



AGENDA AND MEETING NOTICE OF THE NORTH TAHOE PUBLIC UTILITY DISTRICT DEVELOPMENT AND PLANNING COMMITTEE

Monday, August 10, 2026 at 1:00 p.m.

**North Tahoe Public Utility District
Administrative Offices
875 National Avenue
Tahoe Vista, CA 96148**

Welcome to a meeting of the North Tahoe Public Utility District
Development & Planning Committee

A meeting of the North Tahoe Public Utility District Development & Planning Committee will be held on Monday, August 10, 2026, at 1:00 p.m. at the North Tahoe Public Utility District Administrative Offices, 875 National Ave. Tahoe Vista, CA 96148

The District welcomes you to its meetings. Your opinions and suggestions are encouraged. The meeting is accessible to people with disabilities. In compliance with Section 202 of the Americans with Disabilities Act of 1990 and in compliance with the Ralph M. Brown Act, anyone requiring reasonable accommodation to participate in the meeting should contact the North Tahoe Public Utility District office at (530) 546-4212, at least two days prior to the meeting.

All written public comments received by 12:00 p.m. on Monday, August 10, 2026 will be distributed to the District Board Committee Members for their consideration at the meeting. Written comments may be emailed to mmoga@ntpud.org, mailed or dropped-off at NTPUD's Administrative Offices located at 875 National Ave., Tahoe Vista, CA. 96148.

1. CALL TO ORDER

2. **PUBLIC COMMENT** – *Any person wishing to address the Development & Planning on Items on the agenda or matters of interest to the District not listed elsewhere on the agenda may do so at this time. Please limit comments and questions to three (3) minutes since no action can be taken on items presented under Public Comment.*

3. TOPICS OF DISCUSSION

- a. Review and Discuss Authorizing the General Manager to File a Notice of Completion for the Smart Meter Installation Project – Recommendation to Full Board (Pages 2-4)
- b. Review and Consider Adopting Ordinance No. 400 – Updating the Sewer and Water Ordinances – Recommendation to Full Board (Pages 5-146)
- c. Review and Discuss Approving Resolution No. 2026-18 Approving the Execution and Recordation of the Quitclaim of Utility Easement Rights Affecting APNs 090-174-021 Through 090-174-026 and the Transfer of Water and Sewer Facilities Serving 8746 Steelhead Avenue and Find the Action Exempt from the California Environmental Quality Act Under the Common Sense Exemption – Recommendation to Full Board (Pages 147-165)
- d. Review and Discuss Approving Public Hearing Items:
 - a. NOTICE OF EXEMPTION FOR DISTRICT WATER RIGHTS – Adopt Resolution 2026-16, Approving Notice of Exemption for District Water Right Applications A024257 and Discontinuing Applications A023475, and A023727 and Authorize the General Manager to Take All Actions – Recommendation to Full Board (Pages 166-197)
 - b. NOTICE OF EXEMPTION FOR DISTRICT WATER RIGHTS – Adopt Resolution 2026-17, Approving Notice of Exemption for District Minor Change Petition for Permit 13525 and A023727 and Authorize the General Manager to Take All Actions – Recommendation to Full Board (Page 198-208)

4. ADJOURNMENT



NORTH TAHOE PUBLIC UTILITY DISTRICT

DATE: August 11, 2026

ITEM: F-3

FROM: Planning and Engineering Department

SUBJECT: Authorize the General Manager to File a Notice of Completion for the Smart Water Meter Installation Project

RECOMMENDATION:

Authorize the General Manager to file a Notice of Completion for the Smart Water Meter Installation Project (Project #2562).

DISCUSSION:

At the July 8, 2025 meeting, the Board of Directors awarded a \$612,935 contract to Phoenix Water Solutions for the Smart Water Meter Installation Project. The project was completed on July 1, 2026. The following table summarizes the Construction Phase Project finances. The Board of Directors had previously awarded purchase orders totaling \$1,131,932 for the Badger Meter E-Series Ultrasonic water meters and cellular endpoints (smart meters). The Construction phase expenses for this project came in \$34,070 under budget.

Phoenix Water Solutions installed 2,353 water meters and cellular endpoints, and District Staff performed a total of 1,076 swap-outs, composed of 646 water meters with cellular endpoints and 430 water cellular endpoints only on existing meters. Additionally, about 70 of the most challenging smart meter change-outs that have the greatest impact on customers and require advance notification were removed from the contract. NTPUD staff will install these meters in the Fall when use is significantly reduced after the summer peak season.

Construction Project Budget:	
Smart Water Meter Installation Project	\$ 793,935
Construction Project Expenses:	
Awarded Contract	\$ 612,935
Contract Change Orders	(\$ 79,070)
NTPUD Furnished Material	\$40,000
NTPUD Staff Time (Construction Phase)	\$ 186,000
Estimated Total Construction Expenses	\$ 759,865
Estimated Construction Budget Summary	\$ 34,070

One change order was authorized for this project to reconcile the bid values with the actual quantities, sizes, and types of meters found in the field. A total credit of \$79,070 was returned to the project. The \$186,000 in NTPUD staff time was for the meter installations described above and assisting the contractor through the construction phase.

FISCAL ANALYSIS:

The approved Fiscal Year (FY) 2025/26 Capital Budget includes \$1,899,147 for Smart Metering Infrastructure Project in the Water Fund. The total project construction phase costs, including smart meter procurement, were \$1,891,797. Overall, the total project is currently \$7,350 under budget. The construction contract is complete and will be closed with the final retention release and payment of any remaining consultant invoices.

The budgetary impact to the District of the proposed project is summarized in the table below. The District received a \$500,000 Bureau of Reclamation WaterSmart grant for this project.

Item	Amount
Smart Water meters and Cellular Endpoints	\$1,131,932
Estimated Construction Budget Summary	\$759,865
Total Project Costs	1,891,797
U.S. Department of the Interior's WaterSMART Grant	(\$500,000)
Total District Commitment	\$1,391,797

STRATEGIC PLAN ALIGNMENT:

Goal 1: Provide safe, efficient, sustainable water and wastewater services focusing on industry best practices and continuous improvement – Objective E: Actively advance the District's consumer-facing public utility initiatives through community engagement – Tactic 1: Water loss, conservation, and drought mitigations – Activity b: Continue installation of cellular smart water meters to streamline the meter reading process and to allow customer access to real-time usage data.

Goal 3: Enhance District governance and partnerships – Objective C: Monitor and advocate for Federal, State, and Local legislation; and actively pursue relevant grant opportunities that support District priorities – Tactic 5: Continue to monitor and pursue other grant opportunities to support District priorities.

MOTION: Approve Staff Recommendation.

REVIEW TRACKING:

Submitted By: 
Joseph J. Pomroy, P.E.
Engineering and Operations Manager

Approved By: 
Bradley A. Johnson, P.E.
General Manager/CEO

Reviewed By: 
Patrick Grimes
Chief Financial Officer



NORTH TAHOE PUBLIC UTILITY DISTRICT

DATE: August 11, 2026

ITEM: F-6

FROM: Planning and Engineering Department

SUBJECT: Consider and Adopt Ordinance No. 400 – Updating the Sewer and Water Ordinances

RECOMMENDATION:

Consider and Adopt Ordinance No. 400 – Updating the Sewer and Water Ordinances.

DISCUSSION:

On April 13, 2021, the Board of Directors adopted Ordinance No. 397 updating the District's Sewer and Water Ordinances. Consistent with the District's Strategic Plan, Staff evaluates the Ordinances on an ongoing basis for compliance with State Law, to identify language clarifications, and to align with District practices. Staff has continued to review the Sewer and Water Ordinances relating to the District's practices as well as industry best practices.

The proposed amendments to the District's Ordinances were discussed with the Board of Directors during the July 14, 2026, Board of Directors' meeting, and the Ordinances were revised to incorporate Board direction. Modifications to the Sewer and Water Ordinances must be done via Ordinance.

Please note: The 'redline' versions attached to this report include edits displayed in red, blue, green, and purple. Those colors merely indicate the different contributors and iterations of edits through this ordinance update process.

FISCAL ANALYSIS:

The proposed changes will have a de minis fiscal impact.

STRATEGIC PLAN ALIGNMENT:

Goal 3: Enhance District governance and partnerships – Objective A: Maintain best practices in public agency governance throughout all levels of the District – Tactic 1: Keep accurate and up-to-date ordinances and policies in alignment with best practices, laws, and regulations.

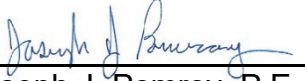
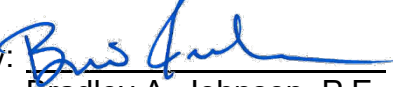
ATTACHMENTS:

- Ordinance No. 400 – Updating the Sewer and Water Ordinances
- NTPUD Water Ordinance with Amendments (clean)

- NTPUD Sewer Ordinance with Amendments (clean)
- NTPUD Water Ordinance with Redlined Amendments
- NTPUD Sewer Ordinance with Redlined Amendments

MOTION: Approve Staff Recommendation

REVIEW TRACKING:

Submitted By:  Approved By: 
Joseph J. Pomroy, P.E. Bradley A. Johnson, P.E.
Engineering and Operations Manager General Manager/CEO

**ORDINANCE NO. 400
OF THE BOARD OF DIRECTORS OF THE
NORTH TAHOE PUBLIC UTILITY DISTRICT
UPDATING THE SEWER AND WATER ORDINANCES**

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF DIRECTORS OF THE NORTH TAHOE PUBLIC UTILITY DISTRICT:

1. **Amendment.** Section 1.1 of the Sewer Ordinance is amended by replacing the word “assisting” with “assist” in the second sentence.
2. **Amendment.** The definition of “Accessory Dwelling Unit (ADU)” in Section 1.4 of the Sewer Ordinance is amended to read in full as follows:

“1.4.1 Accessory Dwelling Unit (ADU).

An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons, and is located on a lot with a proposed or existing primary residence, as provided in Government Code section 66313, as it may be amended. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. In the event that Placer County adopts an ordinance regulating ADUs as permitted by State Code, accessory dwelling unit shall include an ADU as defined in such ordinance.”

3. **Amendment.** Section 1.4 of the Sewer Ordinance is amended by adding the following definitions in alphabetical order:

“1.4.2 Junior Accessory Dwelling Unit (JADU).

A unit that is no more than 500 square feet of interior livable space in size and contained entirely within a single-family residence, as provided in Government Code section 66313, as it may be amended.”

“1.4.7 California Plumbing Code (CPC).

The California Plumbing Code incorporates by adoption the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials with necessary California amendments.”

“1.4.8 Commercial/Industrial.

Service to customers engaged in selling, warehousing, or distributing a commodity, in some business activity, or in a profession, or in some form of economic or social activity (offices, stores, clubs, schools, hotels, etc.) and for purposes that do not come directly under another classification of service.”

“1.4.9 Connection Fees.

A one-time charge for customers connecting to the system or a customer increasing capacity. A cost based charge reflecting the value of system capacity based on the utility's infrastructure costs. Does not include meter installation fee, tap fee, fire service detector and/or to physically connect to the system.”

“1.4.14 Equivalent Dwelling Unit.

Commercial, industrial, and multi-family units are assigned varying equivalent dwelling unit (EDU) multipliers depending on the type of business, seat count, fixture count, or building size. A residential living unit is 1.0 EDU. The non-residential EDUs are determined using the District’s Mixed Use Billing Account type Determination form during the plan check process or during a property inspection.”

“1.4.23 Mixed Use Commercial.

A customer that has both residential and commercial uses on the property will be categorized mixed use commercial when the number of commercial equivalent dwelling units (EDUs) is greater than the number of residential EDUs, as determined under the then-current rate schedule or District administrative procedures.”

“1.4.24 Mixed Use Multi-Residential.

A customer that has both residential and commercial uses on the property will be categorized mixed use multi-residential when the number of residential equivalent dwelling units (EDUs) is greater than or equal to the number of commercial EDUs, as determined under the then-current rate schedule or District administrative procedures.”

“1.4.25 Multi-Family Residential.

Residential uses containing two or more residential units, including apartment buildings, duplexes, townhomes for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.”

“1.4.34 Single Family Residential.

A single family residential unit shall mean a single family dwelling that is designed for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.”

4. **Amendment.** The definition of “Exempt ADU” in Section 1.4 of the Sewer Ordinance is amended to read in full as follows:

“1.4.16 Exempt ADU.

An ADU or JADU for which the District is prohibited from requiring a new or separate utility connection, or from imposing a related connection fee or capacity charge, under Government Code section 66311.5 or any successor statute.”

5. **Amendment.** The definition of “Private Service Lateral” in Section 1.4 of the Sewer Ordinance is amended by adding the words “or easement boundary” after the words “property line.”
6. **Amendment.** The definition of “Uniform Plumbing Code (UPC)” in Section 1.4 of the Sewer Ordinance is deleted in full.
7. **Amendment.** The remaining definitions in Section 1.4 of the Sewer Ordinance are renumbered sequentially, without substantive change, to reflect the additions and deletion made by this Ordinance.
8. **Amendment.** Subsection 2.3.3 of the Sewer Ordinance is amended by replacing the words “the sewer system” with “the District’s sewer system.”

9. **Amendment.** Subsection 3.2.1(e) of the Sewer Ordinance is amended to read in full as follows:

“(e) The customer shall not have any outstanding amounts owed against the property to be served, on any District water or sewer account, subject to applicable law.”

10. **Amendment.** Subsection 3.2.1(f) of the Sewer Ordinance is amended by replacing the words “water connection” with “sewer connection” and the words “water service charges” with “sewer service charges.”

11. **Amendment.** Subsection 3.2.2(c) of the Sewer Ordinance is amended to read in full as follows:

“(c) Costs and Expenses. The applicant shall be solely responsible for all costs and expenses. The applicant shall deposit cash into escrow or an irrevocable standby Letter of Credit in favor of the District issued by a bank reasonably acceptable to the District in a sum equal to 125% of the estimated total cost of the construction of the extension facilities prior to commencement of construction. If, upon completion of the work, the amount paid to or deposited with the District is less than said actual costs, the difference shall be paid to the District by the applicant prior to the commencement of service. Any amount paid or deposited in excess of said actual cost will be credited toward usage or refunded upon application.”

12. **Amendment.** Subsection 3.2.2(e) of the Sewer Ordinance is amended by adding the following sentences at the end of the subsection:

“Reimbursement agreement shall be effective for a maximum of ten (10) years. Any prorated reimbursement shall be determined by the District based on years remaining on the agreement and total parcels capable of being served. Upon termination of the ten (10) year period, any pro rata share shall become property of the District.”

13. **Amendment.** Section 3.4 of the Sewer Ordinance is amended to read in full as follows:

“3.4 TERMINATION/RECONNECTION OF SERVICE

Sewer service to an existing developed property may not be terminated. If all uses on the existing developed property requiring sewer service ceases, the owner may request termination of service. The District may approve termination only after the District determines that termination and physical disconnection will not create a public health, safety, environmental, operational, or regulatory concern and the owner provides evidence of any required demolition, building, TRPA, Placer County, or other approvals. Termination of service shall include the removal and capping of the private service lateral at the sewer main. Charges for service will cease effective the first day of the billing period following system disconnection. Any request to reconnect to the sewer system shall be processed as a new application for service. To obtain sewer service for the same parcel in the future will require applying for a new sewer service and payment of all then current fees and charges, and there is no credit for any fees or deposits paid for the sewer service being abandoned.”

14. **Amendment.** Section 3.5 of the Sewer Ordinance is amended to read in full as follows:

“3.5 TEMPORARY DISCONNECTION OF SERVICE

There is no temporary disconnection of services starting on September 10, 2026. The only way to avoid monthly system charges is to terminate the service in accordance with Section 3.4.”

15. **Amendment.** Section 5.3.2 of the Sewer Ordinance is amended to read in full as follows:

“5.3.2 Existing Connections.

It shall be unlawful for any owner of a house, building, or property connected to the sewer system to maintain the building sewer in a condition where leakage is such that the tests in this Section cannot be successfully accomplished. If a cleanout has not been installed at the property line, the owner shall notify the District and the District shall install a cleanout prior to cleaning and testing. The District will install the cleanout within 14 days of being notified and between May 1 and October 1. The owner will then be able to complete the necessary cleaning and testing.”

16. **Amendment.** Subsection 5.3.3(d) of the Sewer Ordinance is amended by replacing the sentence beginning “The District may, upon written notice” with the following sentence:

“The District may, upon written notice to the property owner, discontinue or restrict sewer service to the property until such repairs are made, to the extent necessary to protect the public health.”

17. **Amendment.** Section 6.1.2 of the Sewer Ordinance is amended by adding the following paragraph at the end of the section:

“Notwithstanding any other provision of this Ordinance, the District shall apply connection fees, capacity charges, and monthly service charges for accessory dwelling units and junior accessory dwelling units in accordance with Government Code section 66311.5, Government Code section 66013, and any successor statutes. An accessory dwelling unit or junior accessory dwelling unit shall not be considered a new residential use for purposes of calculating connection fees or capacity charges for sewer service unless the unit is constructed with a new single-family dwelling. For any accessory dwelling unit or junior accessory dwelling unit described in Government Code section 66323(a)(1), the District shall not require a new or separate utility connection directly between the unit and the Sewer System or impose a related connection fee or capacity charge, except as authorized by Government Code section 66311.5. For any accessory dwelling unit for which a new or separate utility connection may lawfully be required, any connection fee or capacity charge shall be proportionate to the burden of the proposed accessory dwelling unit on the Sewer System, based on square footage or drainage fixture units, and shall not exceed the reasonable cost of providing service.”

18. **Amendment.** Section 6.2.1 of the Sewer Ordinance is amended to read in full as follows:

“6.2.1 Bills.

Sewer service charges shall begin on the first day of the billing period following the completion of the pressure test required under Section 5.3.1, or the installation of the water meter if a current water customer, or within two years after the permit fees are paid, whichever comes first. Unless the rate schedule provides otherwise, sewer service is billed in arrears. Bills will be mailed or sent electronically at the beginning of each billing period to the address furnished to the District. The customer shall be responsible for keeping the District advised of the address to which bills are to be mailed. Non-receipt of a bill shall not relieve a customer of any payment obligation to the District.”

19. **Amendment.** Section 6.2.3 of the Sewer Ordinance is amended by replacing the phrase “set forth in set forth in” with “set forth in.”
20. **Amendment.** Section 7.1 of the Sewer Ordinance is amended by adding the words “or the Tahoe-Truckee Sanitation Agency” immediately after the words “Whenever deemed necessary by the District.”
21. **Amendment.** Section 7.2.2 of the Sewer Ordinance is amended as follows:
- (a) The word “existing” is added immediately before the word “condition” in the final sentence of the introductory paragraph.
 - (b) In subsection (a), the word “underling” is replaced with “underlying.”
22. **Amendment.** Subsection 9.1.10 of the Sewer Ordinance is amended to read in full as follows:
- “9.1.10 Any wastewater containing cyanides in excess of two tenths of a milligrams per liter (0.2 mg/l).”
23. **Amendment.** Subsection 9.1.17 of the Sewer Ordinance is amended by replacing the words “federal state or local” with “federal, state, or local.”
24. **Amendment.** Section 10.6 of the Sewer Ordinance is amended to read in full as follows:
- “10.6 ADMINISTRATIVE CITATIONS**
- The District may issue administrative citations for violations of this Ordinance under the procedures set forth in the Water Ordinance, Government Code section 53069.4, Public Utilities Code section 16472.5, and other applicable law, as each may be amended.”
25. **Amendment.** Subsection 11.2.2 of the Sewer Ordinance is amended by replacing the word “placer” with “place” in the first sentence.

26. **Amendment.** The definition of “Accessory Dwelling Unit (ADU)” in Section 1.4 of the Water Ordinance is amended to read in full as follows:

“1.4.1 Accessory Dwelling Unit (ADU).

An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence, as provided in Government Code section 66313, as it may be amended. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. In the event that Placer County adopts an ordinance regulating ADUs as permitted by State Code, accessory dwelling unit shall include an ADU as defined in such ordinance.”

27. **Amendment.** Section 1.4 of the Water Ordinance is amended by adding the following definitions in alphabetical order:

“1.4.2 Junior Accessory Dwelling Unit (JADU).

A unit that is no more than 500 square feet of interior livable space in size and contained entirely within a single-family residence, as provided in Government Code section 66313, as it may be amended.”

“1.4.7 California Plumbing Code (CPC).

The California Plumbing Code incorporates by adoption the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials with necessary California amendments.”

“1.4.8 Commercial/Industrial.

Service to Customers engaged in selling, warehousing, or distributing a commodity, in some business activity, or in a profession, or in some form of economic or social activity (offices, stores, clubs, schools, hotels, etc.) and for purposes that do not come directly under another classification of service.”

“1.4.9 Common Meter.

A common meter account is for irrigation purposes only.”

“1.4.10 Connection Fees.

A one-time charge for customers connecting to the system or a customer increasing capacity. A cost based charge reflecting the value of system capacity based on the utility's infrastructure costs. Does not include meter installation fee, tap fee, fire service detector and/or to physically connect to the system.”

“1.4.18 Equivalent Dwelling Unit.

Commercial, industrial, and multi-family units are assigned varying equivalent dwelling unit (EDU) multipliers depending on the type of business, seat count, fixture count, or building size. A residential living unit is 1.0 EDU. The non-residential EDUs are determined using the District's Mixed Use Billing Account type Determination form during the plan check process or during a property inspection.”

“1.4.21 Mixed Use Commercial.

A customer that has both residential and commercial uses on the property will be categorized mixed use commercial when the number of commercial equivalent dwelling units (EDUs) is greater than the number of residential EDUs, as determined under the then-current rate schedule or District administrative procedures.”

“1.4.22 Mixed Use Multi-Residential.

A customer that has both residential and commercial uses on the property will be categorized mixed use multi-residential when the number of residential equivalent dwelling units (EDUs) is greater than or equal to the number of commercial EDUs, as determined under the then-current rate schedule or District administrative procedures.”

“1.4.34 Single Family Residential.

A single family residential unit shall mean a single family dwelling that is designed for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.”

28. **Amendment.** The definition of “Cross-Connection Control” in Section 1.4 of the Water Ordinance is amended to read in full as follows:

“1.4.13 Cross-Connection Control.

The District's program and measures to protect the Water System from backflow and cross-connections, including hazard assessments, elimination or control of cross-connections, and installation, testing, inspection, and maintenance of approved backflow prevention assemblies, backflow preventers, and air gaps as required by the Cross-Connection Control Policy Handbook, the California Plumbing Code, this Ordinance, the Technical Specifications, or District-approved cross-connection control plans or standards.”

29. **Amendment.** The definition of “Exempt ADU” in Section 1.4 of the Water Ordinance is amended to read in full as follows:

“1.4.19 Exempt ADU.

