

- a user premises changes account holder (excluding single-family residences);
- a user premises is newly or re-connected to the District's water system;
- evidence exists of changes in the activities or materials on a customer's premises;
- backflow from a user's premises occurs;
- the State Water Board requests a hazard assessment of a customer's premises;
- the District concludes an existing hazard assessment may no longer accurately represent the degree of hazard; and
- periodically (pursuant to CCCPH section 3.1.4.).

The District will require all new residential customers to complete a Residential Cross Connection Hazard Assessment Survey (Exhibit B) with the application for water service. A completed Residential Cross Connection Hazard Assessment Survey provided by the customer may result in further investigation.

If a customer fails to provide the required information for a hazard assessment or does not submit a completed Customer Survey, the District may take corrective actions to protect the public water system. This may include requiring the installation of a Reduced Pressure Principle (RP) device or an Air Gap (AG) for premises containment, in accordance with established policies. Additionally, the District reserves the right to implement other appropriate measures as necessary to ensure compliance. Any costs associated with these actions will be billed to the customer.

As an alternative to the above requirements for a hazard assessment or survey, the customer may agree to install an approved AG or RP for premises containment as a condition of service.

*The District shall not be responsible for abatement of cross-connections which may exist within a user's premises.*

### **Cross-Connection Hazard Survey Schedule for Initial Hazard Assessments**

The schedule for initial hazard assessments is outlined in the following table. The schedule starts from the date the program is established:

<b>Initial Assessment Task</b>	<b>Schedule</b>
Assessment of District facilities	Within 90 days
Assessment of all new connections	At time of application for water service
Assessment of high-hazard premises which are listed on Appendix D of the CCCPH and premises with BPA's currently in use	Within 24 months
Identification and assessment of hazardous premises supplemental to Appendix D of the CCCPH	Within 36 months
Identification of residential connections with special plumbing facilities and/or water use on the premises	On a continuous basis

### **Cross-Connection Hazard Survey Schedule for Subsequent Hazard Re-Assessments**

The frequency of hazard re-assessments is outlined in the following table:

<b>Type of Service</b>	<b>Frequency of Re-Evaluation</b>
Any services with RP or AG installed for premises containment	If evidence exists of changes in the activities or materials on a user's premises, if a user changes account holder, excluding residential, or if backflow from a user's premises occurs (survey)
Commercial or Industrial services protected with less than a RP for premises containment	Every 5 years and upon change in use or ownership (survey)
Residential services protected with less than a RP for premises containment	Every 4-5 years (survey)

### **District Facilities**

The District will conduct comprehensive assessments of its facilities to identify and mitigate potential cross-connection risks. All facilities producing, treating, storing, or distributing drinking water must have proper internal protection from cross-connections to ensure that all drinking water produced and delivered to customers is protected from cross-connections. The District will complete its requirements within its allotted timeframe given in its response to the SWRCB's Sanitary Survey conducted April 27, 2023.

## User Supervisor

Per the CCCPH, the SWRBC and District may, at their discretion, require a customer to designate a User Supervisor when the user premises has a multi-piping system that conveys various types of fluids and where changes in the piping system are frequently made. The User Supervisor will be responsible for the avoidance of cross-connections during the installation, operation and maintenance of the customer's pipelines and equipment.

The User Supervisor represents the owner, tenant, or property manager as a liaison to the District. The Site Supervisor must have the authority to carry out any requirements of the District. It is recommended that the Site Supervisor be an employee who is permanently stationed at the site. At a minimum, the Site Supervisor must make frequent visits to the site.

The User Supervisor will be trained on the fluids used and backflow protection for the premise, must inform the District of changes in piping, and maintain current contact information on file with the District. The designated Site Supervisor must attend a Site Supervisor Certification Workshop, provided by the District.

User Supervisors:

- Are responsible for the operation, maintenance, and prevention of potential cross connections to the potable water system
- Must be present at all hazard assessments and cross-connection control surveys
- Must inform the District of any cross-connection incidents
- Are expected to know the provisions contained in the SWRBC's CCCPH
- Are expected to know the basic concepts of backflow and cross-connection prevention, and emergency response procedures
- Are responsible for training personnel at the site on the proper protection of the potable water system

## 5. Backflow Prevention Requirements

The District will require that water service to all commercial customers be isolated at the meter by an approved RP device. However, at its discretion, the District may permit the continued use of an existing device, provided it offers a level of protection equal to the degree of hazard present at the customer's premises. If a device fails testing, it must be replaced with an RP device upon notification of the failure. All high-hazard connections, as specified in Appendix D of CCCPH (replicated as Exhibit C ), must be isolated using an RP or AG device.