An ADU or JADU for which the District is prohibited from requiring a new or separate utility connection, or from imposing a related connection fee or capacity charge, under Government Code section 66311.5 or any successor statute.”

30. **Amendment.** The definition of “Multi-Family Residential” in Section 1.4 of the Water Ordinance is amended to read in full as follows:

“1.4.23 Multi-Family Residential.

Residential uses containing two or more residential units, including apartment buildings, duplexes, townhomes for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.”

31. **Amendment.** The definition of “Service Size for Billing Purpose” in Section 1.4 of the Water Ordinance is amended by replacing the words “Uniform Plumbing Code” with “California Plumbing Code.”

32. **Amendment.** The definition of “Service Unit” in Section 1.4 of the Water Ordinance is amended by replacing the word “basic” with “base.”
33. **Amendment.** The definition of “Uniform Plumbing Code (UPC)” in Section 1.4 of the Water Ordinance is deleted in full.
34. **Amendment.** The remaining definitions in Section 1.4 of the Water Ordinance are renumbered sequentially, without substantive change, to reflect the additions and deletion made by this Ordinance.
35. **Amendment.** Section 2.3.1 of the Water Ordinance is amended by adding the words “or JADU, except as allowed by law” immediately after the words “Exempt ADU” in the final sentence.
36. **Amendment.** Section 2.3.3, “Change of Accounts,” of the Water Ordinance is deleted in full.
37. **Amendment.** Subsection 3.2.1(e) of the Water Ordinance is amended to read in full as follows:
- “(e) The customer shall not have any outstanding amounts owed against the property to be served, on any District water or sewer account, subject to applicable law.”
38. **Amendment.** Subsection 3.2.3(c) of the Water Ordinance is amended to read in full as follows:
- “(c) Costs and Expenses. The applicant shall be solely responsible for all costs and expenses. The applicant shall deposit cash into escrow or an irrevocable standby Letter of Credit in favor of the District issued by a bank reasonably acceptable to the District in a sum equal to 125% of the estimated total cost of the construction of the extension facilities prior to commencement of construction. If, upon completion of the work, the amount paid to or deposited with the District is less than said actual costs, the difference shall be paid to the District by the applicant prior to the commencement of service. Any amount paid or deposited in excess of said actual cost will be credited toward usage or refunded upon application.”
39. **Amendment.** Subsection 3.2.3(e) of the Water Ordinance is amended by adding the following sentences at the end of the subsection:
- “Reimbursement agreement shall be effective for a maximum of ten (10) years. Any prorated reimbursement amount shall be determined by the District based on years remaining on the agreement and total parcels capable of being served. Upon termination of the ten (10) year period, any pro rata share shall become the property of the District.”
40. **Amendment.** Section 4.1.2 of the Water Ordinance is amended by replacing the second sentence with the following sentence:
- “A deposit will be paid to the District in accordance with the Fee Schedule, Attachment A-3.”
41. **Amendment.** Section 5.1 of the Water Ordinance is amended by replacing the words “All new multi-family residential uses” with “All newly constructed multi-family residential uses.”

42. **Amendment.** Section 5.1.1 of the Water Ordinance is amended by replacing the words “within the right of way” with “adjacent to the right of way.”
43. **Amendment.** Section 5.1.4 of the Water Ordinance is amended to read in full as follows:
- “5.1.4 Size of Meters and Customer Service Line.**
- Meter size and customer service line size shall be determined by the District in its sole discretion. The District provides a minimum standard of a ¾-inch customer service line and ¾-inch water meter to all water customers.”
44. **Amendment.** Section 5.1.5 of the Water Ordinance is amended to read in full as follows:
- “5.1.5 Re-evaluation of Meter Size and Customer Service Line.**
- (a) Requested by Customer. A customer may request a change in the customer service line and meter size based on changed conditions or code compliance upgrades at the place of service or when historical usage indicates a change is warranted. The customer shall be responsible for any costs incurred in making the change including meter installation fees and connection fees. Adjusted water service charges will begin on the first day of the billing period following the completion of the work.
- (b) Required by District. The District may require a change in the customer service line, meter, or service size for billing purposes when, based on historical usage, meter performance, inspection, verified fixture count, California Plumbing Code fixture-unit calculations, standard engineering practice, or other relevant information, the District determines that the existing meter or customer service line is not appropriately sized or is operating above or below its rated design capacity. The customer shall be given written notice in advance of any required change. If the change is required solely as a result of the District’s reevaluation of existing service conditions and not because of an unpermitted customer change, the District will perform the meter size change at its expense and will not charge connection fees or meter installation fees for the meter size increase. The customer shall remain responsible for costs associated with the customer’s private system, including any required change to the customer service line or onsite plumbing. Adjusted water service charges will begin on the first day of the billing period following completion of the work. This subsection does not limit the District’s authority under Section 3.3 to require permits, connection fees, meter installation fees, or other charges for altered service, added fixture units, increased use, or work performed without required District approval.”
45. **Amendment.** Section 5.2.2 of the Water Ordinance is amended by replacing the words “service may be terminated” with “service may be discontinued in accordance with Chapter 7.”
46. **Amendment.** Section 5.2.3 of the Water Ordinance is amended as follows:
- (a) The introductory paragraph is amended to read in full as follows:
- “The District will test the accuracy of its meters upon the request of a customer and charge the fee per Attachment A-3. The customer may witness the test. If a meter is

found to be working improperly, it will be repaired or replaced by the District and any testing fees refunded or waived.”

(b) In subsection (a), the word “fast” is replaced with “over registration,” and the final sentence is replaced with the following sentence:

“The cost of the test shall also be waived or refunded.”

(c) Subsection (b) is amended to read in full as follows:

“(b) Adjustment for Meter Errors - Slow Meters. If a meter tested at the request of a customer is found to be more than five (5%) percent under registration, the District may bill the customer for the amount of the undercharge based on corrected meter readings for the time service was rendered to the customer requesting the test, or for a period of six months, whichever shall be the lesser.”

47. **Amendment.** Section 5.2.4 of the Water Ordinance is amended to read in full as follows:

“5.2.4 Excess Water Use.

Where water meters are installed and available to be read, readings shall be analyzed to determine excess water usage. If the usage is in the abnormal range as determined by the District, the customer shall be notified. The customer remains responsible for monitoring water use and repairing leaks or abnormal use on the customer side of the water service connection. The District’s failure to identify, notify, or turn off service for abnormal use shall not relieve the customer of responsibility for water delivered through the meter, except as expressly provided in Section 5.2.5 or required by law.”

48. **Amendment.** Section 5.2.5 of the Water Ordinance is amended to read in full as follows:

“5.2.5 Uncontrollable Loss of Water.

Where a customer, through no fault of their own, has incurred excessively high water bills during one event or meter read cycle, relief may be granted by the District even though the water has passed through the water service connection. Relief is intended for situations where lines have frozen and broken, and the detection and correction of such a break could not have reasonably been accomplished in time to avoid the excessively high-water usage. Single family residential customers who have had uncontrollable loss of water greater than 41,000 gallons in one event or meter read cycle may request relief under this subsection. Multi-residential and commercial customer may request relief under this section that have an uncontrollable loss greater than the corresponding Tier 3 threshold for their billing meter size.

Request for relief must be in writing to the District. The General Manager will, to the greatest extent possible, confirm that the high overage was a result of an undetectable condition and was not a direct result of negligence or inattention of the property owner. The General Manager may decide to provide relief for some or all of the overage, consistent with the then-current rate schedule and applicable law. This decision may be appealed to the Board. Relief under this Section is discretionary and does not create a right to a billing adjustment. The District may deny relief where the customer cannot provide documentation satisfactory to the District or where granting

relief would be inconsistent with this Ordinance, the District's rate schedule, or applicable law.”

49. **Amendment.** Section 6.1.1 of the Water Ordinance is amended by adding the following paragraph at the end of the section:

“Any water service overcharges or undercharges discovered shall be refunded or billed to the customer for a period of six months or as long as the customer has owned the property, whichever shall be the lesser.”

50. **Amendment.** Section 6.1.2 of the Water Ordinance is amended by adding the following paragraph at the end of the section:

“Notwithstanding any other provision of this Ordinance, the District shall apply connection fees, capacity charges, meter installation fees, and monthly service charges for accessory dwelling units and junior accessory dwelling units in accordance with Government Code section 66311.5, Government Code section 66013, and any successor statutes. An accessory dwelling unit or junior accessory dwelling unit shall not be considered a new residential use for purposes of calculating connection fees or capacity charges for water service unless the unit is constructed with a new single-family dwelling. For any accessory dwelling unit or junior accessory dwelling unit described in Government Code section 66323(a)(1), the District shall not require a new or separate utility connection directly between the unit and the Water System or impose a related connection fee or capacity charge, except as authorized by Government Code section 66311.5. For any accessory dwelling unit for which a new or separate utility connection may lawfully be required, any connection fee or capacity charge shall be proportionate to the burden of the proposed accessory dwelling unit on the Water System, based on square footage or drainage fixture units, and shall not exceed the reasonable cost of providing service.”

51. **Amendment.** Section 6.2.1 of the Water Ordinance is amended to read in full as follows:

“6.2.1 Bills.

Water service charges shall begin on the first day of the billing period following the installation of the water meter as required under Section 5.1. Unless the rate schedule provides otherwise, base water service is billed in arrears. Bills will be mailed or sent electronically at the beginning of each billing period to the address furnished to the District. The customer shall be responsible for keeping the District advised of the address to which bills are to be mailed. Non-receipt of a bill shall not relieve a customer of any payment obligation to the District.”

52. **Amendment.** Section 6.2.3 of the Water Ordinance is amended by replacing the phrase “set forth in set forth in” with “set forth in.”

53. **Amendment.** Section 7.2.1 of the Water Ordinance is amended by replacing the introductory phrase “In addition to discontinuance for non-payment” with “In addition to the provisions set forth in Section 7.1.”

54. **Amendment.** Section 7.4 of the Water Ordinance is amended to read in full as follows:

“7.4 TERMINATION/RECONNECTION OF SERVICES

Water service to an existing developed property may not be terminated. If all uses on the property requiring water service have permanently ceased, the owner may request termination of service. The District may approve termination only after the District determines that termination and physical disconnection will not create a public health, safety, environmental, operational, or regulatory concern and the owner provides evidence of any required demolition, building, TRPA, Placer County, or other approvals. Termination of service shall include the removal of the water meter and capping of the private service lateral at the water main. Charges for service will cease effective the first day of the billing period following system disconnection. Any request to reconnect to the water system shall be processed as a new application for service. To obtain water service for the same parcel in the future will require applying for a new water service and payment of all then current fees and charges, and there is no credit for any fees or deposits paid for the water service being abandoned.”

55. **Amendment.** Section 7.5 of the Water Ordinance is amended to read in full as follows:

“7.5 OWNER REQUEST FOR TEMPORARY DISCONNECTION OF SERVICES

There is no temporary disconnection of services starting on September 10, 2026. The only way to avoid monthly system charges is to terminate the service in accordance with Section 7.4.”

56. **Amendment.** A new Section 8.1.1 of the Water Ordinance is added to read in full as follows:

“8.1.1 Permanent Prohibition on Potable Water Irrigation of Nonfunctional Turf.

(a) For purposes of this Section, the terms "common area," "common interest development," "community service organization or similar entity," "community space," "functional turf," "homeowners' association," "nonfunctional turf," and "recreational use area" shall have the meanings set forth in Water Code section 10608.12, as amended. This Section shall be interpreted consistent with Water Code section 10608.14, as amended.

(b) Potable Water shall not be used to irrigate nonfunctional turf on properties served by the District as follows:

(1) All properties owned by the Department of General Services, beginning January 1, 2027.

(2) All properties owned by local governments, local or regional public agencies, and public water systems, except those specified in paragraph (5), beginning January 1, 2027.

(3) All other institutional properties and all commercial and industrial properties, beginning January 1, 2028.

(4) All common areas of properties of homeowners' associations, common interest developments, and community service organizations or similar entities, beginning January 1, 2029.

(5) All properties owned by local governments, local public agencies, and public water systems in a disadvantaged community, beginning January 1, 2031, or the date upon which a state funding source is made available to fund conversion of nonfunctional turf on those properties to climate-appropriate landscapes, whichever is later.

(c) Notwithstanding paragraph (b), the use of Potable Water is not prohibited by this Section to the extent necessary to ensure the health of trees and other perennial nonturf plantings, or to address an immediate health and safety need.

(d) Any postponement or revision adopted by the State Water Resources Control Board pursuant to Water Code section 10608.14(c), as amended, shall apply to this Section.

(e) This Section is a permanent water use restriction and applies irrespective of whether a Water Conservation Action Stage has been declared under Section 8.2.

(f) A violation of this Section constitutes non-compliance with this Ordinance and may be enforced pursuant to Chapters 7 and 11 and Attachment A-3, as each may be amended.

(g) The District shall communicate the requirements of this Section to its customers on or before January 1, 2027, and thereafter as reasonably necessary.”

57. **Amendment.** Section 9.1 of the Water Ordinance is amended to read in full as follows:

“9.1 GENERAL

No water service connection to any premises shall be installed or maintained by the District unless the public water supply is protected in accordance with the State Water Resources Control Board Cross-Connection Control Policy Handbook (CCCPH), the California Plumbing Code, this Ordinance, the Technical Specifications, any District Cross-Connection Control Plan, and other applicable law, as each may be amended.”

58. **Amendment.** Section 9.2 of the Water Ordinance is amended as follows:

(a) The following new first paragraph is added:

“The District shall administer a cross-connection control program to protect the water system from contamination or pollution. The General Manager may adopt, maintain, and update a CCCPH compliant Cross-Connection Control Plan, technical standards, forms, procedures, and customer notices. The District may survey premises, perform or require hazard assessments, determine the degree of hazard, determine the type and location of required protection, require corrective action, and coordinate with the State Water Board, the local primacy agency, Placer County, fire authorities, and other agencies.”

(b) In the existing paragraph, the words “to the extent required by law” are added immediately after the words “water service connection” in the first sentence.

59. **Amendment.** Section 9.3 of the Water Ordinance is amended as follows:
- (a) The first sentence of the first paragraph is replaced with the following sentence:
“It shall be the responsibility of each customer at their own expense to furnish, install, field test, replace, and keep in good working order and safe condition, any and all backflow prevention assembly, air gap, or other backflow protection required by the District.”
 - (b) The following new second paragraph is added:
“No customer shall install, maintain, modify, remove, bypass, or operate any piping, fixture, equipment, auxiliary water supply, irrigation system, fire protection system, or other condition in a manner that creates an unprotected cross-connection or backflow hazard.”
60. **Amendment.** Section 9.4 of the Water Ordinance is amended as follows:
- (a) The first sentence of the first paragraph is replaced with the following two sentences:
“Backflow prevention assemblies shall be approved for the intended use and installed at the location and in the manner required by the District and applicable law. Each backflow prevention assembly required by the District shall be tested after installation and then thereafter annually to assure proper operation.”
 - (b) In the sentence beginning “In instances where a hazard is deemed great enough,” the words “testing may be required” are replaced with “the District may require additional testing.”
 - (c) The second and third sentences of the second paragraph are replaced with the following sentences:
“These approved test forms will be completed by the certified backflow prevention tester and returned to the District by the date indicated. All required field testing and inspections shall be performed by persons certified or otherwise qualified as required by the State Water Board’s Cross-Connection Control Policy Handbook and the District’s Cross-Connection Control Program or Plan.”
61. **Amendment.** The first sentence of Section 9.5 of the Water Ordinance is amended to read in full as follows:
“If, following an inspection and/or testing, a required backflow prevention assembly is found to be in non-compliance, the customer shall be notified and given fourteen (14) days to correct the deficiency after which time the inspection will be repeated.”
62. **Amendment.** Section 11.3.1 of the Water Ordinance is amended by replacing the words “Government Code section 36900” with “Government Code section 53069.4, Public Utilities Code section 16472.5, or other applicable law.”
63. **Amendment.** Subsection 12.2.2 of the Water Ordinance is amended by replacing the word “placer” with “place” in the first sentence.
64. That this Ordinance shall become effective thirty (30) days after its adoption and shall be posted and published as required by law.

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE NORTH TAHOE
PUBLIC UTILITY DISTRICT this 11th day of August, 2026, by the following Roll Call Vote:**

AYES:

NOES:

ABSTAIN:

ABSENT:

**Sue Daniels, President
Board of Directors**

ATTEST:

**Bradley A. Johnson, PE
General Manager/CEO/Ex Officio Clerk of the Board**

NTPUD WATER ORDINANCE

TABLE OF CONTENTS



Page

Table of Contents

CHAPTER 1 GENERAL.....	1
1.1 PURPOSE.....	1
1.2 VARIANCES.....	1
1.3 TECHNICAL SPECIFICATIONS	1
1.4 DEFINITIONS.....	1
1.4.1 Accessory Dwelling Unit (ADU).....	1
1.4.2 Junior Accessory Dwelling Unit (JADU).....	2
1.4.3 Backflow.	2
1.4.4 Backflow Preventer.....	2
1.4.5 Backpressure.	2
1.4.6 Backsiphonage.	2
1.4.7 California Plumbing Code (CPC)	2
1.4.8 Commercial/Industrial	2
1.4.9 Common Meter	2
1.4.10 Connection Fees.....	2
1.4.11 Contamination.....	3
1.4.12 Cross-Connection.....	3
1.4.13 Cross-Connection Control.	3
1.4.14 Customer.	3
1.4.15 District.....	3
1.4.16 District Board or Board.	3
1.4.17 Enforcement Officer.	3
1.4.18 Equivalent Dwelling Unit	3
1.4.19 Exempt ADU.	4
1.4.20 Flow Restrictor.	4
1.4.21 Mixed Use Commercial	4
1.4.22 Mixed Use Multi Residential	4

TABLE OF CONTENTS

(continued)

	Page
1.4.23 Multi-Family Residential.....	4
1.4.24 Parcel.....	4
1.4.25 Pollution.....	4
1.4.26 Potable Water.....	5
1.4.27 Pressure Reducing Valve.....	5
1.4.28 Pressure Relief Valve.....	5
1.4.29 Private Service Lateral.....	5
1.4.30 Property.....	5
1.4.31 Residential.....	5
1.4.32 Service Size for Billing Purpose.....	5
1.4.33 Service Unit.....	5
1.4.34 Single Family Residential.....	6
1.4.35 Technical Specifications.....	6
1.4.36 Water Service Connection.....	6
1.4.37 Water System.....	6
CHAPTER 2 CONDITIONS OF SERVICE	6
2.1 WATER SYSTEM OPERATION.....	6
2.1.1 Transfer of Title to Water.....	6
2.1.2 Interference with the Water System.....	7
2.1.3 Water Pressure and Supply.....	7
2.1.4 Service Interruption.....	7
2.2 CUSTOMER’S PRIVATE SYSTEM	7
2.2.1 Service Lateral Maintenance.....	7
2.2.2 Shutoff Valve.....	7
2.2.3 Access to Facilities.....	7
2.2.4 Use of Water.....	7
2.3 ADMINISTRATIVE PROVISIONS.....	8
2.3.1 Service Unit.....	8
2.3.2 Service Calls.....	8
CHAPTER 3 NEW OR MODIFIED SERVICES	8

TABLE OF CONTENTS

(continued)

	Page
3.1 DISTRICT APPROVAL OF CONNECTIONS	8
3.2 NEW SERVICE.....	8
3.2.1 General Requirements.....	8
3.2.2 Water Use Without Approved Application.....	9
3.2.3 Extension of Facilities.....	9
3.3 ALTERED SERVICE.....	11
CHAPTER 4 SPECIAL SERVICES	11
4.1 TEMPORARY SERVICE	11
4.1.1 General Temporary Service.	11
4.1.2 Service Through a Fire Hydrant.	11
4.2 FIRE SERVICE	11
CHAPTER 5 METERS.....	11
5.1 METERED SERVICE	11
5.1.1 Location.	12
5.1.2 Change in Location of Meters.	12
5.1.3 Sealing.....	12
5.1.4 Size of Meters and Customer Service Line.....	12
5.1.5 Re-evaluation of Meter Size and Customer Service Line.....	12
5.2 METER READING AND METER ACCURACY.....	13
5.2.1 Frequency of Meter Reading.	13
5.2.2 Meters That Cannot Be Read Due To An Obstruction.	13
5.2.3 Testing Meters.....	13
5.2.4 Excess Water Use.	14
5.2.5 Uncontrollable Loss of Water.....	14
CHAPTER 6 BILLING	15
6.1 GENERAL	15
6.1.1 Water Service Charges.....	15
6.1.2 Connection Fees.....	15
6.1.3 Other Fees and Charges.	16
6.2 BILLING FOR WATER SERVICE CHARGES	16

TABLE OF CONTENTS

(continued)

	Page
6.2.1 Bills.....	16
6.2.2 Payment.....	16
6.2.3 Delinquent Bills.	16
6.2.4 Responsibility for Payment.....	16
CHAPTER 7 DISCONTINUANCE, DISCONNECTION, TERMINATION, AND ABANDONMENT OF SERVICE	17
7.1 DISCONTINUANCE OF SERVICE FOR NON-PAYMENT	17
7.1.1 Residential Customers.	17
7.1.2 Non-Residential Customers.	17
7.2 DISCONTINUANCE OF SERVICE FOR OTHER REASONS	18
7.2.1 Grounds for Discontinuance.	18
7.2.2 Procedures for Discontinuance.	18
7.3 REQUEST TO TURN OFF OR TURN ON CUSTOMER’S SERVICES.....	18
7.4 TERMINATION/RECONNECTION OF SERVICES.....	18
7.5 OWNER REQUEST FOR TEMPORARY DISCONNECTION OF SERVICES.....	19
CHAPTER 8 WATER CONSERVATION	19
8.1 WATER CONSERVATION AND USE REQUIREMENTS	19
8.1.1 Permanent Prohibition on Potable Water Irrigation of Nonfunctional Turf.	19
8.2 WATER CONSERVATION ACTION STAGES	20
8.2.1 Stage 1: 10% Reduction Goal.	21
8.2.2 Stage 2: 20% Reduction Goal.	21
8.2.3 Stage 3: 30% Reduction Goal.	22
8.2.4 Stage 4: 40% Reduction Goal.	23
8.2.5 Stage 5: 50% Reduction Goal.	23
8.2.6 Stage 6: Greater than 50% Reduction Goal.	23
CHAPTER 9 CONTROL OF BACKFLOW AND CROSS CONNECTIONS	23
9.1 GENERAL	23
9.2 DISTRICT RESPONSIBILITY	23
9.3 CUSTOMER RESPONSIBILITY	24

TABLE OF CONTENTS (continued)

	Page
9.4 TESTING AND MAINTENANCE	24
9.5 NON-COMPLIANCE.....	25
CHAPTER 10 PRIVATE SERVICE LATERAL RELOCATIONS	25
10.1 GENERAL	25
10.2 RELOCATION OF PRIVATE SERVICE LATERAL	25
10.3 NOTICE AND HEARING REGARDING RELOCATION SCHEDULE	25
10.4 CONTINUING NOTICE DURING RELOCATION PERIOD	26
10.5 DISCONTINUANCE OF SERVICE FOR FAILURE TO RELOCATE PRIVATELY OWNED SERVICE LATERAL.....	26
10.6 APPEAL BASED UPON SPECIAL CIRCUMSTANCE	26
CHAPTER 11 VIOLATIONS	26
11.1 GENERAL	26
11.2 CHARGES FOR NON-COMPLIANCE	27
11.3 ADMINISTRATIVE CITATIONS	27
11.3.1 Authority.....	27
11.3.2 Service.....	27
11.3.3 Contents of Notice.	27
11.3.4 Satisfaction of Administrative Citation.	28
11.3.5 Appeal of Administrative Citation.....	28
11.3.6 Advance Deposit Hardship Waiver.	29
11.3.7 Right to Judicial Review.....	29
11.4 VIOLATIONS	29
CHAPTER 12 APPEALS	30
12.1 GENERAL	30
12.2 APPEALS	30
12.3 PAYMENT OF CHARGES PENDING APPEAL REFUNDS.....	30

CHAPTER 1

GENERAL

1.1 PURPOSE

The purpose of this Ordinance is to establish the rules, regulations, conditions of service, and rates for water service by the North Tahoe Public Utility District. The General Manager shall administer and enforce this Ordinance and may adopt and impose administrative rules or regulations to assist in doing so. By applying for or receiving water service from the District, each customer, on its own behalf and on behalf of its guests, tenants, employees and anyone else using water at the property, covenants and agrees to be bound by and to comply with all regulations of the District as may be in force at the time of application and as may subsequently be adopted by the District.

1.2 VARIANCES

The General Manager is authorized to consider and grant variances from the requirements of this Ordinance, including the Technical Specifications, upon application by any person. Variances shall only be allowed under the following circumstances: (1) the granting of the variance will not significantly adversely impact the operation and maintenance of District facilities, including but not limited to economic impacts, (2) the granting of the variance will not result in adverse public health or environmental consequences, (3) there is no other practical alternative available to the applicant which does not require the granting of a variance, and (4) the applicant has proposed to utilize the highest technological methodology available in design and construction so as to avoid or minimize adverse impacts on District facilities.

1.3 TECHNICAL SPECIFICATIONS

The General Manager shall adopt and amend the Technical Specifications. Any amendments to the Technical Specifications shall be incorporated by reference into this Ordinance upon their adoption.

1.4 DEFINITIONS

1.4.1 Accessory Dwelling Unit (ADU).

An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence, as provided in Government Code section 66313, as it may be amended. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. In the event that Placer County adopts an ordinance regulating ADUs as permitted by State Code , accessory dwelling unit shall include an ADU as defined in such ordinance.

1.4.2 Junior Accessory Dwelling Unit (JADU)

A unit that is no more than 500 square feet of interior livable space in size and contained entirely within a single-family residence, as provided in Government Code section 66313, as it may be amended.

1.4.3 Backflow.

The reversal of the normal flow of water caused by either backpressure or backsiphonage.

1.4.4 Backflow Preventer.

An assembly or means designed to prevent backflow.

1.4.5 Backpressure.

The presence of pressure in any portion of the customer's service greater than the pressure at the service connection.

1.4.6 Backsiphonage.

The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply from any source other than its intended source caused by a reduction of pressure in the potable water supply system.

1.4.7 California Plumbing Code (CPC).

The California Plumbing Code incorporates by adoption the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials with necessary California amendments.

1.4.8 Commercial/Industrial.

Service to Customers engaged in selling, warehousing, or distributing a commodity, in some business activity, or in a profession, or in some form of economic or social activity (offices, stores, clubs, schools, hotels, etc.) and for purposes that do not come directly under another classification of service

1.4.9 Common Meter.

A common meter account is for irrigation purposes only.

1.4.10 Connection Fees.

A one-time charge for customers connecting to the system or a customer increasing capacity. A cost based charge reflecting the value of system capacity based on the utility's infrastructure costs. Does not include meter installation fee, tap fee, fire service detector and/or to physically connect to the system

1.4.11 Contamination.

An impairment of the quality of potable water by sewage, industrial fluids, waste fluids, compounds, or other materials to a degree which creates an actual or potential hazard to the public health through poisoning, toxicity, or the spread of disease. Contamination shall include any impairment prohibited by applicable law.

1.4.12 Cross-Connection.

Any physical connection or arrangement or piping or fixtures between two otherwise separate piping systems one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow or backsiphongage may occur into the potable water system.

1.4.13 Cross-Connection Control.

The District's program and measures to protect the Water System from backflow and cross-connections, including hazard assessments, elimination or control of cross-connections, and installation, testing, inspection, and maintenance of approved backflow prevention assemblies, backflow preventers, and air gaps as required by the Cross-Connection Control Policy Handbook, the California Plumbing Code, this Ordinance, the Technical Specifications, or District-approved cross-connection control plans or standards.

1.4.14 Customer.

The owner of a property, or his/her authorized agent, receiving water service from the District. Customer may include, as appropriate, the tenant of a property directly receiving service as permitted by this Ordinance.

1.4.15 District.

The North Tahoe Public Utility District, a California public utility district authorized under Public Utilities Code, § 15501 et seq.

1.4.16 District Board or Board.

Board of Directors of the North Tahoe Public Utility District, an elected body.

1.4.17 Enforcement Officer.

A District employee designated to enforce this Ordinance.

1.4.18 Equivalent Dwelling Unit.

Commercial, industrial, and multi-family units are assigned varying equivalent dwelling unit (EDU) multipliers depending on the type of business, seat count, fixture count, or building size. A residential living unit is 1.0 EDU. The non-residential EDUs are determined using the District's Mixed Use Billing Account type Determination form during the plan check process or during a property inspection.

1.4.19 Exempt ADU.

An ADU or JADU for which the District is prohibited from requiring a new or separate utility connection, or from imposing a related connection fee or capacity charge, under Government Code section 66311.5 or any successor statute..

1.4.20 Flow Restrictor.

A device that reduces the rate of water flow, provided that flows remain sufficient for residents health and safety purposes.

1.4.21 Mixed Use Commercial.

A customer that has both residential and commercial uses on the property will be categorized mixed use commercial when the number of commercial equivalent dwelling units (EDUs) is greater than the number of residential EDUs, as determined under the then-current rate schedule or District administrative procedures.

1.4.22 Mixed Use Multi-Residential.

A customer that has both residential and commercial uses on the property will be categorized mixed use multi-residential when the number of residential equivalent dwelling units (EDUs) is greater than or equal to the number of commercial EDUs, as determined under the then-current rate schedule or District administrative procedures.

1.4.23 Multi-Family Residential.

Residential uses containing two or more residential units, including apartment buildings, duplexes, townhomes for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.

1.4.24 Parcel.

A lot or other legal unit of real property as recognized by Placer County.

1.4.25 Pollution.

Means the presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such waters for domestic use.

1.4.26 Potable Water.

Any water, which, according to recognized standards, is safe for human consumption.

1.4.27 Pressure Reducing Valve.

A valve device providing regulation of water pressure to limit the pressure for use within a structure.

1.4.28 Pressure Relief Valve.

A valve device providing relief of surges in the system due to excessive pressure within or external to the structure.

1.4.29 Private Service Lateral.

The portion of a customer's water distribution system that is past the water service connection.

1.4.30 Property.

A parcel or group of adjacent parcels owned in common ownership if permitted by the District, as set forth in Section 2.3.1.

1.4.31 Residential.

A single family home or multi-family residential use.

1.4.32 Service Size for Billing Purpose.

Water service size for billing purposes is a single size, even when compound water meters are used. The water service size for billing purposes is determined by correlating the calculated demand for the customer service connection using the California Plumbing Code or from standard engineering practice to a standard water meter flow rate capacity. This calculated water service size for billing purposes may vary from the actual meter size installed because certain site conditions necessitate the installation of a larger meter than required by the flow capacity and/or modern turbine flow meters span a very large range of flow rates.

1.4.33 Service Unit.

The base level of regular water service used for billing or similar purposes.

.

1.4.34 Single Family Residential.

A single family residential unit shall mean a single family dwelling that is designed for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.

1.4.35 Technical Specifications.

The rules and regulations adopted by the General Manager regarding the Water System.

1.4.36 Water Service Connection.

The water service connection point is where the District's system connects to the customer's private system and the District loses jurisdiction and sanitary control over the water. The District's water supply piping extends from the water main to the property line and includes the meter, meter box, meter lid, meter curb-stop, fire detector check, and fire meter and shall be maintained by the District except as otherwise stated. All pipes and fixtures extending or lying beyond the water service connection shall be installed and maintained by the owner of the property. In other cases and subject to Section 5.1, if the water meter is at a location other than the property line or easement boundary, the water service connection shall be where the customer's piping connects to the District's water supply piping at the property line or easement boundary. The District reserves the right to relocate any of its water infrastructure described above to the property line or easement boundary. The customer will continue to own the private system on the customer's property.

1.4.37 Water System.

The system is owned and operated by the District to deliver potable water to customers at the applicable water service connection.

CHAPTER 2

CONDITIONS OF SERVICE

2.1 WATER SYSTEM OPERATION

2.1.1 Transfer of Title to Water.

Title to water furnished by the District shall pass from the District to the customer at the water service connection. As such, full responsibility for the carriage, handling, storage, disposal and use of water and any related damage shall be the customer's sole and complete responsibility from the water service connection through the place of end of use. The District is not responsible for damage to the property if a leak or water damage occurs inside of the structure or at any place after the water service connection.

2.1.2 Interference with the Water System.

No person shall interfere or tamper with any part of the water system, except as permitted in this Ordinance or by the General Manager. No person shall make or permit any unauthorized connection to the water system.

2.1.3 Water Pressure and Supply.

The District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and will furnish such quantities and pressures as are available in the water system. Without limiting the foregoing, the District does not and cannot guarantee that its water system will provide sufficient water quantities or pressure for fire protection

purposes. No contract to provide a minimum water quantity or pressure is created by accepting service from the District.

2.1.4 Service Interruption.

The District reserves the right at any and all times to discontinue water delivery for the purpose of maintenance, repairs, and alterations to its water system. Wherever possible, advance notice of interruption of service will be given to all water users affected. In addition, the District may experience unintentional or unexpected loss of water delivery. Any loss or damage suffered as a result of any service interruption shall be the customer's sole responsibility.

2.2 CUSTOMER'S PRIVATE SYSTEM

2.2.1 Service Lateral Maintenance.

The customer shall maintain the private service lateral as necessary to receive service at the water service connection. This obligation shall include the installation and maintenance of a pressure relief valve or pressure reducing valve as required by the Technical Specifications.

2.2.2 Shutoff Valve.

The customer shall install, maintain, and use a customer's shutoff valve to turn water on and off for their convenience. Such valve shall be located downstream of the water service connection. If the District needs to turn off water to the customer's property, it may, but is not required to, do so at the shutoff valve.

2.2.3 Access to Facilities.

By applying for and/or receiving water service from the District, each customer irrevocably licenses the District and its authorized employees, contractors, and agents to enter upon the consumer's property at reasonable times for the purpose of reading, inspecting, testing, checking, repairing, maintaining or replacing the water system.

2.2.4 Use of Water.

Except with the prior written authorization of the District, no customer shall use, or permit the use of, any water furnished by the District on any property other than the customer's property, nor shall any customer resell or donate any water furnished by the District.

2.3 ADMINISTRATIVE PROVISIONS

2.3.1 Service Unit.

All service to structures (including but not limited to ADUs) or other uses on the same parcel or contiguous parcels in the same ownership shall be a single service unit and shall have a single water service connection unless the District determines that a

separate water service connection is necessary or advisable. The determination of what constitutes the same ownership, contiguous parcels, and a service unit shall rest solely with the District. Multiple structures on the same parcel being served with different points of connection shall constitute separate service units. In addition, and upon written request by the property owner and approval by the District, a property owner may have more than one service unit on the same parcel or contiguous parcels of property. Notwithstanding the foregoing, in no event shall a separate meter or water service connection be required for an Exempt ADU or JADU, except as allowed by law.

2.3.2 Service Calls.

Subject to the provisions of this Ordinance, customers may request a service call from the District. If the issue is or may potentially be the District's responsibility, the District will respond to provide assistance or determine responsibility for the issue.

CHAPTER 3

NEW OR MODIFIED SERVICES

3.1 DISTRICT APPROVAL OF CONNECTIONS

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb the water system without first obtaining a water connection permit from the District and paying all applicable fees.

3.2 NEW SERVICE

3.2.1 General Requirements.

New services will be connected subject to the following conditions:

- (a) The property to be served is within the water service area of the District.
- (b) A District water main of adequate capacity and pressure, as solely determined by the District, exists in a publicly traveled right of way, or District easement abutting a principal boundary of the land to be served; or adequate mains, pumps, and storage facilities, as solely determined by the District, are constructed in accordance with the Technical Specifications.
- (c) The customer shall apply for service. Applications for new service shall be in writing on forms provided by the District and signed by the customer or authorized agent. Applications shall be supported by such data as the District may require, such as a map or legal description of the property to be served, the date service is to begin and the names and billing address of the recorded owners responsible for payment. If the person making the application is not the owner of the property, permission to bill this person must be provided to the District on a form provided by the District. Applications are valid for one-year from the date of submittal.

(d) The customer shall obtain a water connection permit from the District and construct all necessary facilities as identified on the permit in accordance with the Technical Specifications or other applicable law.

(e) The customer shall not have any outstanding amounts owed against the property to be served, on any District water or sewer account, subject to applicable law.

(f) Connection fees shall be collected at the time of issuing the permit for a water connection. Connection fees shall be charged at the rate in effect on the day of application for service from the District. Applications will be voided if connection fees are not paid within one-year of receipt of the application by the District. Payment of connection fees constitutes acceptance of a new service connection application by the District and billing will commence in accordance with Chapter 6. No connection fees will be refunded after connection. The connection fees collected for such application shall be returned to the Applicant if the connection is not made, upon written request and connection fee refund charge, and a new application and payment of fees will be required before service will be provided. No refund or credit will be provided for previously paid water service charges billed in accordance with Chapter 6.

3.2.2 Water Use Without Approved Application.

A person taking possession of a premises and using water from an active water service connection without having made an application to the District shall be held liable for the water delivered from the date of the last billing. If a proper application for water service and outstanding bills for service are not brought current within fourteen (14) days of notification by the District, the service may be discontinued by the District in accordance with Section 7.2.

3.2.3 Extension of Facilities.

If the District water system must be extended to provide service at the water service extension, the applicant shall comply with this Section.

(a) Necessary Facilities. The extension facilities necessary to serve any parcel shall be determined solely by the District and may include oversizing subject to Subsection (e). These facilities may be designed by the District or a qualified agent of the applicant and shall be installed in accordance with the Technical Specifications and other plans and specifications required by the District. Upon completion, inspection, and acceptance of the facilities by the District, they shall be owned and operated by the District as a part of the District water system. The applicant shall install extension facilities utilizing a competent and experienced contractor, licensed in California, and approved by the District. The District reserves the right to construct, with its own personnel or by contract, all extension facilities including but not limited to storage facilities, pumping plants, taps of existing mains, and extensions involving complicated connections to, or interference with, the District's existing facilities.

(b) Location of Facilities. Extension facilities shall be located only on land owned by the District in fee, or in a public street or highway, or in an easement granted to the District and satisfactory to the District. The applicant will cause to be conveyed or granted to the

District, without cost to the District, such lands and/or easements as the District determines to be necessary for the extension facilities. Lands shall be conveyed to the District in simple, free and clear of liens or encumbrances, except for such encumbrances of record that may be acceptable to the District. Easements shall be granted in such form as shall be satisfactory to the District.

(c) Costs and Expenses. The applicant shall be solely responsible for all costs and expenses. The applicant shall deposit cash into escrow or an irrevocable standby Letter of Credit in favor of the District issued by a bank reasonably acceptable to the District in a sum equal to 125% of the estimated total cost of the construction of the extension facilities prior to commencement of construction. If, upon completion of the work, the amount paid to or deposited with the District is less than said actual costs, the difference shall be paid to the District by the applicant prior to the commencement of service. Any amount paid or deposited in excess of said actual cost will be credited toward usage or refunded upon application.

(d) Environmental Documentation. Whenever the District determines that an environmental document is necessary, the District will provide applicant with an estimate of the cost. The applicant will deposit an amount sufficient to cover sixty (60) days' of expenses with the District. The District's actual costs, including overhead expenses and legal and consultant fees, of preparing said report, and conducting hearings as necessary will be invoiced to the applicant monthly and shall be deducted from the deposit. The applicant shall pay such invoices and/or replenish the deposit. If the applicant fails to do so, the District may suspend or cease work and/or take any action necessary to recover the amounts owed. At the conclusion of the process, any remaining deposit amounts shall be returned to the applicant without interest.

(e) Reimbursement. In the event that the District requires the installation of any extension facilities larger than those necessary to serve the parcel or extension facilities that would have been required to serve adjacent or nearby parcels upon their development, the District and applicant may enter into a reimbursement agreement outlining the terms and conditions of reimbursement to the applicant. Reimbursement agreement shall be effective for a maximum of ten (10) years. Any prorated reimbursement amount shall be determined by the District based on years remaining on the agreement and total parcels capable of being served. Upon termination of the ten (10) year period, any pro rata share shall become the property of the District.

3.3 ALTERED SERVICE

Customers shall notify the District and obtain a water connection permit, if necessary, whenever the use changes or new additional structures are built on parcels having existing water service. In such instances, the District may require a new or increased connection fee. A credit shall be provided for previously paid connection fee. No refund or credit shall be provided for situations where altered service results in a lower connection fee. The District may require the private service lateral, meter or other portion of the District water system be modified if necessary, to comply with this Ordinance as a condition of approving any altered service.

CHAPTER 4

SPECIAL SERVICES

4.1 TEMPORARY SERVICE

4.1.1 General Temporary Service.

Service which the District determines will be for less than one year and will not require installation of a permanent connection shall be provided upon payment of the total estimated cost of installing and removing the connection and a security deposit. Service charges and rates shall be in accordance with the billing procedures and rates contained within this Ordinance.

4.1.2 Service Through a Fire Hydrant.

Temporary use of water from a fire hydrant must be authorized by the District, and a hydrant meter must be obtained from the District. A deposit will be paid to the District in accordance with the Fee Schedule, Attachment A-3. Upon termination of the temporary service, if the District equipment is returned without damage, the deposit will be refunded less applicable charges. The customer must provide a hydrant wrench necessary to operate such hydrant.

4.2 FIRE SERVICE

The District will provide water service for fire hydrants and other facilities used exclusively for fire protection at such pressure, and at such rates of flow, as may be available from time to time as a result of the operation of the water system. The District does not warrant or guarantee any pressure or range of pressures, or any flow or rate of flow. The District shall not be liable for any damage in any manner arising out of the non-availability of water, or water pressure, at any hydrant or facility used for fire protection purposes. All fire service systems shall be designed and installed in accordance with the Technical Specifications.

CHAPTER 5

METERS

5.1 METERED SERVICE

All services from the District water system shall be metered. Generally, each service unit shall be separately metered. Due to existing piping arrangements, this may not be possible. The District may elect to meter a group of customers, or parcels at the sole discretion of the District. For multi-family residential uses, the number of meters shall be at the discretion of the District. All newly constructed multi-family residential uses shall be individually metered by dwelling unit or master metered as determined by the District.

5.1.1 Location.

Meters will be located immediately adjacent to or within the customer's parcel adjacent to the right of way. Exceptions to this requirement may be specifically authorized under such circumstances as the District may consider appropriate.

5.1.2 Change in Location of Meters.

Meters moved for the convenience of the customer or to ensure compliance with this Ordinance or other applicable law or regulation will be relocated at the customer's expense. Meters moved for other reasons shall be moved at the District's expense.

5.1.3 Sealing.

All meters will be sealed by the District at the time of installation, and no seal shall be altered or broken except by employees or authorized agents of the District.

5.1.4 Size of Meters and Customer Service Line.

Meter size and customer service line size shall be determined by the District in its sole discretion. The District provides a minimum standard of a ¾-inch customer service line and ¾-inch water meter to all water customers.

5.1.5 Re-evaluation of Meter Size and Customer Service Line

(a) Requested by Customer. A customer may request a change in the customer service line and meter size based on changed conditions or code compliance upgrades at the place of service or when historical usage indicates a change is warranted. The customer shall be responsible for any costs incurred in making the change including meter installation fees and connection fees. Adjusted water service charges will begin on the first day of the billing period following the completion of the work.

(b) Required by District. . The District may require a change in the customer service line, meter, or service size for billing purposes when, based on historical usage, meter performance, inspection, verified fixture count, California Plumbing Code fixture-unit calculations, standard engineering practice, or other relevant information, the District determines that the existing meter or customer service line is not appropriately sized or is operating above or below its rated design capacity. The customer shall be given written notice in advance of any required change. If the change is required solely as a result of the District's reevaluation of existing service conditions and not because of an unpermitted customer change, the District will perform the meter size change at its expense and will not charge connection fees or meter installation fees for the meter size increase. The customer shall remain responsible for costs associated with the customer's private system, including any required change to the customer service line or onsite plumbing. Adjusted water service charges will begin on the first day of the billing period following completion of the work. This subsection does not limit the District's authority under Section 3.3 to require permits, connection fees, meter installation fees, or other charges for altered service, added fixture units, increased use, or work performed without required District approval.

5.2 METER READING AND METER ACCURACY

5.2.1 Frequency of Meter Reading.

Meters will be read, as practical, on a monthly basis. Additional readings will be made on commencement and termination of service, and as required by special circumstances. The fact that a meter is not read shall not preclude computation of a bill. The District may change the frequency of meter reading if a new frequency is determined to be more cost effective.

5.2.2 Meters That Cannot Be Read Due To An Obstruction.

Where a meter cannot be read because of an obstruction, the customer will be notified and shall be required to remove the obstruction. If an obstruction is not removed within thirty (30) days of notification, service may be discontinued in accordance with Chapter 7.

5.2.3 Testing Meters.

The District will test the accuracy of its meters upon the request of a customer and charge the fee per Attachment A-3. The customer may witness the test. If a meter is found to be working improperly, it will be repaired or replaced by the District and any testing fees refunded or waived.

(a) Adjustment for Meter Errors - Fast Meters. If a meter tested at the request of a customer is found to be more than two percent (2%) over registration, the excess charges for the time service was rendered to the customer requesting the test, or for a period of six months, whichever shall be the lesser, shall be refunded to the customer. The cost of the test shall also be waived or refunded.