All customers requiring backflow prevention must ensure that the required premises containment meets the following conditions:

- The backflow prevention assembly must be purchased and installed by the customer (at the customer's expense) immediately downstream of the water meter, in full compliance with the District's standards.
- The assembly must be properly maintained, tested, and inspected in accordance with the District's requirements outlined in this plan.

Under special circumstances, the District may grant an exception allowing the use of a Double Check Valve (DC) device, provided it offers protection equivalent to the degree of hazard. In such cases, A written exception letter must be obtained from the District.

*The District recognizes the city of La Habra Heights and Los Angeles County's authority over fire protection systems and will not override their decisions unless a customer's fire protection system is specifically designed to accommodate the pressure drop associated with a RP device. Since fire protection systems are approved and regulated by the city of La Habra Heights and Los Angeles County, any modifications to these systems fall outside*

the District's jurisdiction. However, in the interest of public health and water quality protection, the District will strongly advise customers against adding chemicals to their fire protection systems, as such systems are now required by the California CCCPH to have RP protection within 10 years after District adoption of this program.

### **Approved Backflow Preventers and Installation**

Any backflow prevention device or assembly required herein shall be manufactured in full conformance with the standards established by at least one of the following:

- Standards found in Chapter 10 of the *Manual of Cross-Connection Control, Tenth Edition*, published by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research
- Certification requirements for BPAs in the Standards of ASSE International

All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved assemblies for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the field testing and maintenance requirements, be excluded from the requirements of these rules so long as the District is assured that they will satisfactorily protect the District's water system.

Whenever the existing device is moved from the present location, it requires more than annual testing, or when the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of District, at the expense of the customer.

Devices with unapproved modifications or in an unapproved configuration or orientation will be retrofitted with an approved method of backflow prevention installed in accordance with District's installation requirements, at the expense of the customer.

Existing systems with a single detector check valve will not require retrofit provided the check valves are tested in accordance with NFPA 25 requirements and do not require repair or replacement. If the existing single detector check does not meet NFPA 25 requirements and/or requires repair or replacement, then a minimum DC protection shall be installed and brought above grade. New customers are required to upgrade the backflow protection to current standards prior to water service being provided. Notwithstanding anything contained herein, installations that create a risk to public health will require retrofit.

### **Schedule for Installation of Backflow Preventers**

The schedule for installation of backflow preventers when deemed necessary based on the hazard evaluation is outlined in the following table:

Type of Service	Schedule
New connections with cross-connection hazards	Before service is initiated
Existing connections with Appendix D-type hazards and other high cross-connection hazards	60 days after notification
Existing connections with other than Appendix D of CCCPH or high cross-connection hazards	90 days after notification
Existing fire protection systems not using chemicals	10 years after adoption of program

The District recognizes options of fire protection systems designed to protect water quality in the event of a backflow incident.

- Those using a multipurpose configuration in which the same piping inside the customer premise supplies both domestic water fixtures and fire sprinkler heads.

- Those that use a single tapped connection line in stand-alone configuration with a passive purge feature to maintain acceptable water quality.
- Any fire protection system approved by the appropriate regulatory agency that is designed to continually circulate, leaving no stagnant water throughout a customer's water system.

The District may designate these fire protection system options as non-hazardous, provided the owner of such systems can submit documentation pre-approved by the District supporting the system was planned, permitted, and inspected by the appropriate regulatory agency prior to connection to the District's water system. Note that to negate the requirement for backflow prevention in multipurpose and passive purge (flow through systems), the sprinkler system must be constructed of materials approved for potable water.

All fire protection systems using chemical or anti-freeze additives and all newly permitted fire protection systems not designated as multipurpose and passive purge systems will require the installation of an RP backflow prevention device isolating the fire protection system from the District's potable water supply and rest of the customer's water system.

The District may consider granting an extension of time for installation of backflow preventer for an existing connection if requested by the customer. A written exception must be obtained from the District.