(b) Adjustment for Meter Errors - Slow Meters. If a meter tested at the request of a customer is found to be , more than five (5%) percent under registration, the District may bill the customer for the amount of the undercharge based on corrected meter readings for the time service was rendered to the customer requesting the test, or for a period of six months, whichever shall be the lesser.

(c) Non-Registering Meters. If a meter is found not to be registering, the charges for service shall be based on the estimated consumption. Such estimates shall be made from previous consumption for a comparable period or by such other method as is determined by the District.

5.2.4 Excess Water Use.

Where water meters are installed and available to be read, readings shall be analyzed to determine excess water usage. If the usage is in the abnormal range as determined by the District, the customer shall be notified. The customer remains responsible for monitoring water use and repairing leaks or abnormal use on the customer side of the water service connection. The District's failure to identify, notify, or turn off service for abnormal use shall not relieve the customer of responsibility for water delivered through the meter, except as expressly provided in Section 5.2.5 or required by law.

5.2.5 Uncontrollable Loss of Water.

(a) Where a customer, through no fault of their own, has incurred excessively high water bills during one event or meter read cycle, relief may be granted by the District even though the water has passed through the water service connection. Relief is intended for situations where lines have frozen and broken, and the detection and correction of such a break could not have reasonably been accomplished in time to avoid the excessively high-water usage. Single family residential customers who have had uncontrollable loss of water greater than 41,000 , gallons in one event or meter read cycle may request relief under this subsection. Multi-residential and commercial customer may request relief under this section that have an uncontrollable loss greater than the corresponding Tier 3 threshold for their billing meter size.

(b) Request for relief must be in writing to the District. The General Manager will, to the greatest extent possible, confirm that the high overage was a result of an undetectable condition and was not a direct result of negligence or inattention of the property owner. The General Manager may decide to provide relief for some or all of the overage, consistent with the then-current rate schedule and applicable law.. This decision may be appealed to the Board. Relief under this Section is discretionary and does not create a right to a billing adjustment. The District may deny relief where the customer cannot provide documentation satisfactory to the District or where granting relief would be inconsistent with this Ordinance, the District's rate schedule, or applicable law.

CHAPTER 6

BILLING

6.1 GENERAL

6.1.1 Water Service Charges.

The District shall charge customers for water service at the rates set forth in Attachment A-1 of this Ordinance. Such fees and charges shall be adopted by ordinance or resolution. Any new or modified fees or charges shall be incorporated by reference into this Ordinance and Attachment A-1 by reference upon their effectiveness.

Any water service overcharges or undercharges discovered shall be refunded or billed to the customer for a period of six months or as long as the customer has owned the property, whichever shall be the lesser.

6.1.2 Connection Fees.

The District shall charge applicants for connecting to the water system at the fees set forth in Attachment A-2 of this Ordinance. Such fees shall be adopted by ordinance or resolution. Any new or modified fees shall be incorporated by reference into this Ordinance and Attachment A-2 by reference upon their effectiveness.

Notwithstanding any other provision of this Ordinance, the District shall apply connection

fees, capacity charges, meter installation fees, and monthly service charges for accessory dwelling units and junior accessory dwelling units in accordance with Government Code section 66311.5, Government Code section 66013, and any successor statutes. An accessory dwelling unit or junior accessory dwelling unit shall not be considered a new residential use for purposes of calculating connection fees or capacity charges for water service unless the unit is constructed with a new single-family dwelling. For any accessory dwelling unit or junior accessory dwelling unit described in Government Code section 66323(a)(1), the District shall not require a new or separate utility connection directly between the unit and the Water System or impose a related connection fee or capacity charge, except as authorized by Government Code section 66311.5. For any accessory dwelling unit for which a new or separate utility connection may lawfully be required, any connection fee or capacity charge shall be proportionate to the burden of the proposed accessory dwelling unit on the Water System, based on square footage or drainage fixture units, and shall not exceed the reasonable cost of providing service.

6.1.3 Other Fees and Charges.

Subject to any provisions set forth in this Ordinance or applicable law, the District shall charge applicants, customers, or other persons for other services at the rates set forth in Attachment A-3 of this Ordinance. Such fees or charges shall be adopted by ordinance or resolution. Any new or modified fees or charges shall be incorporated by reference into this Ordinance and Attachment A-3 by reference upon their effectiveness.

6.2 BILLING FOR WATER SERVICE CHARGES

6.2.1 Bills.

Water service charges shall begin on the first day of the billing period following the installation of the water meter as required under Section 5.1. Unless the rate schedule provides otherwise, base water service is billed in arrears. Bills will be mailed or sent electronically at the beginning of each billing period to the address furnished to the District. The customer shall be responsible for keeping the District advised of the address to which bills are to be mailed. Non-receipt of a bill shall not relieve a customer of any payment obligation to the District.

6.2.2 Payment.

Bills shall be due and payable upon presentation. Payment shall be made to the District office. Bills shall become past due in thirty (30) days, and delinquent in sixty (60) days from the billing date and may become a lien on the property (60) days after the billing date.

6.2.3 Delinquent Bills.

In the event of delinquency in the payment of any rates, or charges, or installation charges thereof, or interest thereon, penalty and interests shall be imposed as set forth in Attachment A-3 of this Ordinance.

6.2.4 Responsibility for Payment

(a) Unless otherwise provided by law, all charges for water service shall be billed to the owner of the property making application for service. Upon written request of the owner, and approval by the District, charges for water service shall be billed to the person occupying the property provided, however, that in the event of delinquency, such charges shall be billed to the property owner and remain with the property. In such case, the owner shall be deemed the person receiving service under Public Utilities Code section 16472.1 and should charges remain delinquent, the District shall place a lien on the property.

(b) Should the property be sold, and a delinquent bill exists on said property, the District will transfer those charges to any other open account under the name of the previous owner afforded such service. Should the property be sold, and no other account is available to accommodate the transfer, the District may utilize whichever collection methods it wishes to recover the fees from the prior owner.

(c) Charges for sewer collection and water service provided by the District shall be billed upon the same bill and collected as one item.

CHAPTER 7

DISCONTINUANCE, DISCONNECTION, TERMINATION, AND ABANDONMENT OF SERVICE

7.1 DISCONTINUANCE OF SERVICE FOR NON-PAYMENT

7.1.1 Residential Customers.

The District shall not discontinue service to residential customers for non-payment of bills. Rather, when a bill is delinquent, the District may install a flow restrictor to such water service connection. The District shall provide fourteen (14) days' written notice to the customer prior to doing so.

7.1.2 Non-Residential Customers.

Service to non-residential customers may be discontinued for non-payment as provided in this section. However, service shall not be terminated during the pendency of any investigation into a customer dispute or complaint or when the customer has been granted an extension of time to pay the applicable bill.

The following steps will be followed where an active service must be discontinued:

(a) Customer and/or owner of property will be noticed at least ten (10) days before the time and date for discontinuance. This ten-day period shall commence five (5) days after District mails customers and/or owner notice via mail. The notice shall in a form approved by the General Manager and District Counsel.

(b) A notice will be placed on the property at least 48 hours prior to discontinuance.

As an alternative to discontinuance of service to non-residential customers, the District may install a flow restrictor under the procedures set forth in Section 7.1.1.

7.2 DISCONTINUANCE OF SERVICE FOR OTHER REASONS

7.2.1 Grounds for Discontinuance.

In addition to the provisions set forth in Section 7.1, the District reserves the right to discontinue water service or disconnect any water service connection for any of the following reasons:

(a) The customer fails to comply with this Ordinance or any of the District's rules, regulations or policies.

(b) The service is being furnished without a proper application or under a false or fraudulent application.

(c) The customer unlawfully tampered or interfered with the District's facilities.

(d) The District or a State or County public health officer finds that there exists a condition hazardous to the health and safety of the customer or any water user of the District.

(e) The customer fails, after notice from the District, to remove an obstruction that prevents the reading of the meter.

(f) The customer fails to maintain the facilities in a suitable condition that allows for reading of the meter.

(g) The customer does not meet the requirements of the District's water conservation provisions in this Ordinance.

7.2.2 Procedures for Discontinuance.

Unless otherwise provided in this Ordinance, the District shall provide written notice of planned discontinuance or disconnection at least five (5) days in advance. In addition, the Placer County Health Department shall be advised of pending water shutoff. Notice shall not be required if a health and safety emergency necessitates immediate termination. In such event, the District shall provide whatever notice is practicable.

7.3 REQUEST TO TURN OFF OR TURN ON CUSTOMER'S SERVICES

In the event of an emergency, as determined by the District, the District will, upon request, turn off or turn on the customer's service. A temporary turn off shall not exempt the customer from paying any applicable minimum monthly charge for water service.

7.4 TERMINATION/RECONNECTION OF SERVICES

Water service to an existing developed property may not be terminated. If all uses on the property requiring water service have permanently ceased, the owner may request termination of service. The District may approve termination only after the District determines that termination and physical disconnection will not create a public health, safety, environmental, operational, or regulatory concern and the owner provides evidence of any required demolition, building, TRPA, Placer County, or other approvals. Termination of service shall include the removal of the water meter and capping of the private service lateral at the water main. Charges for service will cease effective the first day of the billing period following system disconnection. Any request to reconnect to the water system shall be processed as a new application for service. To obtain water service for the same parcel in the future will require applying for a new water service and payment of all then current fees and charges, and there is no credit for any fees or deposits paid for the water service being abandoned.

7.5 OWNER REQUEST FOR TEMPORARY DISCONNECTION OF SERVICES

There is no temporary disconnection of services starting on September 10, 2026. The only way to avoid monthly system charges is to terminate the service in accordance with Section 7.4. .

CHAPTER 8

WATER CONSERVATION

8.1 WATER CONSERVATION AND USE REQUIREMENTS

Customers shall not use water in a manner that is wasteful and without a reasonable purpose. These requirements in this Chapter are to ensure the most efficient use of the water resources available to the District, and to enable the water system to be operated in the most cost-effective manner for the benefit of all the District customers.

8.1.1 Permanent Prohibition on Potable Water Irrigation of Nonfunctional Turf.

(a) For purposes of this Section, the terms "common area," "common interest development," "community service organization or similar entity," "community space," "functional turf," "homeowners' association," "nonfunctional turf," and "recreational use area" shall have the meanings set forth in Water Code section 10608.12, as amended. This Section shall be interpreted consistent with Water Code section 10608.14, as amended.

(b) Potable Water shall not be used to irrigate nonfunctional turf on properties served by the District as follows:

(1) All properties owned by the Department of General Services, beginning January 1, 2027.

(2) All properties owned by local governments, local or regional public agencies, and public water systems, except those specified in paragraph (5), beginning January 1, 2027.

(3) All other institutional properties and all commercial and industrial properties, beginning January 1, 2028.

(4) All common areas of properties of homeowners' associations, common interest developments, and community service organizations or similar entities, beginning January 1, 2029.

(5) All properties owned by local governments, local public agencies, and public water systems in a disadvantaged community, beginning January 1, 2031, or the date upon which a state funding source is made available to fund conversion of nonfunctional turf on those properties to climate-appropriate landscapes, whichever is later.

(c) Notwithstanding paragraph (b), the use of Potable Water is not prohibited by this Section to the extent necessary to ensure the health of trees and other perennial nonturf plantings, or to address an immediate health and safety need.

(d) Any postponement or revision adopted by the State Water Resources Control Board pursuant to Water Code section 10608.14(c), as amended, shall apply to this Section.

(e) This Section is a permanent water use restriction and applies irrespective of whether a Water Conservation Action Stage has been declared under Section 8.2.

(f) A violation of this Section constitutes non-compliance with this Ordinance and may be enforced pursuant to Chapters 7 and 11 and Attachment A-3, as each may be amended.

(g) The District shall communicate the requirements of this Section to its customers on or before January 1, 2027, and thereafter as reasonably necessary.

8.2 WATER CONSERVATION ACTION STAGES

Stages of water conservation measures, use requirements, and restrictions are set forth in this Section. Increasing stages correspond with increasing levels of required water conservation, use, and restrictions as formally declared by the Board at a publicly noticed meeting.

The District shall operate in Water Conservation Stage 1 under normal conditions. The Board may declare other levels when conditions warrant.

Each increasing stage level also includes all conservation measures, use requirements, and restrictions of all previously declared lower level stages.

Customers shall meet the most current conservation stage declared by the District, or other government agencies, whichever is more restrictive.

8.2.1 Stage 1: 10% Reduction Goal.

(a) The customer shall maintain the private service lateral, from the water service connection, in good repair.

(b) Any leak or abnormal use in plumbing and/or irrigation systems, including running toilets, or any leak in any receptacle used to store water for any purpose, shall be repaired when found; in any case, the leak shall be repaired within ten (10) days of District notice to repair.

(c) Irrigation resulting in application of, or runoff onto, sidewalks, walkways, roadways, parking lots, structures, any non-irrigated area, or adjacent properties is prohibited.

(d) Any use of water which results in flooding or runoff into gutters, streets or onto adjacent property is prohibited.

(e) Automatic shutoff valves or nozzles shall be used whenever a hose is used for cleaning or clearing of vehicles, walkways, patios, tennis courts, decks, driveways, parking areas, or other improved areas, whether paved or unpaved.

(f) Automatic shutoff valves or nozzles shall be used whenever water is used in connection with construction activity.

(g) Decorative water features which do not recirculate water are prohibited.

(h) Written authorization from the District shall be obtained prior to use of any fire hydrant for any purpose other than fire suppression or emergency aid.

(i) Water pressure shall not exceed 60 psi within any structure.

(j) Irrigation systems shall be winterized and discontinued from operation by November 1st each year.

(k) Any new irrigation system installed shall be equipped with rain sensing device halting irrigation during and within 48 hours after measurable precipitation.

(l) New non-turf landscaping, including bedding plants and trees, shall be on drip, micro sprinkler, or micro sprayer irrigation systems. Overhead watering is only allowed for turf areas.

(m) Landscaping may not be irrigated: (1) between the hours of 9:00 AM and 6:00 PM, (2) during, or within 48-hours after, measurable precipitation, and/or (3) when the air temperature is less than 40 degrees Fahrenheit.

8.2.2 Stage 2: 20% Reduction Goal.

(a) Water consumption by each customer, as measured by the District's meter, shall be reduced by twenty percent (20%).

(b) No irrigation shall occur on Saturday.

(c) Properties with even number street address may only irrigate on Monday, Wednesday, and Friday.

(d) Properties with odd number street address may only irrigate on Tuesday, Thursday, and Sunday.

(e) Irrigation of non-turf areas which exclusively utilizes drip systems, including micro sprinklers and micro sprayers, or a hose with an automatic shutoff nozzle, shall be exempt from designated irrigation days.

(f) Water shall not be applied to hard surfaces for any reason, except as required for pavement resurfacing or sealing, or health and safety reasons.

(g) Filling or refilling of swimming pools.

(h) Water consumption and allowed uses shall be reduced as specifically prescribed for individual customers based on historic consumption, type of use, time of use, or any other relevant factors.

(i) All visitor accommodations businesses shall wash guest linens only upon request and/or after checking out. A placard or notice stating such shall be displayed in each guest room.

(j) All public entities shall display informational material, placards, and/or decals, provided by the District, in places visible to all customers.

(k) The owner and/or manager of each hotel, motel, restaurant, convention center, and other visitor-serving facility shall display informational water conservation materials, placards, and/or decals, provided by the District, in places visible to all customers.

8.2.3 Stage 3: 30% Reduction Goal.

(a) Water consumption by each customer, as measured by the District's meter, shall be reduced by thirty percent (30%).

(b) No irrigation shall occur on Saturday, Sunday, or Wednesday.

(c) Properties with even number street address may only irrigate on Monday and Thursday.

(d) Properties with odd number street address may only irrigate on Tuesday and Friday.

(e) Irrigation of non-turf areas which exclusively utilizes drip systems, including micro sprinklers and micro sprayers will be allowed only Monday through Friday and shall be prohibited on Saturdays and Sundays.

(f) All food service and drinking establishments shall serve drinking water only upon request and shall provide a placard at each table, and/or language on their menu, stating such.

(g) Other specific water reduction mandate, and/or use restrictions, as defined and designated by the Board when Stage 3 action is declared.

8.2.4 Stage 4: 40% Reduction Goal.

(a) Water consumption by each customer, as measured by the District's meter, shall be reduced by forty percent (40%).

(b) The use of water for other than domestic and commercial non-irrigation use is prohibited.

(c) Irrigation of landscaping of any type is prohibited, except that irrigation of public facilities may be permitted pursuant to review, conditioning, and approval by the District.

(d) The application of water to hard surfaces is prohibited.

(e) Use of decorative water features is prohibited.

8.2.5 Stage 5: 50% Reduction Goal.

(a) Water consumption by each customer, as measured by the District's meter, shall be reduced by 50%.

8.2.6 Stage 6: Greater than 50% Reduction Goal.

The District may implement mandatory water rationing using rolling outages, or other methods, should the situation require. Affected customers will be notified via public outreach, local media, written notice posted at the property, mail, and/or personal contact.

CHAPTER 9

CONTROL OF BACKFLOW AND CROSS CONNECTIONS

9.1 GENERAL

No water service connection to any premises shall be installed or maintained by the District unless the public water supply is protected in accordance with the State Water Resources Control Board Cross-Connection Control Policy Handbook (CCCPH), the California Plumbing Code, this Ordinance, the Technical Specifications, any District Cross-Connection Control Plan, and other applicable law, as each may be amended..

9.2 DISTRICT RESPONSIBILITY

The District shall administer a cross-connection control program to protect the water system from contamination or pollution. The General Manager may adopt, maintain, and update a CCCPH compliant Cross-Connection Control Plan, technical standards, forms, procedures, and customer notices. The District may survey premises, perform or require hazard assessments, determine the degree of hazard, determine the type and location of required protection, require corrective action,

and coordinate with the State Water Board, the local primacy agency, Placer County, fire authorities, and other agencies.

The District shall be responsible for the protection of the water system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection to the extent required by law. If, in the judgment of the District, an approved backflow prevention assembly is required on the customer's water service connection for the safety of the water system, the District shall give notice in writing to the customer to install an approved backflow prevention assembly. District shall not be responsible for any loss or damage directly or indirectly resulting from or caused by the proper, improper, or negligent installation, operation, use, repair or maintenance of, or interfering with, any protective device by any customer or any other person.

9.3 CUSTOMER RESPONSIBILITY

It shall be the responsibility of each customer at their own expense to furnish, install, field test, replace, and keep in good working order and safe condition, any and all backflow prevention assembly, air gap, or other backflow protection required by the District.. Once notified of the need to install a backflow prevention assembly, the customer shall immediately install such approved assembly at the customer's own expense; and failure, refusal or inability on the part of the customer to install, have tested and maintain the assembly shall constitute a ground for discontinuing water service to the premises until the requirements have been satisfactorily met.

No customer shall install, maintain, modify, remove, bypass, or operate any piping, fixture, equipment, auxiliary water supply, irrigation system, fire protection system, or other condition in a manner that creates an unprotected cross-connection or backflow hazard.

Customer to maintain an adequate heat source to backflow prevention assembly housing in order to prevent cold weather from affecting the operation of the assembly.

9.4 TESTING AND MAINTENANCE

Backflow prevention assemblies shall be approved for the intended use and installed at the location and in the manner required by the District and applicable law. Each backflow prevention assembly required by the District shall be tested after installation and then thereafter annually to assure proper operation. In instances where a hazard is deemed great enough, the District may require additional testing at more frequent intervals. The customer shall bear all costs of device testing. The cost of any maintenance required as a result of inspections or testing is the responsibility of the customer. Maintenance work shall be performed by the owner or the owner's representative. Records of inspections, testing or repairs shall be kept by the District and made available to the California Department of Health Services.

The District will notify the customer when tests are required and supply the necessary test forms and instructions. These approved test forms will be completed by the certified backflow prevention tester and returned to the District by the date indicated. All required field testing and inspections shall be performed by persons certified or otherwise qualified as required by the State Water Board's Cross-Connection Control Policy Handbook and the District's Cross-Connection Control

Program or Plan.. Test procedures shall be those recommended by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California.

9.5 NON-COMPLIANCE

If, following an inspection and/or testing, a required backflow prevention assembly is found to be in non-compliance, the customer shall be notified and given fourteen (14) days to correct the deficiency after which time the inspection will be repeated.

The District shall cause discontinuance of water service if a backflow prevention device has failed to be tested properly or properly maintained or installed as required by the District.

CHAPTER 10

PRIVATE SERVICE LATERAL RELOCATIONS

10.1 GENERAL

The purpose of this Chapter is to establish regulations relative to the relocation of private service laterals to connect to relocated District water service mains.

10.2 RELOCATION OF PRIVATE SERVICE LATERAL

When the District relocates water service mains with the intention of disconnecting service through the original existing service mains it shall be the responsibility of the owners of all properties which have service provided through the original existing service mains to relocate their private service laterals to accept service through the relocated service mains at their sole expense and pursuant to the relocation schedule established by the District pursuant to the provisions of this Chapter. The District shall install appropriate meters at the property line at no cost to the property owner.

10.3 NOTICE AND HEARING REGARDING RELOCATION SCHEDULE

The relocation schedule to establish the timing of installation of relocated service mains, the timing of construction of relocated private service laterals and the timing of disconnection of service through original existing service mains shall be set by the Board at a public hearing. All affected property owners shall be notified by personally mailed notice to the property owners' address in the District files at least fifteen (15) days prior to the date of the public hearing.

At the public hearing, the Board shall establish a relocation period giving the affected property owners at least two building seasons (May 1 through October 15), but ending on September 1 of the last season, to construct and have inspected new private service laterals between the use served and their property line served by the relocated service main. The relocation period shall include the season during which the relocated service main is constructed.

10.4 CONTINUING NOTICE DURING RELOCATION PERIOD

Between May 1 and May 15 of each building season during the relocation period the District shall review the status of construction of new private service laterals and shall give further notice of the relocation schedule to all property owners who have not at that time constructed and had inspected new private service laterals between the use served and their property line served by the relocated service main. Notice shall be given by personal mail to the property owners' address in the District files.

10.5 DISCONTINUANCE OF SERVICE FOR FAILURE TO RELOCATE PRIVATELY OWNED SERVICE LATERAL

At the end of the relocation period, all services that have not had relocated private service laterals constructed and inspected between the use served and their property line served by the relocated service main shall be subject to disconnection. Disconnection shall be made only after ninety (90) days prior notice given in the same manner as disconnection to non-residential customers for failure to pay District service charges. In the event of disconnection, reconnection shall be made only after the construction and inspection of a new private service lateral between the use served and the property line served by the relocated service main and payment of any applicable reconnection charges, including service charges for the period during which service was disconnected. In the event that reconnection is not made within a period of one year following disconnection, service charges shall cease and reconnection shall require payment of the full connection charge applicable to connection of a new use.

10.6 APPEAL BASED UPON SPECIAL CIRCUMSTANCE

Any property owner may petition the Board for an extension of the relocation period based upon special circumstances, provided that such petition shall be made at least ninety (90) days prior to the end of the relocation period. The Board may grant such an extension and may condition such an extension upon payment of the District's estimated cost of maintaining the service main which was to be abandoned during the extension period.

CHAPTER 11

VIOLATIONS

11.1 GENERAL

11.1.1 In the event of a violation of any applicable laws of the State of California, this Ordinance, or any other District rules and regulations, the General Manager or designee shall notify the person or persons causing, allowing or committing such violation, in writing, specifying the violation, or upon the failure of such person to cease or prevent further violation, within a reasonable time depending on the severity of the violation after service of notice in the same manner as administrative citations.

11.1.2 The General Manager shall exercise his/her authority to disconnect the property from the public water system. However, in the event such violation results in a public health or safety hazard, the District may enter upon the property and perform such work, and expend such sums, as may be deemed necessary to abate such nuisance, and the reasonable value of the work

done and the amounts so expended thereon shall be a charge to the property in violation. Charges shall include any legal fees incurred by the District. The District shall obtain an abatement warrant as necessary prior to doing so.

11.2 CHARGES FOR NON-COMPLIANCE

In addition to the other remedies set forth in this Chapter, the District may impose a non-compliance charge to reimburse the District for costs related to investigating, abating, and correcting non-compliance with this Ordinance. The charge shall be as set forth in Attachment A-3, as it may be amended by ordinance or resolution.

11.3 ADMINISTRATIVE CITATIONS

11.3.1 Authority.

(a) Any person violating any provision of this Ordinance may be issued an administrative citation by an enforcement officer as provided in this Section. Customers shall be responsible for all violations at their property.

(b) A civil fine shall be assessed by means of an administrative citation issued by the General Manager or designee. Fines shall be assessed in the amounts specified by resolution of the Board or where no amount is specified, those amounts set forth in Government Code section 53069.4, Public Utilities Code section 16472.5, or other applicable law. .

11.3.2 Service.

Administrative citations may be served personally or by mail. Service by mail shall be sent to the responsible person's address as shown on public records or as known to the District. If the administrative citation is sent by certified mail and returned unsigned, then service shall be deemed effective by first class mail, provided the administrative citation sent by the first class mail is not returned.

11.3.3 Contents of Notice.

Each administrative citation shall contain the following information:

(a) Date, approximate time and address or definite description of the location where the violation(s) was observed;

(b) The Ordinance section(s) or condition(s) violated and a description of the violation(s);

(c) A description of the action required to correct the violation(s);

(d) An order to the responsible person to correct the violation(s) by a correction date and an explanation of the consequences of failure to correct the violation(s);

(e) The amount of the fine for the violation(s);

(f) An explanation of how the fine shall be paid, the deadline by which it shall be paid, and the place to which the fine shall be paid;

(g) An order prohibiting the continuation or repeated occurrence of the Ordinance violation(s) described in the administrative citation;

(h) Identification of rights of appeal, including the time within which the administrative citation may be contested and the place to obtain a notice of appeal and request for hearing form to contest the administrative citation; and

(i) The name and signature of the enforcement officer and, if possible, the signature of the responsible person.

11.3.4 Satisfaction of Administrative Citation.

Upon receipt of an administrative citation, the responsible person shall do the following:

(a) Remedy the violation(s) if the violation(s) is of such a nature that it can be remedied. If a nonemergency health or safety violation(s) is corrected before the correction date provided on the administrative citation, no fine shall be imposed;

(b) Pay the fine to the District within fifteen (15) calendar days from the correction date on the administrative citation. Payment of a fine shall not excuse or discharge the failure to correct the violation(s) nor shall it bar further enforcement action by the District.

11.3.5 Appeal of Administrative Citation.

(a) Any recipient of an administrative citation may appeal an administrative citation under the procedures set forth in this Section. In addition, requests for an appeal of an administrative citation shall be submitted with an advance deposit of the fine or an advance deposit hardship waiver request.

(b) Appeals shall be heard by a hearing officer determined by the Board. The hearing officer shall establish rules for the conduct of such appeals but formal rules of evidence shall not apply. Hearings shall occur within sixty days of a valid appeal request unless otherwise agreed to by the District and appellant.

(c) The hearing officer's decision shall be in writing.

(i) If the hearing officer determines that the administrative citation should be upheld, then the District shall retain the fine amount on deposit with the District.

(ii) If the hearing officer determines that the administrative citation should be upheld, and the fine has not been deposited pursuant to an advance deposit hardship waiver, the hearing officer shall set a fine payment schedule for the payment of the fine.

(iii) If the hearing officer determines that the administrative citation should be canceled and the fine was deposited with the District, then the District shall promptly refund the amount of the deposited fine.

11.3.6 Advance Deposit Hardship Waiver.

Any person who intends to request a hearing to contest an administrative citation and who is financially unable to make the advance deposit of the fine may file a request for an advance deposit hardship waiver.

(a) The request shall be filed with the Finance Department within five (5) days of the date of the issuance of the administrative citation.

(b) The requirement of depositing the full amount of the fine as described in Section 11.3.4 shall be stayed unless or until the Chief Financial Officer makes a determination not to issue the advance deposit hardship waiver.

(c) The Chief Financial Officer may waive the requirement for advance deposit only if the cited party submits to the Chief Financial Officer a declaration, under penalty of perjury, supported by evidence that shows to the Chief Financial Officer's reasonable satisfaction that such party is financially unable to deposit the total amount of the fine in advance of the hearing.

(d) If the Chief Financial Officer determines not to issue an advance deposit hardship waiver, the cited party shall remit the deposit to the District within five (5) days of the date of that decision or fifteen (15) days from the date of issuance of the administrative citation, whichever is later.

(e) The Chief Financial Officer shall list his or her reasons for granting or not granting an advance deposit hardship waiver in writing and serve it on the cited party. The Chief Financial Officer's decision is final.

11.3.7 Right to Judicial Review.

Any person aggrieved by a decision of a hearing officer may obtain review of the decision by filing a petition for review with the Placer County Superior Court in accordance with the timelines and provisions set forth in the Government Code and/or Code of Civil Procedure, as applicable.

11.4 VIOLATIONS

(a) Without limiting the other remedies in this Chapter, any violation of this Ordinance is declared unlawful and violators shall be liable for such remedies specified in Public Utilities Code section 16472.5.

(b) Every day a violation of this Ordinance continues shall constitute a separate offense.

CHAPTER 12

APPEALS

12.1 GENERAL

The many variables applicable to the provision of water service requires that appeals be accepted by the District. In the event a customer wishes to dispute the applicability of any section or challenge any staff decision under this Ordinance, he or she shall follow these procedures unless a specific procedure is provided.

12.2 APPEALS

Requests for an appeal shall be directed to the General Manager in writing. The General Manager shall perform such investigative work as deemed necessary and respond to the customer within fourteen (14) days. The response shall contain information obtained by the investigation and the decision of the General Manager.

12.2.1 Any person who is dissatisfied with a determination of the General Manager may, at any time within ten (10) days after such determination, appeal to the Board by giving written notice to the General Manager setting forth the determination with which the person is dissatisfied. The General Manager shall investigate and transmit to the Board a report upon the matter appealed. The Board shall cause written notice, as to the time and place fixed for hearing such appeal, to be given to all persons affected by such application at least ten (10) days prior to said appeal.

12.2.2 At the time and place ordered in the hearing, the Board shall consider the appeal. Except for appeals of corrective orders and suspension or termination of service, the appeal is an evaluative, and not an adversarial, process to determine the facts of the issue and the appropriate application of this Ordinance. The Board, appellant and General Manager may provide any information deemed relevant to the issue and the Board's consideration. The Board's decision at the conclusion of the hearing shall be final.

12.3 PAYMENT OF CHARGES PENDING APPEAL REFUNDS

For appeals related to the amount of charges, the appellant shall pay the disputed charges. After the appeal is heard the Board may order refunded to the person making the appeal such amount, if any, as the Board shall determine should be refunded.

AMENDMENTS TO WATER ORDINANCE SINCE ADOPTION

(Amendments Incorporated Herein)

Ordinance 393	Master Water Amendment in Full	November 12, 2019
Ordinance 395	Sections: 1.4.13, 6.2.1, 7.4, 7.5, 11.2, 11.4	May 12, 2020
Ordinance 397	Sections: 1.4.24, 1.4.28, 3.1, 3.2.1(c), 3.2.1(f)	April 13, 2021

NTPUD SEWER ORDINANCE

TABLE OF CONTENTS

	Page
CHAPTER 1 GENERAL.....	1
1.1 PURPOSE	1
1.2 VARIANCES	1
1.3 TECHNICAL SPECIFICATIONS	1
1.4 DEFINITIONS	1
1.4.1 Accessory Dwelling Unit (ADU).....	1
1.4.2 Junior Accessory Dwelling Unit (JADU)	2
1.4.3 Backfill.....	2
1.4.4 Biochemical Oxygen Demand (BOD).....	2
1.4.5 Building Sewer.....	2
1.4.6 Cleanout.	2
1.4.7 California Plumbing Code (CPC).....	2
1.4.8 Commercial/Industrial.	2
1.4.9 Connection Fees.....	2
1.4.10 Cooling Water.....	3
1.4.11 District.....	3
1.4.12 District Board or Board.	3
1.4.13 Domestic Wastewater.	3
1.4.14 Equivalent Dwelling Unit	3
1.4.15 Enforcement Officer.	3
1.4.16 Exempt ADU.....	3
1.4.17 Fats, Oils, and Grease (FOG).....	3
1.4.18 Food Waste.	4
1.4.19 Gravity Grease Interceptor.....	4
1.4.20 Industrial Wastewater.	4
1.4.21 Infiltration.	4
1.4.22 Inflow.....	4
1.4.23 Mixed Use Commercial.	4
1.4.24 Mixed Use Multi-Residential.....	4
1.4.25 Multi-Family Residential.	5
1.4.26 Parcel.....	5
1.4.27 pH.....	5
1.4.28 Pollutant.	5
1.4.29 Private Service Lateral.....	5
1.4.30 Private Sewer.	5
1.4.31 Sand-Oil Interceptor.....	5
1.4.32 Sewage or Wastewater.....	5
1.4.33 Sewer System.....	6
1.4.34 Single Family Residential	6
1.4.35 Slug.	6
1.4.36 Tahoe-Truckee Sanitation Agency (TTSA).....	6

TABLE OF CONTENTS

(continued)

	Page
1.4.37 Total Suspended Solids (TSS).....	6
1.4.38 Temporary Discharge.....	6
1.4.39 Technical Specifications.....	6
1.4.40 Wastewater Treatment Plant.....	6
CHAPTER 2 CONDITIONS OF SERVICE	7
2.1 USE OF PUBLIC SEWERS REQUIRED	7
2.2 DISTRICT RESPONSIBILITY	7
2.3 OWNER RESPONSIBILITY	7
CHAPTER 3 NEW OR MODIFIED SERVICES	8
3.1 DISTRICT APPROVAL OF CONNECTIONS	8
3.2 NEW SERVICE	8
3.2.1 General Requirements.....	8
3.2.2 Extension of Facilities.....	9
3.3 ALTERED SERVICE	10
3.4 TERMINATION/RECONNECTION OF SERVICE	10
3.5 TEMPORARY DISCONNECTION OF SERVICE	10
CHAPTER 4 PRIVATE SERVICE LATERALS	11
4.1 CONNECTIONS TO SEWER SYSTEM.....	11
4.2 SHARED LATERALS	11
4.3 LAND DIVISION	11
4.4 COMMON USE ARRANGEMENTS	11
CHAPTER 5 TESTING.....	11
5.1 PURPOSE	11
5.2 APPLICABILITY	12
5.3 TESTING PROTOCOL	12
5.3.1 New Connections.....	12
5.3.2 Existing Connections.....	12
5.3.3 Effect of Test.....	13
CHAPTER 6 BILLING	14
6.1 GENERAL	14
6.1.1 Sewer Service Charges.....	14
6.1.2 Connection Fees.....	14
6.1.3 Other Fees and Charges.....	15
6.2 BILLING FOR SEWER SERVICE CHARGES	15
6.2.1 Bills.....	15
6.2.2 Payment.....	15

TABLE OF CONTENTS

(continued)

	Page
6.2.3 Delinquent Bills.	15
6.2.4 Credits and Adjustments.	16
6.2.5 Responsibility for Payment.	16
CHAPTER 7 WASTE PRETREATMENT	16
7.1 PRETREATMENT REQUIRED	16
7.2 GENERAL REQUIREMENTS	16
7.2.1 Food Waste.	16
7.2.2 FOG (Food Type).	17
7.2.3 Sand and Petroleum-Based Oils and Grease.	17
7.3 SWIMMING POOLS.	18
CHAPTER 8 PRIVATE SERVICE LATERAL RELOCATIONS.	18
8.1 GENERAL	18
8.2 RELOCATION OF PRIVATE SERVICE LATERAL	18
8.3 NOTICE AND HEARING REGARDING RELOCATION SCHEDULE.	18
8.4 CONTINUING NOTICE DURING RELOCATION PERIOD.	18
8.5 DISCONTINUANCE OF SERVICE FOR FAILURE TO RELOCATE PRIVATELY OWNED SERVICE LATERAL	19
8.6 APPEAL BASED UPON SPECIAL CIRCUMSTANCE	19
CHAPTER 9 REGULATION OF DISCHARGES	19
9.1 PROHIBITED DISCHARGES	19
9.2 APPLICATION.	20
9.3 TESTING	21
CHAPTER 10 PENALTIES AND ENFORCEMENT	21
10.1 GENERAL	21
10.2 NON-PAYMENT OF FEES OR CHARGES	21
10.3 VIOLATIONS.	21
10.4 ILLEGAL CONNECTIONS OR CHANGE OF USE	22
10.5 ENFORCEMENT; INJUNCTIONS; ENTERING INTO PRIVATE PROPERTY	22
10.6 ADMINISTRATIVE CITATIONS.	23
10.7 EMERGENCY REPAIR WORK ON PRIVATE PROPERTY	23
10.7.1 Request of Private Property Owner.	23
10.7.2 Request of Public Agency with Authorization to Request District Assistance. ...	23
CHAPTER 11 APPEALS	23
11.1 GENERAL	23
11.2 APPEALS.	23
11.3 PAYMENT OF CHARGES PENDING APPEAL REFUNDS	24

NTPUD SEWER ORDINANCE

CHAPTER 1

GENERAL

1.1 PURPOSE

The purpose of this Ordinance is to establish the rules, regulations, conditions of service, and rates for sewer service by the North Tahoe Public Utility District. The General Manager shall administer and enforce this Ordinance and may adopt and impose administrative rules or regulations to assist in doing so. By applying for or receiving sewer service from the District, each customer, on its own behalf and on behalf of its guests, tenants, employees and anyone else using sewer service at the property, covenants and agrees to be bound by and to comply with all regulations of the District as may be in force at the time of application and as may subsequently be adopted by the District.

1.2 VARIANCES

The General Manager is authorized to consider and grant variances from the requirements of this Ordinance, including the Technical Specifications, upon application by any person and payment of applicable fees. Variances shall only be allowed under the following circumstances: (1) the granting of the variance will not significantly adversely impact the operation and maintenance of District facilities, including but not limited to economic impacts, (2) the granting of the variance will not result in adverse public health or environmental consequences, (3) there is no other practical alternative available to the applicant which does not require the granting of a variance, and (4) the applicant has proposed to utilize the highest technological methodology available in design and construction so as to avoid or minimize adverse impacts on District facilities.

1.3 TECHNICAL SPECIFICATIONS

The General Manager shall adopt and amend the Technical Specifications. Any amendments to the Technical Specifications shall be incorporated by reference into this Ordinance upon their adoption.

1.4 DEFINITIONS

1.4.1 Accessory Dwelling Unit (ADU).

An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons, and is located on a lot with a proposed or existing primary residence, as provided in Government Code section 66313, as it may be amended. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. In the event that Placer County adopts an ordinance regulating ADUs as permitted by State Code, accessory dwelling unit shall include an ADU as defined in such ordinance.

1.4.2 Junior Accessory Dwelling Unit (JADU)

NTPUD SEWER ORDINANCE

A unit that is no more than 500 square feet of interior livable space in size and contained entirely within a single-family residence, as provided in Government Code section 66313, as it may be amended.

1.4.3 Backfill.

The placement of earthen materials for the purpose of refilling any trench or excavation.

1.4.4 Biochemical Oxygen Demand (BOD).

The quantity of oxygen used in the biochemical oxidation of organic matter in a specified time, at a specified temperature, and under specified conditions.

1.4.5 Building Sewer.

The pipes within the walls of a building and extending five (5-ft.) feet outside the wall which conveys wastewater to the private service lateral. The private service lateral begins five (5-ft.) feet outside the exterior face of the building.

1.4.6 Cleanout.

A “wye” connection on the private service lateral, brought to grade, for the purpose of accessing the private service lateral.

1.4.7 California Plumbing Code (CPC).

The California Plumbing Code incorporates by adoption the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials with necessary California amendments.

1.4.8 Commercial/Industrial.

Service to customers engaged in selling, warehousing, or distributing a commodity, in some business activity, or in a profession, or in some form of economic or social activity (offices, stores, clubs, schools, hotels, etc.) and for purposes that do not come directly under another classification of service

1.4.9 Connection Fees.

A one-time charge for customers connecting to the system or a customer increasing capacity. A cost based charge reflecting the value of system capacity based on the utility's infrastructure costs. Does not include meter installation fee, tap fee, fire service detector and/or to physically connect to the system

1.4.10 Cooling Water.

NTPUD SEWER ORDINANCE

The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

1.4.11 District.

The North Tahoe Public Utility District, a California public utility district authorized under Public Utilities Code, § 15501 et seq.

1.4.12 District Board or Board.

Board of Directors of the North Tahoe Public Utility District, an elected body.

1.4.13 Domestic Wastewater.

Any liquid, solid, sewage or waterborne waste of the type normally resulting from flushing and washing waste products from residences and lavatories.

1.4.14 Equivalent Dwelling Unit

Commercial, industrial, and multi-family units are assigned varying equivalent dwelling unit (EDU) multipliers depending on the type of business, seat count, fixture count, or building size. A residential living unit is 1.0 EDU. The non-residential EDUs are determined using the District's Mixed Use Billing Account type Determination form during the plan check process or during a property inspection.

1.4.15 Enforcement Officer.

A District employee designated to enforce this Ordinance.

1.4.16 Exempt ADU.

An ADU or JADU for which the District is prohibited from requiring a new or separate utility connection, or from imposing a related connection fee or capacity charge, under Government Code section 66311.5 or any successor statute. .

1.4.17 Fats, Oils, and Grease (FOG).

Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time. All such compounds are sometimes referred to herein as "Grease."

1.4.18 Food Waste.

The animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods and/or produce.

1.4.19 Gravity Grease Interceptor.

NTPUD SEWER ORDINANCE

An approved plumbing appurtenance or appliance that is installed to intercept non-petroleum FOG, and/or solids from a wastewater discharge.

1.4.20 Industrial Wastewater.

Any liquid or waterborne waste from manufacturing, processing, commercial or industrial facilities, except domestic waste, boiler blowdown, and uncontaminated or noncontact cooling water, provided, however, that substantial discharge of boiler blowdown closely associated with industrial activity shall be considered industrial wastewater when such discharge has a reasonable potential to affect or interfere with the Wastewater Treatment Plant, its treatment process, or operations as determined by the District or TTSA. The term is synonymous with “nondomestic wastewater.”

1.4.21 Infiltration.

The quantity of groundwater that enters the sanitary sewer through joints, cracks, breaks or other defects.

1.4.22 Inflow.

The quantity of surface water that enters the sanitary sewer from illegal and system access connections.

1.4.23 Mixed Use Commercial.

A customer that has both residential and commercial uses on the property will be categorized mixed use commercial when the number of commercial equivalent dwelling units (EDUs) is greater than the number of residential EDUs, as determined under the then-current rate schedule or District administrative procedures..

1.4.24 Mixed Use Multi-Residential.

A customer that has both residential and commercial uses on the property will be categorized mixed use multi-residential when the number of residential equivalent dwelling units (EDUs) is greater than or equal to the number of commercial EDUs, as determined under the then-current rate schedule or District administrative procedures.

1.4.25 Multi-Family Residential.

Residential uses containing two or more residential units, including apartment buildings, duplexes, townhomes for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.

1.4.26 Parcel.

A lot or other legal unit of real property as recognized by Placer County.

1.4.27 pH.

NTPUD SEWER ORDINANCE

A scale from 0 - 14 is used to specify how acidic or basic a water-based solution is.

1.4.28 Pollutant.

Substances which include, but are not limited to, the following: any dredged spoil, solid waste, incinerator residue, sewage, garbage, petroleum products or by-products, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water, which may affect characteristics of wastewater (including, but not limited to, pH, temperature, total suspended solids (TSS), turbidity, color, BOD, toxicity or odor).

1.4.29 Private Service Lateral.

The part of the private sewer commencing five (5-ft.) feet outside the foundation line of the structure and extending to the property line or easement boundary

1.4.30 Private Sewer.

The building sewer extending through the private service lateral and terminating at the property line.

1.4.31 Sand-Oil Interceptor.

An approved plumbing appurtenance or appliance that is installed to intercept sand, grit and/or petroleum-based liquid waste from a wastewater discharge.

1.4.32 Sewage or Wastewater.

Liquid and water-carried industrial wastes from residential dwellings, commercial buildings, industrial and manufacturing facilities, or institutions, whether treated or untreated, which are contributed to the Wastewater Treatment Plant.

1.4.33 Sewer System.

The system is owned and operated by the District to transport wastewater from the property line to the wastewater treatment plant.

1.4.34 Single Family Residential.

A single family residential unit shall mean a single family dwelling that is designed for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.

1.4.35 Slug.

Any discharge containing an unusual volume of flow or concentration of liquid, water, sewage, wastewater or pollutants.

NTPUD SEWER ORDINANCE

1.4.36 Tahoe-Truckee Sanitation Agency (TTSA).

The Tahoe-Truckee Sanitation Agency, a California sanitation agency authorized by the Tahoe-Truckee Sanitation Agency Act.

1.4.37 Total Suspended Solids (TSS).

The total suspended matter that either floats on the surface of or is suspended in water, sewage or other liquids and which is removable by laboratory filtering.

1.4.38 Temporary Discharge.

The limited and temporary discharge of water (ground, surface, storm, or process water whether treated or not in accordance with this Ordinance) to the sewer system.

1.4.39 Technical Specifications.

These rules and regulations adopted by the General Manager regarding the Sewer System.

1.4.40 Wastewater Treatment Plant.

The regional treatment and disposal facilities operated by TTSA.

CHAPTER 2

CONDITIONS OF SERVICE

2.1 USE OF PUBLIC SEWERS REQUIRED

All developed parcels within the District shall connect to the public sewer. No septic tanks, cesspools, or other means of private and/or on-site wastewater disposal system shall be permitted.