## 6. Certified Backflow Prevention Assembly Testers

The District will maintain an updated list of certified backflow testers, pre-approved by the District, to conduct backflow assembly testing. This list will be reviewed and revised annually, or more frequently if necessary, and will be provided to customers alongside their annual testing notices. All testers are required to adhere to the guidelines outlined in the CCCPH and comply with all District requirements. Testers working within the District's service area must agree to and submit a signed the Tester Code of Conduct (Exhibit F) and possess a valid, up-to-date proof of backflow prevention assembly tester certification, along with calibration and accuracy test results to the District when submitting all test results. The District will have final approval for the acceptance of the submitted documentation.

The District's Coordinator may suspend or revoke approval of an individual backflow tester and or company from the list of approved testers if the individual or company fails or refuses to comply with the District's Cross-Connection Control Program, Policies and Regulations or engages in dishonest business practices, fails to maintain a valid backflow tester certification or installs, repairs or tests backflow assemblies in a negligent manner. Failure to abide by any of these requirements may be grounds for exclusion from the approved testers list.

The District's Coordinator will report incidences of fraud or gross incompetence or negligence on the part of any backflow to the certifying entity as well as any other agencies or authorities.

### Quality Assurance

The District will review backflow preventer inspection/test report forms submitted within 30 days of receipt. The District will provide follow-up on any backflow assemblies or test reports that are found to be deficient. At the District's discretion, the District Coordinator may require additional tests on backflow assemblies previously tested by a backflow tester.

## 7. Backflow Prevention Assembly Testing

### Inspection and Testing of Backflow Preventers

All backflow preventers that the District relies upon for protection of the water system will be subject to inspection and testing. The District will assess backflow preventers for proper application and installation.

The customer is responsible for ensuring the inspection and testing of backflow preventers at their premises. The customer must hire, at their expense, a District-approved certified backflow tester to perform the inspection and test.

If any assemblies are found to be defective, the customer must repair or replace them and provide proof of testing certification as described elsewhere herein, within 30 calendar days, or service will be discontinued. Discontinued service may be subject to fees granted by the Resolution.

### **Approved Test Procedures**

The District will require that all assemblies relied upon to protect the public water system be tested in accordance with approved test procedures as specified in CCCPH Article 3.

### **Notification of Inspection and/or Testing**

The District or the District's approved Consultant will provide written notice to all Customers with backflow preventers, requiring them to have their backflow preventer(s) inspected and/or tested. Notices will be sent at least 30 days before the due date of the inspection and/or test. The notice will also specify the deadline for submitting the inspection/test report to the District. If the District has not received a passing test report within the designated timeframe, enforcement policies will be applied

### **Backflow Assembly Test Reports**

Backflow testers must submit the completed test report to the District before the due date specified in the annual testing notice. Test reports will only be accepted through physical delivery, U.S.mail, or electronically via email to the District. Test results must be submitted electronically within five (5) calendar days of the test date. Failing test results must be submitted within 24 hours of the test date.

### **Repairs**

Any assembly that fails routine testing shall be repaired or replaced within thirty (30) days of the initial test date. The customer must notify the District if repairs or replacement cannot be made within the specified period. District shall determine the level of risk the failed assembly presents to the water supply and, if necessary, discontinue water service.

Only Original Equipment Manufacturer (OEM) parts shall be used to repair backflow prevention assemblies. If OEM replacement parts are not available, then an approved backflow prevention assembly must be installed to replace the existing assembly.

### **Frequency of Inspection and Testing**

Inspection and testing of backflow preventers will be conducted:

- At the time of installation;
- Annually after installation;
- After repair, reinstallation, permanent relocation, or re-plumbing;
- Any time the assembly is found to not be in good repair; and
- After a backflow incident
- 

All air gap separations shall be inspected annually and after modifications to the installation when used as premises containment.

The District may require a backflow preventer to be inspected and/or tested more frequently than once a year when it protects against a high-health hazard or when it repeatedly fails annual tests or inspections.

The District will be responsible for inspection and testing of all District-owned backflow preventers and air gaps.

### **Enforcement**

To enforce the Program, it may become necessary to discontinue water service through connection(s) to the premises. In the event water service is discontinued, the Local Health Agency may be notified.

If District decides that termination of service is either too difficult or may pose a health issue, it may have the necessary repairs, replacements, or installations completed by a contractor and pass the cost for such service and an administrative penalty on to the customer. The customer will be notified in writing specifying the corrective actions being taken and time in which it will be done. If no action is taken by the customer, then work shall begin.