2.2 DISTRICT RESPONSIBILITY

2.2.1 The District shall own, operate and maintain the sewer system. The District, its officers, agents, contractors or employees shall not be liable for interruption, shortage or curtailment or stoppage of service, or for any loss or damage related to sewer service or interruption of service.

2.2.2 The District, whenever it shall find it necessary or convenient for the purpose of making repairs or improvements to the sewer system or any private sewer, shall have the right to temporarily suspend sewer services, and it shall not be liable for any loss or damage occasioned by the suspension.

2.2.3 Except as it may agree to do so as set forth in this Ordinance, the District will not be responsible for the maintenance and operation of any private sewer.

2.3 OWNER RESPONSIBILITY

NTPUD SEWER ORDINANCE

2.3.1 The owner of each parcel shall be responsible for the operation and maintenance of the private sewer. The intrusion of roots and any blockage caused by roots that begins within the private sewer shall be the responsibility of the owner even if portions of the damage extend into the sewer system.

2.3.2 Cleanouts shall be maintained by the owner in a functional capacity and shall be kept free of obstructions and accessible.

2.3.3 The District shall not be responsible for blockages in any part of the private service lateral, unless the blockage is caused by a physical defect in the District's sewer system.

2.3.4 It shall be unlawful to connect roof or other drains to the private sewer, which would allow inflow to enter the sewer system. Parcels shall be developed and maintained to ensure no inflow or infiltration enters the sewer system.

CHAPTER 3

NEW OR MODIFIED SERVICES

3.1 DISTRICT APPROVAL OF CONNECTIONS

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb the sewer system without first obtaining a sewer connection permit from the District and paying all applicable fees.

3.2 NEW SERVICE

3.2.1 General Requirements.

New services will be connected subject to the following conditions:

- (a) The property to be served is within the sewer service area of the District.
- (b) A District sewer main of adequate capacity, as solely determined by the District, exists in a publicly traveled right of way, or District easement abutting a principal boundary of the land to be served; or adequate mains, lift stations and other facilities, as solely determined by the District, are constructed in accordance with Section 3.2.2.
- (c) The customer shall apply for service. Applications for new service shall be in writing on forms provided by the District and signed by the owner or authorized agent. Applications shall be supported by such data as the District may require, such as a map or legal description of the property to be served, the date service is to begin and the names and billing address of the recorded owners responsible for payment. If the person making the application is not the owner of the property, permission to bill this person must be provided to the District on a form provided by the District. Applications are valid for one year from the date of submittal.

NTPUD SEWER ORDINANCE

(d) The customer shall obtain a sewer connection permit from the District and construct all necessary facilities as identified on the permit in accordance with the Technical Specifications or other applicable law. Permits are not transferable.

(e) The customer shall not have any outstanding amounts owed against the property to be served, on any District water or sewer account, subject to applicable law..

(f) Connection fees shall be collected at the time of issuing the permit for a sewer connection. Connection fees shall be charged at the rate in effect on the day of application for service from the District. Applications will be voided if connections fees are not paid within one-year of receipt of the application by the District. Payment of connection fees constitutes acceptance of a new service connection application by the District and billing will commence in accordance with Chapter 6. No connection fees will be refunded after connection. The connection fees collected for such application shall be returned to the applicant if connection is not made, upon written request and connection fee refund charge, and a new application and payment of fees will be required before service will be provided. No refund or credit will be provided for previously paid sewer service charges billed in accordance with Chapter 6.

3.2.2 Extension of Facilities.

If the sewer system must be extended to provide service, the applicant shall comply with this Section.

(a) Necessary Facilities. The extension facilities necessary to serve any parcel of land shall be determined solely by the District and may include oversizing subject to Subsection (e). These facilities may be designed by the District or a qualified agent of the applicant, and shall be installed in accordance with the Technical Specifications and other plans and specifications required by the District. Upon completion, inspection and acceptance of the facilities by the District, they shall be owned and operated by the District as a part of the sewer system. The applicant shall install extension facilities utilizing a competent and experienced contractor, licensed in California, and approved by the District. The District reserves the right to construct, with its own personnel or by contract, all extension facilities including but not limited to lift stations, taps of existing mains, and extensions involving complicated connections to, or interference with, the District's existing facilities.

(b) Location of Facilities. Extension facilities shall be located only on land owned by the District in fee, or in a public street or highway, or in an easement granted to the District and satisfactory to the District. The applicant will cause to be conveyed or granted to the District, without cost to the District, such lands and/or easements as the District determines to be necessary for the extension of facilities. Lands shall be conveyed to the District in simple, free and clear of liens or encumbrances, except for such encumbrances of record that may be acceptable to the District. Easements shall be granted in such form as shall be satisfactory to the District.

(c) Costs and Expenses. The applicant shall be solely responsible for all costs and expenses. The applicant shall deposit cash into escrow or an irrevocable standby Letter of Credit in favor of the District issued by a bank reasonably acceptable to the District in a sum equal to 125% of the estimated total cost of the construction of the extension facilities prior to

NTPUD SEWER ORDINANCE

commencement of construction. If, upon completion of the work, the amount paid to or deposited with the District is less than said actual costs, the difference shall be paid to the District by the applicant prior to the commencement of service. Any amount paid or deposited in excess of said actual cost will be credited toward usage or refunded upon application.

(d) Environmental Documentation. Whenever the District determines that an environmental document is necessary, the District will provide the applicant with an estimate of the cost. The applicant will deposit an amount sufficient to cover sixty (60) days' of expenses with the District. The District's actual costs, including overhead expenses and legal and consultant fees, of preparing said report, and conducting hearings as necessary will be invoiced to the applicant monthly and shall be deducted from the deposit. The applicant shall pay such invoices and/or replenish the deposit. If the applicant fails to do so, the District may suspend or cease work and/or take any action necessary to recover the amounts owed. At the conclusion of the process, any remaining deposit amounts shall be returned to the applicant without interest.

(e) Reimbursement. In the event that the District requires the installation of any extension facilities larger than those necessary to serve the parcel or extension facilities that would have been required to serve adjacent or nearby parcels upon their development, the District and applicant may enter into a reimbursement agreement outlining the terms and conditions of reimbursement to the applicant. Reimbursement agreement shall be effective for a maximum of ten (10) years. Any prorated reimbursement shall be determined by the District based on years remaining on the agreement and total parcels capable of being served. Upon termination of the ten (10) year period, any pro rata share shall become property of the District.

3.3 ALTERED SERVICE

Customers shall notify the District and obtain a sewer connection permit, if necessary, whenever the use changes or new additional structures are built on parcels having existing sewer service. In such instances, the District may require a new or increased connection fee for additional fixtures, different uses or other situations where connection fees would be imposed. A credit shall be provided for previously paid connection fees. Such credit shall not be limited to the actual dollar amount paid but shall be increased to reflect increases in connection fee rates. If no records exist demonstrating the amount of paid fees, the District may estimate that amount based on the current size, number of fixtures or other indicia used to calculate the then current connection fees. No refund or credit shall be provided for situations where altered service results in a lower connection fee. The District may require the private sewer or any portion of the sewer system be modified if necessary to comply with this Ordinance as a condition of approving any altered service.

3.4 TERMINATION/RECONNECTION OF SERVICE

, Sewer service to an existing developed property may not be terminated. If all uses on the existing developed property requiring sewer service ceases, the owner may request termination of service. The District may approve termination only after the District determines that termination and physical disconnection will not create a public health, safety, environmental, operational, or regulatory concern and the owner provides evidence of any required demolition, building, TRPA, Placer County, or other approvals. Termination of service shall include the removal and capping of the private service lateral at the sewer main. Charges for service will cease effective the first

NTPUD SEWER ORDINANCE

day of the billing period following system disconnection. Any request to reconnect to the sewer system shall be processed as a new application for service. To obtain sewer service for the same parcel in the future will require applying for a new sewer service and payment of all then current fees and charges, and there is no credit for any fees or deposits paid for the sewer service being abandoned

3.5 TEMPORARY DISCONNECTION OF SERVICE

There is no temporary disconnection of services starting on September 10, 2026. The only way to avoid monthly system charges is to terminate the service in accordance with Section 3.4.

CHAPTER 4

PRIVATE SERVICE LATERALS

4.1 CONNECTIONS TO SEWER SYSTEM

The private sewer and any portions of the sewer system necessary to connect the parcel to a sewer main shall be constructed in accordance with the Technical Specifications and other plans and specifications required by the District. All such costs and expenses shall be the sole responsibility of the owner. The owner shall defend, indemnify and hold the District harmless from any claims, loss or damage that may directly or indirectly be occasioned by the installation of these facilities.

4.2 SHARED LATERALS

Where more than one structure or building exists on a parcel and are under common ownership, they may share a common private sewer. Structures in different ownership shall not share the same private service lateral.

4.3 LAND DIVISION

No land division resulting in structures in different ownership being served by the same private service lateral shall be allowed. Prior to the recording of any final or parcel map resulting in the creation of parcels, which if sold to different persons would result in structures in different ownerships being served by the same private service lateral, independent service to each structure shall be provided. In lieu of construction, submission and approval of private easements or other arrangements acceptable to the General Manager may be provided.

4.4 COMMON USE ARRANGEMENTS

Notwithstanding the foregoing, the District may elect to require parcels served by a homeowners' association or similar entity to receive service through a single private service lateral owned and maintained by the association or entity.

CHAPTER 5

TESTING

NTPUD SEWER ORDINANCE

5.1 PURPOSE

The intent of this Chapter is to reasonably ensure the soundness of the sewer system in order to prevent inflow and infiltration and to ensure compliance for both new and existing lines. Because of the nature and physical location of existing lines, the General Manager has the authority to alter the testing methods if the methods stated in this Chapter are impractical.

5.2 APPLICABILITY

5.2.1 All new connections to the sewer system shall be tested in accordance with the provisions of this Chapter, to include gravity and pumped sewer services. No person shall use or introduce wastewater into the sewer system until the private service lateral has passed a test as specified in Section 5.3.1.

5.2.2 No existing private service lateral shall be allowed to remain connected to the public sewer which is incapable of passing a test as specified in Section 5.3.2. Tests shall be required under occurrence of any of the following conditions:

- (a) Remodeling of the house, building or property served to an extent of more than fifty percent (50%), as determined by the District, or
- (b) Installation of additional toilet or drainage facilities in the house, building or property served, or
- (c) Change of use of the house, building or property serviced from residential to business or commercial, or from non-restaurant commercial to restaurant commercial, or
- (d) Upon repair or replacement of all or part of the private sewer, or
- (e) Upon addition to structures of living quarters, such as guest cabins on the property served or plumbing of garages into living quarters, or
- (f) Prior to close of escrow upon sale of the house, building or property served, or
- (g) Upon determination of the General Manager that the cleaning and testing is required for the protection of the public health, safety and welfare.

5.3 TESTING PROTOCOL

5.3.1 New Connections.

All new service laterals shall be tested by either an air or water method, under the established procedures of and at the discretion of the District. The test section shall be from the wye fitting at the main to the building cleanout or from the service stub at the property line to the building cleanout, corresponding to the line installed. If a line fails, the owner shall be responsible for correction of the condition causing failure, notifying the District when such work has been completed, and for scheduling a new test.

NTPUD SEWER ORDINANCE

5.3.2 Existing Connections.

It shall be unlawful for any owner of a house, building, or property connected to the sewer system to maintain the building sewer in a condition where leakage is such that the tests in this Section cannot be successfully accomplished. If a cleanout has not been installed at the property line, the owner shall notify the District and the District shall install a cleanout prior to cleaning and testing. The District will install the cleanout within 14 days of being notified and between May 1 and October 1. The owner will then be able to complete the necessary cleaning and testing. .

5.3.3 Effect of Test.

District approval of any test does not constitute a warranty by the District of the soundness or ability of the private service lateral to accomplish its purpose or to remain in compliance with this Ordinance.

(a) The owner of any house, building, or property shall conduct all cleaning and testing required at his sole expense and shall notify the District three (3) business days prior to cleaning and testing. Operations conducted without such notice shall not satisfy the requirements of this Chapter.

(b) Existing private service laterals shall be tested by the air or water method, at the discretion of, and under inspection by, the District. In the event that a private service lateral fails, the owner shall cause corrective work and re-testing to be performed within thirty (30) days from the date of the original test.

(c) If the sewer line fails the testing, it shall be repaired or replaced in accordance with Technical Specifications and this Ordinance. Patch repairs shall not be made using cement grout, glues, epoxies, or other fillers. Damaged portions of the pipe shall be cut out and replaced.

(d) In the event that sewer cleaning, testing, repair or replacement would be required, at a time when weather conditions or excavation restrictions (October 15 until May 1) prohibit such repairs, the General Manager may defer completion of such requirement until June 15th or such earlier date as agreed upon with the owner. If the test is deferred, the Owner may post a performance bond with the District in an amount equal to one hundred twenty-five (125%) percent of the District's estimate of the cost of replacing the private service lateral. The bond shall be callable on the date when the owner should have completed testing and the funds will be released to the District.

In place of a performance bond, the owner shall escrow funds in an amount equal to one hundred twenty-five (125%) percent of the District's estimate, if the property is being sold. Funds escrowed will not be released without written notification by the District to the title company holding such funds. If the cleaning and testing is not completed by the time set by the Ordinance, the funds held in escrow shall be released to the District. These funds may be used by the District for physical disconnection, testing, repair or replacement of the private sewer. Should such costs exceed the

NTPUD SEWER ORDINANCE

amount held in escrow, the difference will be billed to the property owner of record. Such costs shall become a lien on the property.

During the period from May 1st until September 15th no funds shall be held in escrow or a performance bond posted in lieu of testing and acceptance of the sewer service lateral prior to close of escrow.

The District may, upon written notice to the property owner, discontinue or restrict sewer service to the property until such repairs are made, to the extent necessary to protect the public health. The cost of discontinuing service and restoring service will be the responsibility of the property owner. Services left unconnected for a period of one year or greater shall be subject to the connection fees in effect at the time of reconnection.

(e) Cleaning and testing requirements prior to escrow are waived if the building sewer has a passing test within a prior five (5) year period approved and on file with the District, if the building sewer has been installed and has a passing test within a prior fifteen (15) year period approved and on file with the District, or upon determination by the General Manager.

CHAPTER 6

BILLING

6.1 GENERAL

6.1.1 Sewer Service Charges.

The District shall charge customers for sewer service at the rates set forth in Attachment A-1 of this Ordinance. Such fees and charges shall be adopted by ordinance or resolution. Any new or modified fees or charges shall be incorporated by reference into this Ordinance and Attachment A-1 by reference upon their effectiveness.

6.1.2 Connection Fees.

The District shall charge applicants for connecting to the sewer system at the fees set forth in Attachment A-2 of this Ordinance. Such fees shall be adopted by ordinance or resolution. Any new or modified fees shall be incorporated by reference into this Ordinance and Attachment A-2 by reference upon their effectiveness.

6.1.3 Notwithstanding any other provision of this Ordinance, the District shall apply connection fees, capacity charges, and monthly service charges for accessory dwelling units and junior accessory dwelling units in accordance with Government Code section 66311.5, Government Code section 66013, and any successor statutes. An accessory dwelling unit or junior accessory dwelling unit shall not be considered a new residential use for purposes of calculating connection fees or capacity charges for sewer service unless the unit is constructed with a new single-family dwelling. For any accessory dwelling unit or junior accessory dwelling unit described in Government Code section 66323(a)(1), the District shall not require a new or separate utility connection directly between the unit and the Sewer System or impose a related connection

NTPUD SEWER ORDINANCE

fee or capacity charge, except as authorized by Government Code section 66311.5. For any accessory dwelling unit for which a new or separate utility connection may lawfully be required, any connection fee or capacity charge shall be proportionate to the burden of the proposed accessory dwelling unit on the Sewer System, based on square footage or drainage fixture units, and shall not exceed the reasonable cost of providing service. Other Fees and Charges.

Subject to any provisions set forth in this Ordinance or applicable law, the District shall charge applicants, customers or other persons for other services at the rates set forth in Attachment A-3 of this Ordinance. Such fees or charges shall be adopted by ordinance or resolution. Any new or modified fees or charges shall be incorporated by reference into this Ordinance and Attachment A-3 by reference upon their effectiveness.

6.2 BILLING FOR SEWER SERVICE CHARGES

6.2.1 Bills.

Sewer service charges shall begin on the first day of the billing period following the completion of the pressure test required under Section 5.3.1, or the installation of the water meter if a current water customer, or within two years after the permit fees are paid, whichever comes first. Unless the rate schedule provides otherwise, sewer service is billed in arrears. Bills will be mailed or sent electronically at the beginning of each billing period to the address furnished to the District. The customer shall be responsible for keeping the District advised of the address to which bills are to be mailed. Non-receipt of a bill shall not relieve a customer of any payment obligation to the District.

6.2.2 Payment.

Bills shall be due and payable upon presentation. Payment shall be made to the District office. Bills shall become past due in thirty (30) days, and delinquent in sixty (60) days from the billing date, and may become a lien on the property (60) days after the billing date.

6.2.3 Delinquent Bills.

In the event of delinquency in the payment of any rates, or charges, or installation charges thereof, or interest thereon, penalty and interest shall be imposed as set forth in Attachment A-3 of this Ordinance.

6.2.4 Credits and Adjustments.

The General Manager may adjust billings upon changes of use or after dispute of a charge. Errors or mistakes in bills for service charges shall be corrected and retroactively adjusted for the prior six months.

6.2.5 Responsibility for Payment.

(a) Unless otherwise provided by law, all charges for sewer service shall be billed to the owner of the property making application for service. Upon written request of the

Ordinance No. XXX – Sewer
Adopted TBD

NTPUD SEWER ORDINANCE

owner, and approval by the District, charges for sewer service shall be billed to the person occupying the property provided, however, that in the event of delinquency, such charges shall be billed to the property owner and remain with the property. In such case, the owner shall be deemed the person receiving service under Public Utilities Code section 16472.1 and should charges remain delinquent, the District shall place a lien on the property.

(b) Should the property be sold and a delinquent bill exists on said property, the District will transfer those charges to any other open account under the name of the previous owner afforded such service. Should the property be sold and no other account is available to accommodate the transfer, the District may utilize whichever collection methods it wishes to recover the fees from the prior owner.

(c) Charges for sewer collection and water service provided by the District shall be billed upon the same bill and collected as one item.

CHAPTER 7

WASTE PRETREATMENT

7.1 PRETREATMENT REQUIRED

Whenever deemed necessary by the District or the Tahoe-Truckee Sanitation Agency, the owner of any parcel shall, at his/her own expense, provide such treatment or take such other measures, as shall be required in order to reduce objectionable characteristics, contents, or rate of discharge of waters or wastes being deposited in the sewer system so that the same may be received without any damage to the sewer system or any undue interference with its operation and without any hazard of any kind to humans or animals.

7.2 GENERAL REQUIREMENTS

7.2.1 Food Waste.

No person shall discharge, deposit, throw, cause, allow or permit to be discharged, deposited, or thrown into the sewer system, any food waste, or any fruit, vegetable, animal or other solid material from any food-processing facility or food-preparing facility or retail grocery store. No person shall install, operate, use or maintain upon the premises of any such facility any mechanical grinder or waste grinder that is connected directly or indirectly to the sewer system.

7.2.2 FOG (Food Type).

Gravity grease interceptors shall be installed in all establishments which handle, prepare, cook, or serve foods or when in the opinion of the General Manager they are necessary for the handling of wastes that can affect the proper functioning of the sewer system; except that such interceptors shall not be required for dwelling units. All gravity grease interceptors shall comply with the Technical Specifications, be maintained in good working order and be supported by records of maintenance and proper operation. Records

NTPUD SEWER ORDINANCE

shall be provided to the District upon request. Notwithstanding the foregoing, existing uses as of December 1, 2019 with a FOG removal device may continue to operate in existing condition and shall only be required to comply with this Section 7.2 in the event of one of the following:

- (a) Changes ownership of either the underlying property or the business.
- (b) Modified to increase seating by any amount (either inside or outside).
- (c) Facility is found to be contributing FOG in unreasonable quantities as determined by the District.

7.2.3 Sand and Petroleum-Based Oils and Grease.

Sand-oil interceptors shall be installed prior to discharge of waste to the sewer system in all establishments where in the opinion of the General Manager, they are necessary for the handling of liquid wastes containing grease, flammable wastes, sand, oil, solids or acid or alkaline substances in quantities that can affect the proper functioning of the sewer system; except that such interceptors shall not be required for dwelling units. All sand-oil interceptors shall comply with the Technical Specifications, be maintained in good working order and be supported by records of maintenance and proper operation. Records shall be provided to the District upon request. Sand-oil interceptors shall be installed at the following facilities:

- (a) Recreational vehicle dump stations.
- (b) Vehicle wash stations.
- (c) All automotive service bays and automotive repair shops must have floor drains connected to the sewer system. All such floor drains shall have a sand-oil interceptor installed.
- (d) All other establishments where, in the opinion of the General Manager, they are necessary for the handling of liquid wastes containing grease, flammable wastes, sand, oil, solids or acid or alkaline substances in quantities that will affect the proper functioning of the sewer system.

7.3 SWIMMING POOLS

7.3.1 All swimming or wading pools containing 2,000 gallons of water or more shall discharge and drain wastewater to the public sewer as set forth in this Section.

7.3.2 Prior to draining, written approval must be obtained from the General Manager, which will include conditions determined by the General Manager to be necessary or advisable. The General Manager reserves the right to prohibit the draining of swimming pools when, in his/her opinion, doing so would deleteriously affect the operation of the public sewer.

NTPUD SEWER ORDINANCE

CHAPTER 8

PRIVATE SERVICE LATERAL RELOCATIONS

8.1 GENERAL

The purpose of this Chapter is to establish regulations relative to the relocation of private service laterals to connect to relocated District sewer service mains.

8.2 RELOCATION OF PRIVATE SERVICE LATERAL

When the District relocates sewer service mains with the intention of disconnecting service through the original existing service mains it shall be the responsibility of the owners of all properties which have service provided through the original existing service mains to relocate their private service laterals to accept service through the relocated service mains at their sole expense and pursuant to the relocation schedule established by the District pursuant to the provisions of this Chapter. The District shall install appropriate cleanouts and other facilities at the property line at no cost to the property owner.

8.3 NOTICE AND HEARING REGARDING RELOCATION SCHEDULE

The relocation schedule to establish the timing of installation of relocated service mains, the timing of construction of relocated private service laterals and the timing of disconnection of service through original existing service mains shall be set by the Board at a public hearing. All affected property owners shall be notified by personally mailed notice to the property owners' address in the District files at least fifteen (15) days prior to the date of the public hearing.