## **8. Recordkeeping**

### **Types of Records and Data to be Maintained**

The District will maintain records on all assemblies that protect the public water system from contamination. At a minimum, the District will maintain records on all premises containment assemblies required to protect the public water system. All records shall be made available to the State Water Board upon request. The District will maintain records of the following types of information required by Article 3, Section 3.5.1 of the CCCPH:

- Two (2) most recent premises Hazard Assessments specifying required backflow preventer(s)
- Current contact information for the user supervisor and water user, and any applicable training and qualifications as described by CCCPH section 3.2.2(f)
- Descriptions and follow-up actions related to all backflow incidents
- A copy of the current contract or agreement if any part of the cross-connection control program is carried out under contract or agreement
- The current Cross-Connection Control Plan
- Any public outreach or education materials issued for the previous three (3) calendar years
- Backflow preventer inventory and information including:
  - The associated hazard or application and the location, owner, inspection dates, inspection results, person conducting inspection and as-built plans of each AG installation being used as premises containment
  - Backflow assembly hazard, location, assembly description (type, manufacturer, make, model, size, and serial number), installation, inspection and test dates, test results and data, and person performing test
  - Results of all backflow assembly field testing and AG inspections for the previous three (3) calendar years, including the name, test date, repair date, and certification number of the backflow prevention assembly tester for each backflow assembly field test and AG
  - Repairs made to, or replacement or relocation of, backflow assemblies for the previous three (3) calendar years.

### **How Records will be Maintained**

The District will primarily maintain records using the District's online backflow prevention assembly testing platform. Electronic files, such as customer outreach material, may also be maintained on the District's server.

## **Reports to be Prepared and Submitted to SWRCB**

The District will prepare and submit the following reports, as required by CCCPH, to the SWRCB upon request:

- Cross-connection control program activities report for the calendar year
- Cross-connection control program summary information
- Documentation when exceptions to mandatory premises containment are granted
- Backflow incident reports

The District's Coordinator will review and sign all cross connection related reports required by CCCPH before submission to SWRCB.

## **9. Backflow Incident Response, Reporting and Notification**

### **Backflow Incident Response Plan**

The District's Backflow Incident Response Plan (Exhibit H) is incorporated into the District's Emergency Response Program, as mandated by CCCPH Article 5. The plan outlines the procedures for investigating and responding to suspected or actual backflow incidents in accordance with Article 5 of the CCCPH.

### **Backflow Incident Notification**

The District's Coordinator shall notify the SWRCB of any known incident of backflow within 24 hours of the determination. If required by the SWRCB, the District shall issue a Tier 1 public notification pursuant to CCR, Title 22, Section 64463.1.

If required by the SWRCB, the District shall submit, by a date specified by the SWRCB, a written incident report describing the details and affected area of the backflow incident, the actions taken by the District in response to the backflow incident, and the follow up actions to prevent future backflow incidents. The written report shall contain, at a minimum, the information requested in CCCPH Exhibit F.

## **10. Public Outreach and Education**

### **Customer Education**

The District will regularly distribute educational brochures to its customers, either with water bills or through other channels. These brochures will be provided to all customers every two to three years and to every new customer at the time the service agreement is signed.

For residential customers, these brochures will highlight cross-connection hazards within homes and recommend appropriate assemblies or devices that homeowners should install to mitigate risks to the public water system. The education program will emphasize the customer's responsibility in preventing contamination of the public water supply.

The information distributed by the District will include, but not be limited to, the following subjects:

- General cross-connection hazards
- Irrigation system hazards and corrective actions
- Fire sprinkler cross-connection hazards
- Importance of annual inspection and/or testing of backflow preventers
- Thermal expansion in hot water systems when backflow preventers are installed

## **11. Local Entity Coordination**

### **Coordination with Local Administrative Authority**

The CCCPH requires coordination between the District and the Local Administrative Authority (LAA) in matters pertaining to cross-connection control. The District will provide a copy of this Cross Connection Control Program to Los Angeles County Department of Public Health as an individual document. The District will inform the LAA of any changes in policy or procedure that may impact the LAA.

## **12. Other Provisions**

### **Temporary Water Connections**

The District will not supply water through temporary connections, such as those used for construction projects or main disinfection, except through a backflow preventer arrangement installed by the District.