At the public hearing, the Board shall establish a relocation period giving the affected property owners at least two building seasons (May 1 through October 15), but ending on September 1 of the last season, to construct and have inspected new private service laterals between the use served and their property line served by the relocated service main. The relocation period shall include the season during which the relocated service main is constructed.

8.4 CONTINUING NOTICE DURING RELOCATION PERIOD

Between May 1 and May 15 of each building season during the relocation period, the District shall review the status of construction of new private service laterals and shall give further notice of the relocation schedule to all property owners who have not at that time constructed and had inspected new private service laterals between the use served and their property line served by the relocated service main. Notice shall be given by personal mail to the property owners' address in the District files.

8.5 DISCONTINUANCE OF SERVICE FOR FAILURE TO RELOCATE PRIVATELY OWNED SERVICE LATERAL

At the end of the relocation period, all services that have not had relocated private service laterals constructed and inspected between the use served and their property line served by the relocated service main shall be subject to disconnection. Disconnection shall be made only after ninety (90)

Ordinance No. XXX – Sewer

Page 17 of 25

Adopted TBD

NTPUD SEWER ORDINANCE

days prior mailed and posted notice to the customer. In the event of disconnection, reconnection shall be made only after the construction and inspection of a new private service lateral between the use served and the property line served by the relocated service main and payment of any applicable reconnection charges, including service charges for the period during which service was disconnected. In the event that reconnection is not made within a period of one year following disconnection, service charges shall cease and reconnection shall require payment of the full connection charge applicable to connection of a new use.

8.6 APPEAL BASED UPON SPECIAL CIRCUMSTANCE

Any property owner may petition the Board for an extension of the relocation period based upon special circumstances, provided that such petition shall be made at least ninety (90) days prior to the end of the relocation period. The Board may grant such an extension, and may condition such an extension upon payment of the District's estimated cost of maintaining the service main which was to be abandoned during the extension period.

CHAPTER 9

REGULATION OF DISCHARGES

9.1 PROHIBITED DISCHARGES

No person shall discharge or cause to be discharged into the public sewer the following:

9.1.1 Any liquid or vapor having a temperature higher than one hundred forty (140) degrees Fahrenheit.

9.1.2 Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures below 60 degrees F.

9.1.3 Any food waste from a residential unit that has not been properly shredded to a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension. Food waste is prohibited from a commercial property.

9.1.4 Any oil-component wastes shall not contain more than 20 mg/l of oil.

9.1.5 Any water containing synthetic detergents in excessive quantity.

9.1.6 Any water or wastes containing excessive suspended solids or excessive dissolved solids.

9.1.7 Any noxious or malodorous gas or substance capable of creating a public nuisance.

9.1.8 Any water or wastes containing acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

NTPUD SEWER ORDINANCE

9.1.9 Any water or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement.

9.1.10 Any wastewater containing cyanides in excess of two tenths of a milligrams per liter (0.2 mg/l).

9.1.11 Any water or wastes containing phenols or other taste or odor producing substances in high concentrations.

9.1.12 Any radioactive wastes or isotopes.

9.1.13 Any water or wastes having pH lower than 5 or in excess of 9.5.

9.1.14 Any wastewater flow or concentration of wastes constituting a slug.

9.1.15 Any wastewater with an excessive BOD or chemical oxygen demand.

9.1.16 Any wastewater which is prohibited (volume or substance) by the TTSA.

9.1.17 Any substance prohibited by applicable federal, state, or local law.

9.1.18 Any water or wastes which contain substances or possess characteristics or pollutants which, in the judgment of the General Manager, may have a deleterious effect upon the sewage treatment works or collection system.

9.1.19 The use of diluting waters to meet the requirement standards for discharge of waste is prohibited.

9.2 APPLICATION

If any water or wastes are proposed to be discharged to the public sewer, the District reserves the right to:

9.2.1 Reject the wastes, or

9.2.2 Require pretreatment to an acceptable condition for discharge to the public sewers,
or

9.2.3 Require control over the quantities and rates of discharge, and/or

9.2.4 Require payment to cover the added cost of handling the wastes not covered by charges under the provisions of the Ordinance.

9.2.5 Require payment of fees for temporary discharge into the sewer system.

The owner shall make written application to the District. Such application shall name the substance, its concentration, the quantity of flow, the proposed discharge point, hours of discharge and other pertinent information as is necessary to determine the possible effects of such a

NTPUD SEWER ORDINANCE

discharge. No such discharge shall take place until and upon issuance of a permit for temporary discharge and posting of a deposit. The deposit is equal to the fee for the entire estimated discharge if the discharge will take place in less than 90 days, or of the estimated fee for the first 90 days of the discharge if the discharge is to take place for a period of time over 90 days. The District will not provide service without proof of a valid permit issued by the TTSA.

9.3 TESTING

When the District suspects the discharge of prohibited substances into the public sewer without written authorization, it may analyze samples by a certified laboratory. If substances are found in violation of this Ordinance, the owner shall immediately cease discharging and shall be subject to the penalties as outlined in this Ordinance.

CHAPTER 10

PENALTIES AND ENFORCEMENT

10.1 GENERAL

All persons violating this Ordinance shall be subject to penalties as set forth in this Chapter.

10.2 NON-PAYMENT OF FEES OR CHARGES

Upon non-payment by the owner of applicable fees and/or charges in accordance with the provisions of the Ordinance, such unpaid amount, including interest and penalties, shall be a lien on the parcel, and any other remedies authorized by law may be used to enforce payment.

Any person who shall continue non-payment beyond six months (6) from the time said charges were due and payable shall be subject to disconnection from the public sewer upon ten days (10) written notice.

10.3 VIOLATIONS

All persons performing work under this Ordinance shall be responsible for any and all acts of their agents or employees in connection with the work. Any person found to be in violation of any provision of this Ordinance shall be served by the District with written notice stating the nature of the violation and providing a reasonable time to correct the violation. The offender shall, within the period of time stated in such notice, permanently cease and correct all violation(s). Immediate correction may be required when necessary to protect the sewer system or public health and safety.

Any person who shall continue any violation beyond the limit specified in the written notice above, shall be subject to disconnection from the District's sewer system upon five (5) days written notice, and shall be liable for such additional remedies specified in Public Utilities Code section 16472.5.

Each day in which any such violation shall continue shall be deemed a separate offense.

NTPUD SEWER ORDINANCE

Any person violating any of the provisions of this Ordinance shall become liable to the District for any expense, loss, or damage occasioned to the District by reason of such violation including any charges as set forth in Attachment A-3.

10.4 ILLEGAL CONNECTIONS OR CHANGE OF USE

Any parcel found to have made a connection or change in use without making application to the District and paying all fees and/or service charges shall be subject to paying all fees and charges from the date of the issuance of the building permit or physical connection to the public sewer, whichever is earliest.

10.5 ENFORCEMENT; INJUNCTIONS; ENTERING INTO PRIVATE PROPERTY

As an alternative to the other remedies set forth in this Ordinance, the District may:

10.5.1 The District may correct any violation of an ordinance of the District. Generally, the District shall not enter onto private property where the occupant or owner has a constitutionally protected expectation of privacy without an abatement warrant. However, in the event such violation results in a public health or safety hazard, the District may enter upon the property and perform such work, and expend such sums, as may be deemed necessary to abate such nuisance, and the reasonable value of the work done and the amounts so expended thereon shall be a charge to the property in violation. Such charges shall include any legal fees incurred by the District. The District shall obtain an abatement warrant as necessary prior to doing so.

10.5.2 The District may also petition the superior court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate, restraining any person from the continued violation of any ordinance of the District or for the issuance of an order stopping or disconnecting a service if the charges for that service are unpaid at the time specified in the ordinance.

10.5.3 The District may enter upon the private property of any person within the jurisdiction of the District in order to investigate possible violations of an ordinance of the District. The investigation shall be made with the consent of the owner or tenant of the property or, if consent is refused, with an inspection warrant.

10.6 ADMINISTRATIVE CITATIONS

The District may issue administrative citations for violations of this Ordinance under the procedures set forth in the Water Ordinance, Government Code section 53069.4, Public Utilities Code section 16472.5, and other applicable law, as each may be amended.

10.7 EMERGENCY REPAIR WORK ON PRIVATE PROPERTY

10.7.1 Request of Private Property Owner.

When requested by a private property owner, the District may perform emergency repair work to a private service lateral when the owner has experienced an emergency line leak or break on the lateral which threatens the integrity of the sewer system and for which the emergency continues. An owner requesting emergency assistance from NTPUD must

NTPUD SEWER ORDINANCE

agree to enter into a written agreement for performance of such repairs in a form maintained by the District which shall include the following: the nature of the work to be performed, indemnification, waiver of liability and hold harmless agreement, scope and method of work to be performed by the District, and payment by the owner.

10.7.2 Request of Public Agency with Authorization to Request District Assistance.

When requested by a governmental agency that has the authority to request that the District enter onto property to conduct emergency repairs to stop the flow of sewage from a private service lateral which has experienced an emergency line leak or break located on private property.

The governmental agency directing the District to enter private property and effectuate emergency repairs must agree to enter into a written agreement for performance of such repairs in a form maintained by the District which shall outline the following: that agency has said right to direct the District onto private property, the nature of the work to be performed, indemnification, waiver of liability and hold harmless agreement, scope and method of work to be performed by the District, and payment by agency for District's expenses.

CHAPTER 11

APPEALS

11.1 GENERAL

The many variables applicable to the provision of sewer service requires that appeals be accepted by the District. In the event a customer wishes to dispute the applicability of any section or challenge any staff decision under this Ordinance, the customer shall follow these procedures unless a specific procedure is provided.

11.2 APPEALS

Requests for an appeal shall be directed to the General Manager in writing. The General Manager shall perform such investigative work as deemed necessary and respond to the customer within fourteen (14) days. The response shall contain information obtained by the investigation and the decision of the General Manager.

11.2.1 Any person who is dissatisfied with a determination of the General Manager may, at any time within ten (10) days after such determination, appeal to the Board by giving written notice to the General Manager setting forth the determination with which the person is dissatisfied. The General Manager shall investigate and transmit to the Board a report upon the matter appealed. The Board shall cause written notice, as to the time and place fixed for hearing such appeal, to be given to all persons affected by such application at least ten (10) days prior to said appeal.

11.2.2 At the time and place ordered in the hearing, the Board shall consider the appeal. Except for appeals of corrective orders and suspension or termination of service, the appeal is an evaluative, and not an adversarial, process to determine the facts of the issue and the appropriate

NTPUD SEWER ORDINANCE

application of this Ordinance. The Board, appellant, and General Manager may provide any information deemed relevant to the issue and the Board's consideration. The Board's decision at the conclusion of the hearing shall be final.

11.3 PAYMENT OF CHARGES PENDING APPEAL REFUNDS

For appeals related to the amount of charges, the appellant shall pay the disputed charges. After the appeal is heard, the Board may order refunded to the person making the appeal such amount, if any, as the Board shall determine should be refunded.

NTPUD SEWER ORDINANCE

AMENDMENTS TO SEWER ORDINANCE SINCE ADOPTION

(Amendments Incorporated Herein)

Ordinance 394	Master Sewer Amendment in Full	November 12, 2019
Ordinance 395	Sections: 1.4.11, 3.4, 3.5, 6.2.1, 10.3	May 12, 2020
Ordinance 397	Sections: 3.2.1(f), 5.1, 5.3.3(b), 5.3.3(d) 5.3.3(e), 3.1.1(c)	April 13, 2021

NTPUD WATER ORDINANCE

TABLE OF CONTENTS



Page

Table of Contents

CHAPTER 1 GENERAL.....	1
1.1 PURPOSE.....	1
1.2 VARIANCES.....	1
1.3 TECHNICAL SPECIFICATIONS	1
1.4 DEFINITIONS.....	1
1.4.1 Accessory Dwelling Unit (ADU).....	1
1.4.2 Junior Accessory Dwelling Unit (JADU).....	2
1.4.3 Backflow.	2
1.4.4 Backflow Preventer.....	2
1.4.5 Backpressure.	2
1.4.6 Backsiphonage.	2
1.4.7 California Plumbing Code (CPC)	2
1.4.8 Commercial/Industrial	2
1.4.9 Common Meter	2
1.4.10 Connection Fees.....	2
1.4.11 Contamination.....	3
1.4.12 Cross-Connection.....	3
1.4.13 Cross-Connection Control.	3
1.4.14 Customer.	3
1.4.15 District.....	3
1.4.16 District Board or Board.	3
1.4.17 Enforcement Officer.	3
1.4.18 Equivalent Dwelling Unit	3
1.4.19 Exempt ADU.	4
1.4.20 Flow Restrictor.	4
1.4.21 Mixed Use Commercial	4
1.4.22 Mixed Use Multi Residential	4

TABLE OF CONTENTS

(continued)

	Page
1.4.23 Multi-Family Residential.....	4
1.4.24 Parcel.....	4
1.4.25 Pollution.....	4
1.4.26 Potable Water.....	5
1.4.27 Pressure Reducing Valve.....	5
1.4.28 Pressure Relief Valve.....	5
1.4.29 Private Service Lateral.....	5
1.4.30 Property.....	5
1.4.31 Residential.....	5
1.4.32 Service Size for Billing Purpose.....	5
1.4.33 Service Unit.....	5
1.4.34 Single Family Residential.....	6
1.4.35 Technical Specifications.....	6
1.4.36 Water Service Connection.....	6
1.4.37 Water System.....	6
CHAPTER 2 CONDITIONS OF SERVICE	6
2.1 WATER SYSTEM OPERATION.....	6
2.1.1 Transfer of Title to Water.....	6
2.1.2 Interference with the Water System.....	7
2.1.3 Water Pressure and Supply.....	7
2.1.4 Service Interruption.....	7
2.2 CUSTOMER’S PRIVATE SYSTEM	7
2.2.1 Service Lateral Maintenance.....	7
2.2.2 Shutoff Valve.....	7
2.2.3 Access to Facilities.....	7
2.2.4 Use of Water.....	7
2.3 ADMINISTRATIVE PROVISIONS.....	8
2.3.1 Service Unit.....	8
2.3.2 Service Calls.....	8
CHAPTER 3 NEW OR MODIFIED SERVICES	8

TABLE OF CONTENTS

(continued)

	Page
3.1 DISTRICT APPROVAL OF CONNECTIONS	8
3.2 NEW SERVICE.....	8
3.2.1 General Requirements.....	8
3.2.2 Water Use Without Approved Application.....	9
3.2.3 Extension of Facilities.....	9
3.3 ALTERED SERVICE.....	11
CHAPTER 4 SPECIAL SERVICES	11
4.1 TEMPORARY SERVICE	11
4.1.1 General Temporary Service.	11
4.1.2 Service Through a Fire Hydrant.	11
4.2 FIRE SERVICE	11
CHAPTER 5 METERS.....	11
5.1 METERED SERVICE	11
5.1.1 Location.	12
5.1.2 Change in Location of Meters.	12
5.1.3 Sealing.....	12
5.1.4 Size of Meters and Customer Service Line.....	12
5.1.5 Re-evaluation of Meter Size and Customer Service Line.....	12
5.2 METER READING AND METER ACCURACY.....	13
5.2.1 Frequency of Meter Reading.	13
5.2.2 Meters That Cannot Be Read Due To An Obstruction.	13
5.2.3 Testing Meters.....	13
5.2.4 Excess Water Use.	14
5.2.5 Uncontrollable Loss of Water.....	14
CHAPTER 6 BILLING	15
6.1 GENERAL.....	15
6.1.1 Water Service Charges.....	15
6.1.2 Connection Fees.....	15
6.1.3 Other Fees and Charges.	15 16
6.2 BILLING FOR WATER SERVICE CHARGES	16

TABLE OF CONTENTS

(continued)

	Page
6.2.1 Bills.....	16
6.2.2 Payment.....	16
6.2.3 Delinquent Bills.	16
6.2.4 Responsibility for Payment.....	16
CHAPTER 7 DISCONTINUANCE, DISCONNECTION, TERMINATION, AND ABANDONMENT OF SERVICE	17
7.1 DISCONTINUANCE OF SERVICE FOR NON-PAYMENT	17
7.1.1 Residential Customers.	17
7.1.2 Non-Residential Customers.	17
7.2 DISCONTINUANCE OF SERVICE FOR OTHER REASONS	17+8
7.2.1 Grounds for Discontinuance.	17+8
7.2.2 Procedures for Discontinuance.	18
7.3 REQUEST TO TURN OFF OR TURN ON CUSTOMER’S SERVICES.....	18
7.4 TERMINATION/RECONNECTION OF SERVICES.....	18
7.5 OWNER REQUEST FOR TEMPORARY DISCONNECTION OF SERVICES.....	18+9
CHAPTER 8 WATER CONSERVATION	19
8.1 WATER CONSERVATION AND USE REQUIREMENTS	19
8.1.1 Permanent Prohibition on Potable Water Irrigation of Nonfunctional Turf.	19
8.2 WATER CONSERVATION ACTION STAGES	20
8.2.1 Stage 1: 10% Reduction Goal.	20+1
8.2.2 Stage 2: 20% Reduction Goal.	21
8.2.3 Stage 3: 30% Reduction Goal.	22
8.2.4 Stage 4: 40% Reduction Goal.	22+3
8.2.5 Stage 5: 50% Reduction Goal.	23
8.2.6 Stage 6: Greater than 50% Reduction Goal.	23
CHAPTER 9 CONTROL OF BACKFLOW AND CROSS CONNECTIONS	23
9.1 GENERAL.....	23
9.2 DISTRICT RESPONSIBILITY.....	23
9.3 CUSTOMER RESPONSIBILITY	24

TABLE OF CONTENTS

(continued)

	Page
9.4 TESTING AND MAINTENANCE	24
9.5 NON-COMPLIANCE.....	24 25
CHAPTER 10 PRIVATE SERVICE LATERAL RELOCATIONS	25
10.1 GENERAL	25
10.2 RELOCATION OF PRIVATE SERVICE LATERAL	25
10.3 NOTICE AND HEARING REGARDING RELOCATION SCHEDULE	25
10.4 CONTINUING NOTICE DURING RELOCATION PERIOD	25 26
10.5 DISCONTINUANCE OF SERVICE FOR FAILURE TO RELOCATE PRIVATELY OWNED SERVICE LATERAL.....	26
10.6 APPEAL BASED UPON SPECIAL CIRCUMSTANCE	26
CHAPTER 11 VIOLATIONS	26
11.1 GENERAL	26
11.2 CHARGES FOR NON-COMPLIANCE	26 27
11.3 ADMINISTRATIVE CITATIONS	27
11.3.1 Authority.....	27
11.3.2 Service.....	27
11.3.3 Contents of Notice.	27
11.3.4 Satisfaction of Administrative Citation.	28
11.3.5 Appeal of Administrative Citation.....	28
11.3.6 Advance Deposit Hardship Waiver.	28 29
11.3.7 Right to Judicial Review.....	29
11.4 VIOLATIONS	29
CHAPTER 12 APPEALS	29 30
12.1 GENERAL	29 30
12.2 APPEALS	30
12.3 PAYMENT OF CHARGES PENDING APPEAL REFUNDS.....	30

CHAPTER 1

GENERAL

1.1 PURPOSE

The purpose of this Ordinance is to establish the rules, regulations, conditions of service, and rates for water service by the North Tahoe Public Utility District. The General Manager shall administer and enforce this Ordinance and may adopt and impose administrative rules or regulations to assist in doing so. By applying for or receiving water service from the District, each customer, on its own behalf and on behalf of its guests, tenants, employees and anyone else using water at the property, covenants and agrees to be bound by and to comply with all regulations of the District as may be in force at the time of application and as may subsequently be adopted by the District.

1.2 VARIANCES

The General Manager is authorized to consider and grant variances from the requirements of this Ordinance, including the Technical Specifications, upon application by any person. Variances shall only be allowed under the following circumstances: (1) the granting of the variance will not significantly adversely impact the operation and maintenance of District facilities, including but not limited to economic impacts, (2) the granting of the variance will not result in adverse public health or environmental consequences, (3) there is no other practical alternative available to the applicant which does not require the granting of a variance, and (4) the applicant has proposed to utilize the highest technological methodology available in design and construction so as to avoid or minimize adverse impacts on District facilities.

1.3 TECHNICAL SPECIFICATIONS

The General Manager shall adopt and amend the Technical Specifications. Any amendments to the Technical Specifications shall be incorporated by reference into this Ordinance upon their adoption.

1.4 DEFINITIONS

1.4.1 Accessory Dwelling Unit (ADU).

An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence, as provided in Government Code section 66313, as it may be amended. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. In the event that Placer County adopts an ordinance regulating ADUs as permitted by State Code ~~Government Code section 65852.2~~, accessory dwelling unit shall ~~mean~~ include an ADU as defined in such ordinance.

1.4.2 Junior Accessory Dwelling Unit (JADU)

A unit that is no more than 500 square feet of interior livable space in size and contained entirely within a single-family residence, as provided in Government Code section 66313, as it may be amended.

1.4.21.4.3 Backflow.

The reversal of the normal flow of water caused by either backpressure or backsiphonage.

1.4.31.4.4 Backflow Preventer.

An assembly or means designed to prevent backflow.

1.4.41.4.5 Backpressure.

The presence of pressure in any portion of the customer's service greater than the pressure at the service connection.

1.4.51.4.6 Backsiphonage.

The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply from any source other than its intended source caused by a reduction of pressure in the potable water supply system.

1.4.7 California Plumbing Code (CPC).

The California Plumbing Code incorporates by adoption the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials with necessary California amendments.

1.4.8 Commercial/Industrial.

Service to Customers engaged in selling, warehousing, or distributing a commodity, in some business activity, or in a profession, or in some form of economic or social activity (offices, stores, clubs, schools, hotels, etc.) and for purposes that do not come directly under another classification of service

1.4.9 Common Meter.

A common meter account is for irrigation purposes only.

1.4.10 Connection Fees.

A one-time charge for customers connecting to the system or a customer increasing capacity. A cost based charge reflecting the value of system capacity based on the utility's infrastructure costs. Does not include meter installation fee, tap fee, fire service detector and/or to physically connect to the system

1.4.61.4.11 Contamination.

An impairment of the quality of potable water by sewage, industrial fluids, waste fluids, compounds, or other materials to a degree which creates an actual or potential hazard to the public health through poisoning, toxicity, or the spread of disease. Contamination shall include any impairment prohibited by applicable law.

1.4.71.4.12 Cross-Connection.

Any physical connection or arrangement or piping or fixtures between two otherwise separate piping systems one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow or backsiphongage may occur into the potable water system.

1.4.81.4.13 Cross-Connection Control.

The District's program and measures to protect the Water System from backflow and cross-connections, including hazard assessments, elimination or control of cross-connections, and installation, testing, inspection, and maintenance of approved backflow prevention assemblies, backflow preventers, and air gaps as required by the Cross-Connection Control Policy Handbook, the California Plumbing Code, this Ordinance, the Technical Specifications, or District-approved cross-connection control plans or standards. The installation of an approved backflow prevention assembly at the water service connection to any customer's premises.