### **Relationship to Other Planning and Operations Program Requirements**

The District will evaluate the impact of the cross-connection control program on its planning and operational requirements. This includes, but is not limited to, ensuring:

- Effective communication between cross-connection personnel and other District staff;
- Proper training for all staff to identify potential cross-connection control issues;
- Consideration of cross-connection concerns during water quality investigations;
- Cross-connection control personnel are consulted in the design of water treatment facilities;
- Operations, both under normal and abnormal conditions, prevent excessive pressure losses;
- The water distribution system is designed to accommodate expected head losses from backflow assemblies; and
- Sufficient financial and administrative resources are available to implement the cross-connection control program.

### **Authority to Amend, Alter, and Revise**

The District shall have the authority and power to amend, alter, revise, and make supplements to the Cross Connection Control Program as needed to comply with State requirements and to maintain effective water quality standards.

### **Section 43 - Complaints**

The General Manager shall have the power and discretion to adjust complaints and grant rebates to complainants from the charges specified, except as set forth in District's Claims Procedures, below.

### **Section 44 - Rulings of General Manager**

All rulings of the General Manager shall be final unless appealed in writing to the Board within five (5) days. When appealed, the Board's ruling shall be final and conclusive.

## **Section 45 – Claims Procedures**

This section applies to claims filed against District for money or damages otherwise exempted by Government Code Section 905 and which are not governed by other statutes or regulations. A claim not covered by Government Claims Act as set forth in the Government Code shall be presented in accordance with this section. A claim, or amendment thereto, shall be presented to the District by delivering it to the District's offices.

A claim presented pursuant to this section shall be presented by the claimant or by a person acting on his behalf and shall show:

- (a) The name and mailing address of the claimant;
- (b) The mailing address to which the person presenting the claim desires notice to be sent;
- (c) The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted;
- (d) The general description of the indebtedness, obligation, injury, damage or loss incurred so far as may be known at the time of presentation of the claim;
- (e) The name or names of the public employee or employees causing the injury, damage or loss if known;
- (f) The amount claimed as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss insofar as it may be known at the time of presentation of the claim, together with the basis of computation of the amount claimed; and
- (g) The signature of the claimant or some person on his behalf.

A claim filed pursuant to this section relating to a cause of action for death or for injury to person or to personal property or growing crop shall be presented not later than six months after accrual of cause of action. A claim relating to any other cause of action shall be presented not later than one year after the accrual of the cause of action.

An application may be made to the District for leave to present a late claim when a claim required to be presented within a period of less than six months after the accrual of the cause of action is not presented within the required time.

Government Code Section 911.4(b) and Section 911.6 through 912.2 inclusive, and Sections 946.4 and 946.6 shall govern the application. The time specified in this section shall be the time specified in Government Code Section 911.2 within the meaning of Sections 911.6 and 946.6.

The Board shall act on the claim or application to file late claim within 45 days after the claim or application has been presented to the District. Written notice of action taken pursuant to this section rejecting an application or a claim in whole or in part shall be given to the person who presented the claim.

No suit for money or damages may be brought against the District on a cause of action for which a claim is required until the written claim therefore has been presented to the District and has been acted upon by the Board. No suit may be brought against the District on any cause of action for which a claim is required unless such suit is commenced within six months after the date the claim is acted upon by the Board or is deemed to have been rejected by the Board.

The General Manager may allow compromise or settle a claim against the District if the amount to be paid pursuant to such allowance, compromise or settlement does not exceed \$10,000. The General Manager shall advise the Board when there has been allowance, settlement or compromise on such claim.

The provisions of Code of Civil Procedure Section 1094.6 shall be applicable to the judicial review of the decisions of the Board of Directors.

The General Manager may commence actions within the jurisdiction of the small claims court to recover damages to District property. The General Manager may defend small claims court actions on behalf the District.

### **Section 46 – Variances**

Except as prohibited by laws or regulations other than District's Rules, Rates and Regulations, District may, at its sole discretion, grant variances to any requirement set forth within the Rules, Rates and Regulations by making specific findings regarding the nature and necessity of the variance. Any variance shall be made by District's Board of Directors and shall not be valid unless signed by the General Manager or his/her designee. District shall have the right to limit any variance in scope, time, or otherwise, and may revoke any variance in its sole discretion. District's grant or denial of a variance shall be final and not appealable.

### **Section 47 – Severability**

If any section, subsection, sentence, clause or phrase of these Rates, Rules and Regulations is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining portions of the Rates, Rules and Regulations. The Board of Directors of the La Habra Heights County Water District hereby declares that it would have passed said Rates, Rules and Regulations by section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.