1.4.91.4.14 Customer.

The owner of a property, or his/her authorized agent, receiving water service from the District. Customer may include, as appropriate, the tenant of a property directly receiving service as permitted by this Ordinance.

1.4.101.4.15 District.

The North Tahoe Public Utility District, a California public utility district authorized under Public Utilities Code, § 15501 et seq.

1.4.111.4.16 District Board or Board.

Board of Directors of the North Tahoe Public Utility District, an elected body.

1.4.121.4.17 Enforcement Officer.

A District employee designated to enforce this Ordinance.

1.4.18 Equivalent Dwelling Unit.

Commercial, industrial, and multi-family units are assigned varying equivalent dwelling unit (EDU) multipliers depending on the type of business, seat count, fixture count, or

building size. A residential living unit is 1.0 EDU. The non-residential EDUs are determined using the District's Mixed Use Billing Account type Determination form during the plan check process or during a property inspection.

~~1.4.13~~1.4.19 Exempt ADU.

~~An ADU or JADU for which the District is prohibited from requiring a new or separate utility connection, or from imposing a related connection fee or capacity charge, under Government Code section 66311.5 or any successor statute. An ADU where the District is precluded from requiring the installation of a new or separate connection for ADU under Government Code section 65852.2, as it may be amended.~~

~~1.4.14~~1.4.20 Flow Restrictor.

A device that reduces the rate of water flow, provided that flows remain sufficient for residents health and safety purposes.

1.4.21 Mixed Use Commercial.

A customer that has both residential and commercial uses on the property will be categorized mixed use commercial when the number of commercial equivalent dwelling units (EDUs) is greater than the number of residential EDUs, as determined under the then-current rate schedule or District administrative procedures.

1.4.22 Mixed Use Multi-Residential.

A customer that has both residential and commercial uses on the property will be categorized mixed use multi-residential when the number of residential equivalent dwelling units (EDUs) is greater than or equal to the number of commercial EDUs, as determined under the then-current rate schedule or District administrative procedures.

~~1.4.15~~1.4.23 Multi-Family Residential.

Residential uses containing two or more residential units, including apartment buildings, duplexes, townhomes for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes., motels, and hotels.

~~1.4.16~~1.4.24 Parcel.

A lot or other legal unit of real property as recognized by Placer County.

~~1.4.17~~1.4.25 Pollution.

Means the presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such waters for domestic use.

~~1.4.18~~1.4.26 Potable Water.

Any water, which, according to recognized standards, is safe for human consumption.

~~1.4.19~~1.4.27 Pressure Reducing Valve.

A valve device providing regulation of water pressure to limit the pressure for use within a structure.

~~1.4.20~~1.4.28 Pressure Relief Valve.

A valve device providing relief of surges in the system due to excessive pressure within or external to the structure.

~~1.4.21~~1.4.29 Private Service Lateral.

The portion of a customer's water distribution system that is past the water service connection.

~~1.4.22~~1.4.30 Property.

A parcel or group of adjacent parcels owned in common ownership if permitted by the District, as set forth in Section 2.3.1.

~~1.4.23~~1.4.31 Residential.

A single family home or multi-family residential use.

~~1.4.24~~1.4.32 Service Size for Billing Purpose.

Water service size for billing purposes is a single size, even when compound water meters are used. The water service size for billing purposes is determined by correlating the calculated demand for the customer service connection using the [Uniform California Plumbing Code](#) or from standard engineering practice to a standard water meter flow rate capacity. This calculated water service size for billing purposes may vary from the actual meter size installed because certain site conditions necessitate the installation of a larger meter than required by the flow capacity and/or modern turbine flow meters span a very large range of flow rates.

~~1.4.25~~1.4.33 Service Unit.

The ~~base~~basie level of regular water service used for billing or similar purposes.

~~1.4.26~~ Uniform Plumbing Code (UPC).

~~A code published and updated periodically by the International Association of Plumbing and Mechanical Officials as amended by the State of California incorporated into the California Building Standards Code. If further amended by Placer County or other~~

~~applicable land use authority, the UPC shall include these amendments to the extent provided by applicable law.~~

1.4.34 Single Family Residential.

A single family residential unit shall mean a single family dwelling that is designed for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.

~~1.4.27~~1.4.35 Technical Specifications.

The rules and regulations adopted by the General Manager regarding the Water System.

~~1.4.28~~1.4.36 Water Service Connection.

The water service connection point is where the District's system connects to the customer's private system and the District loses jurisdiction and sanitary control over the water. The District's water supply piping extends from the water main to the property line and includes the meter, meter box, meter lid, meter curb-stop, fire detector check, and fire meter and shall be maintained by the District except as otherwise stated. All pipes and fixtures extending or lying beyond the water service connection shall be installed and maintained by the owner of the property. In other cases and subject to Section 5.1, if the water meter is at a location other than the property line or easement boundary, the water service connection shall be where the customer's piping connects to the District's water supply piping at the property line or easement boundary. The District reserves the right to relocate any of its water infrastructure described above to the property line or easement boundary. The customer will continue to own the private system on the customer's property.

~~1.4.29~~1.4.37 Water System.

The system is owned and operated by the District to deliver potable water to customers at the applicable water service connection.

CHAPTER 2

CONDITIONS OF SERVICE

2.1 WATER SYSTEM OPERATION

2.1.1 Transfer of Title to Water.

Title to water furnished by the District shall pass from the District to the customer at the water service connection. As such, full responsibility for the carriage, handling, storage, disposal and use of water and any related damage shall be the customer's sole and complete responsibility from the water service connection through the place of end of use. The District is not responsible for damage to the property if a leak or water damage occurs inside of the structure or at any place after the water service connection.

2.1.2 Interference with the Water System.

No person shall interfere or tamper with any part of the water system, except as permitted in this Ordinance or by the General Manager. No person shall make or permit any unauthorized connection to the water system.

2.1.3 Water Pressure and Supply.

The District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and will furnish such quantities and pressures as are available in the water system. Without limiting the foregoing, the District does not and cannot guarantee that its water system will provide sufficient water quantities or pressure for fire protection purposes. No contract to provide a minimum water quantity or pressure is created by accepting service from the District.

2.1.4 Service Interruption.

The District reserves the right at any and all times to discontinue water delivery for the purpose of maintenance, repairs, and alterations to its water system. Wherever possible, advance notice of interruption of service will be given to all water users affected. In addition, the District may experience unintentional or unexpected loss of water delivery. Any loss or damage suffered as a result of any service interruption shall be the customer's sole responsibility.

2.2 CUSTOMER'S PRIVATE SYSTEM

2.2.1 Service Lateral Maintenance.

The customer shall maintain the private service lateral as necessary to receive service at the water service connection. This obligation shall include the installation and maintenance of a pressure relief valve or pressure reducing valve as required by the Technical Specifications.

2.2.2 Shutoff Valve.

The customer shall install, maintain, and use a customer's shutoff valve to turn water on and off for their convenience. Such valve shall be located downstream of the water service connection. If the District needs to turn off water to the customer's property, it may, but is not required to, do so at the shutoff valve.

2.2.3 Access to Facilities.

By applying for and/or receiving water service from the District, each customer irrevocably licenses the District and its authorized employees, contractors, and agents to enter upon the consumer's property at reasonable times for the purpose of reading, inspecting, testing, checking, repairing, maintaining or replacing the water system.

2.2.4 Use of Water.

Except with the prior written authorization of the District, no customer shall use, or permit the use of, any water furnished by the District on any property other than the customer's property, nor shall any customer resell or donate any water furnished by the District.

2.3 ADMINISTRATIVE PROVISIONS

2.3.1 Service Unit.

All service to structures (including but not limited to ADUs) or other uses on the same parcel or contiguous parcels in the same ownership shall be a single service unit and shall have a single water service connection unless the District determines that a separate water service connection is necessary or advisable. The determination of what constitutes the same ownership, contiguous parcels, and a service unit shall rest solely with the District. Multiple structures on the same parcel being served with different points of connection shall constitute separate service units. In addition, and upon written request by the property owner and approval by the District, a property owner may have more than one service unit on the same parcel or contiguous parcels of property. Notwithstanding the foregoing, in no event shall a separate meter or water service connection be required for an Exempt ADU or JADU, except as allowed by law.

2.3.2 Service Calls.

Subject to the provisions of this Ordinance, customers may request a service call from the District. If the issue is or may potentially be the District's responsibility, the District will respond to provide assistance or determine responsibility for the issue.

~~2.3.3 Change of Accounts.~~

~~In the event the name of an account is changed, or transferred, or there is a request to read the meter, there shall be a fee charged to the account as shown in the District's rate schedule.~~

CHAPTER 3

NEW OR MODIFIED SERVICES

3.1 DISTRICT APPROVAL OF CONNECTIONS

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb the water system without first obtaining a water connection permit from the District and paying all applicable fees.

3.2 NEW SERVICE

3.2.1 General Requirements.

New services will be connected subject to the following conditions:

(a) The property to be served is within the water service area of the District.

(b) A District water main of adequate capacity and pressure, as solely determined by the District, exists in a publicly traveled right of way, or District easement abutting a principal boundary of the land to be served; or adequate mains, pumps, and storage facilities, as solely determined by the District, are constructed in accordance with the Technical Specifications.

(c) The customer shall apply for service. Applications for new service shall be in writing on forms provided by the District and signed by the customer or authorized agent. Applications shall be supported by such data as the District may require, such as a map or legal description of the property to be served, the date service is to begin and the names and billing address of the recorded owners responsible for payment. If the person making the application is not the owner of the property, permission to bill this person must be provided to the District on a form provided by the District. Applications are valid for one-year from the date of submittal.

(d) The customer shall obtain a water connection permit from the District and construct all necessary facilities as identified on the permit in accordance with the Technical Specifications or other applicable law.

(e) The customer shall not have any outstanding amounts owed against the property to be served, on any District water or sewer account, subject to applicable law. ~~to the District on any water or sewer account.~~

(f) Connection fees shall be collected at the time of issuing the permit for a water connection. Connection fees shall be charged at the rate in effect on the day of application for service from the District. Applications will be voided if connection fees are not paid within one-year of receipt of the application by the District. Payment of connection fees constitutes acceptance of a new service connection application by the District and billing will commence in accordance with Chapter 6. No connection fees will be refunded after connection. The connection fees collected for such application shall be returned to the Applicant if the connection is not made, upon written request and connection fee refund charge, and a new application and payment of fees will be required before service will be provided. No refund or credit will be provided for previously paid water service charges billed in accordance with Chapter 6.

3.2.2 Water Use Without Approved Application.

A person taking possession of a premises and using water from an active water service connection without having made an application to the District shall be held liable for the water delivered from the date of the last billing. If a proper application for water service and outstanding bills for service are not brought current within fourteen (14) days of notification by the District, the service may be discontinued by the District in accordance with Section 7.2.

3.2.3 Extension of Facilities.

If the District water system must be extended to provide service at the water service extension, the applicant shall comply with this Section.

(a) Necessary Facilities. The extension facilities necessary to serve any parcel shall be determined solely by the District and may include oversizing subject to Subsection (e). These facilities may be designed by the District or a qualified agent of the applicant and shall be installed in accordance with the Technical Specifications and other plans and specifications required by the District. Upon completion, inspection, and acceptance of the facilities by the District, they shall be owned and operated by the District as a part of the District water system. The applicant shall install extension facilities utilizing a competent and experienced contractor, licensed in California, and approved by the District. The District reserves the right to construct, with its own personnel or by contract, all extension facilities including but not limited to storage facilities, pumping plants, taps of existing mains, and extensions involving complicated connections to, or interference with, the District's existing facilities.

(b) Location of Facilities. Extension facilities shall be located only on land owned by the District in fee, or in a public street or highway, or in an easement granted to the District and satisfactory to the District. The applicant will cause to be conveyed or granted to the District, without cost to the District, such lands and/or easements as the District determines to be necessary for the extension facilities. Lands shall be conveyed to the District in simple, free and clear of liens or encumbrances, except for such encumbrances of record that may be acceptable to the District. Easements shall be granted in such form as shall be satisfactory to the District.

(c) Costs and Expenses. The applicant shall be solely responsible for all costs and expenses. The applicant shall deposit cash into escrow or an irrevocable standby Letter of Credit in favor of the District issued by a bank reasonably acceptable to the District with the District in a sum equal to 125% of the estimated total cost of the construction of the extension facilities prior to commencement of final design and construction. If, upon completion of the work, the amount paid to or deposited with the District is less than said actual costs, the difference shall be paid to the District by the applicant prior to the commencement of service. Any amount paid or deposited in excess of said actual cost will be credited toward usage or refunded upon application.

(d) Environmental Documentation. Whenever the District determines that an environmental document is necessary, the District will provide applicant with an estimate of the cost. The applicant will deposit an amount sufficient to cover sixty (60) days' of expenses with the District. The District's actual costs, including overhead expenses and legal and consultant fees, of preparing said report, and conducting hearings as necessary will be invoiced to the applicant monthly and shall be deducted from the deposit. The applicant shall pay such invoices and/or replenish the deposit. If the applicant fails to do so, the District may suspend or cease work and/or take any action necessary to recover the amounts owed. At the conclusion of the process, any remaining deposit amounts shall be returned to the applicant without interest.

(e) Reimbursement. In the event that the District requires the installation of any extension facilities larger than those necessary to serve the parcel or extension facilities that would have been required to serve adjacent or nearby parcels upon their development, the District and applicant may enter into a reimbursement agreement outlining the terms and conditions of reimbursement to the applicant. Reimbursement agreement shall be effective for a maximum of ten (10) years. Any prorated reimbursement amount shall be determined by the District based on years remaining on the agreement and total parcels capable of being served. Upon termination of the ten (10) year period, any pro rata share shall become the property of the District.

3.3 ALTERED SERVICE

Customers shall notify the District and obtain a water connection permit, if necessary, whenever the use changes or new additional structures are built on parcels having existing water service. In such instances, the District may require a new or increased connection fee. A credit shall be provided for previously paid connection fee. No refund or credit shall be provided for situations where altered service results in a lower connection fee. The District may require the private service lateral, meter or other portion of the District water system be modified if necessary, to comply with this Ordinance as a condition of approving any altered service.

CHAPTER 4

SPECIAL SERVICES

4.1 TEMPORARY SERVICE

4.1.1 General Temporary Service.

Service which the District determines will be for less than one year and will not require installation of a permanent connection shall be provided upon payment of the total estimated cost of installing and removing the connection and a security deposit. Service charges and rates shall be in accordance with the billing procedures and rates contained within this Ordinance.

4.1.2 Service Through a Fire Hydrant.

Temporary use of water from a fire hydrant must be authorized by the District, and a hydrant meter must be obtained from the District. A deposit ~~equal to the value of the replacement cost of the hydrant meter~~ will be paid to the District in accordance with the Fee Schedule, Attachment A-3. Upon termination of the temporary service, if the District equipment is returned without damage, the deposit will be refunded less applicable charges. The customer must provide a hydrant wrench necessary to operate such hydrant.

4.2 FIRE SERVICE

The District will provide water service for fire hydrants and other facilities used exclusively for fire protection at such pressure, and at such rates of flow, as may be available from time to time as a result of the operation of the water system. The District does not warrant or guarantee any pressure or range of pressures, or any flow or rate of flow. The District shall not be liable for any damage in any manner arising out of the non-availability of water, or water pressure, at any hydrant or facility used for fire protection purposes. All fire service systems shall be designed and installed in accordance with the Technical Specifications.

CHAPTER 5

METERS

5.1 METERED SERVICE

All services from the District water system shall be metered. Generally, each service unit shall be separately metered. Due to existing piping arrangements, this may not be possible. The District may elect to meter a group of customers, or parcels at the sole discretion of the District. For multi-family residential uses, the number of meters shall be at the discretion of the District. All new~~ly~~ constructed multi-family residential uses shall be individually metered by dwelling unit or master metered as determined by the District.

5.1.1 Location.

Meters will be located immediately adjacent to or within the customer's parcel within adjacent to the right of way. Exceptions to this requirement may be specifically authorized under such circumstances as the District may consider appropriate.

5.1.2 Change in Location of Meters.

Meters moved for the convenience of the customer or to ensure compliance with this Ordinance or other applicable law or regulation will be relocated at the customer's expense. Meters moved for other reasons shall be moved at the District's expense.

5.1.3 Sealing.

All meters will be sealed by the District at the time of installation, and no seal shall be altered or broken except by employees or authorized agents of the District.

5.1.4 Size of Meters and Customer Service Line.

Meter size and customer service line size shall be determined by the District in its sole discretion. The District provides a minimum standard of a ¾-inch customer service line and ¾-inch water meter to all water customers.

5.1.5 Re-evaluation of Meter Size and Customer Service Line

(a) Requested by Customer. A customer may request a change in the customer service line and meter size based on changed conditions or code compliance upgrades at the place of service or when historical usage indicates a change is warranted. The customer shall be responsible for any costs incurred in making the change including meter installation fees and connection fees. Adjusted water service charges will begin on the first day of the billing period following the completion of the work.

~~(b) Required by District. The District may require a change in meter size when the historical usage indicates the meter is operating above or below the meter's rated design capacity. The customer shall be given written notice in advance of the change. The customer shall be responsible for any costs incurred in making the change. The District may require a change in the customer service line, meter, or service size for billing purposes when, based on historical usage, meter performance, inspection, verified fixture count, California Plumbing Code fixture-unit calculations, standard engineering practice, or other relevant information, the District determines that the existing meter or customer service line is not appropriately sized or is operating above or below its rated design capacity. The customer shall be given written notice in advance of~~

any required change. If the change is required solely as a result of the District's reevaluation of existing service conditions and not because of an unpermitted customer change, the District will perform the meter size change at its expense and will not charge connection fees or meter installation fees for the meter size increase. The customer shall remain responsible for costs associated with the customer's private system, including any required change to the customer service line or onsite plumbing. Adjusted water service charges will begin on the first day of the billing period following completion of the work. This subsection does not limit the District's authority under Section 3.3 to require permits, connection fees, meter installation fees, or other charges for altered service, added fixture units, increased use, or work performed without required District approval.

5.2 METER READING AND METER ACCURACY

5.2.1 Frequency of Meter Reading.

Meters will be read, as practical, on a monthly basis. Additional readings will be made on commencement and termination of service, and as required by special circumstances. The fact that a meter is not read shall not preclude computation of a bill. The District may change the frequency of meter reading if a new frequency is determined to be more cost effective.

5.2.2 Meters That Cannot Be Read Due To An Obstruction.

Where a meter cannot be read because of an obstruction, the customer will be notified and shall be required to remove the obstruction. If an obstruction is not removed within thirty (30) days of notification, service may be ~~terminated~~discontinued in accordance with Chapter 7.

5.2.3 Testing Meters.

The District will test the accuracy of its meters upon the request of a customer and charged the fee per Attachment A-3. The customer may witness the test. If a meter is found to be working improperly, it will be repaired or replaced by the District and any testing fees refunded or waived.

(a) Adjustment for Meter Errors - Fast Meters. If a meter tested at the request of a customer is found to be more than two percent (2%) over registration~~fast~~, the excess charges for the time service was rendered to the customer requesting the test, or for a period of six months, whichever shall be the lesser, shall be refunded to the customer. The cost of the test shall also be waived or refunded.

(b) Adjustment for Meter Errors - Slow Meters. If a meter tested at the request of a customer is found to be more than ten (10%) percent slow in the case of Residential services, ~~or~~ more than five (5%) percent under registrations~~slow for other than Residential services~~, the District may bill the customer for the amount of the undercharge based on corrected meter readings

for the time service was rendered to the customer requesting the test, or for a period of six months, whichever shall be the lesser for the period, not exceeding six months, that the meter was in use.

(c) Non-Registering Meters. If a meter is found not to be registering, the charges for service shall be based on the estimated consumption. Such estimates shall be made from previous consumption for a comparable period or by such other method as is determined by the District.

5.2.4 Excess Water Use.

Where water meters are installed and available to be read, readings shall be analyzed to determine excess water usage within seven (7) calendar days of the meter reading date. If the usage is in the abnormal range as determined by the District, the customer shall be notified, and the service turned off if the residence or business on the property is vacant. If contact of property owners or emergency shutoff of service has not been completed within this period, the property owner shall be responsible for all water used during the seven (7) day period, and only for the historical use thereafter, until the date of contact with the property owner or shutoff of service. When the property owner is contacted, all usage charges shall apply after the date of contact. This subsection, and any reductions in billing, shall not apply in situations where meters cannot be read due to adverse conditions or where meters are prevented from being read by conditions beyond the control of the District. The customer remains responsible for monitoring water use and repairing leaks or abnormal use on the customer side of the water service connection. The District's failure to identify, notify, or turn off service for abnormal use shall not relieve the customer of responsibility for water delivered through the meter, except as expressly provided in Section 5.2.5 or required by law.

5.2.5 Uncontrollable Loss of Water.

(a) Where a customer, through no fault of their own, has incurred excessively high water bills during one event or meter read cycle, relief may be granted by the District even though the water has passed through the water service connection. Relief is intended for situations where lines have frozen and broken, and the detection and correction of such a break could not have reasonably been accomplished in time to avoid the excessively high-water usage. Single family residential customers who have had uncontrollable loss of water greater than 41,000 ~~100,000~~ gallons in one event or meter read cycle may request relief under this subsection. Multi-residential and commercial customer may request relief under this section that have an uncontrollable loss greater than the corresponding Tier 3 threshold for their billing meter size.

(b) Request for relief must be in writing to the District. The General Manager will, to the greatest extent possible, confirm that the high overage was a result of an undetectable condition and was not a direct result of negligence or inattention of the property owner. The General Manager may decide to provide relief for some or all of the overage, above ~~detailed~~ consistent with the then-current rate schedule and applicable law. ~~in the criteria above~~ 100,000 gallons. This decision may be appealed to the Board. Relief under this Section is discretionary and does not create a right to a billing adjustment. The District may deny relief where

the customer cannot provide documentation satisfactory to the District or where granting relief would be inconsistent with this Ordinance, the District's rate schedule, or applicable law.

CHAPTER 6

BILLING

6.1 GENERAL

6.1.1 Water Service Charges.

The District shall charge customers for water service at the rates set forth in Attachment A-1 of this Ordinance. Such fees and charges shall be adopted by ordinance or resolution. Any new or modified fees or charges shall be incorporated by reference into this Ordinance and Attachment A-1 by reference upon their effectiveness.

Any water service overcharges or undercharges discovered shall be refunded or billed to the customer for a period of six months or as long as the customer has owned the property, whichever shall be the lesser.

6.1.2 Connection Fees.

The District shall charge applicants for connecting to the water system at the fees set forth in Attachment A-2 of this Ordinance. Such fees shall be adopted by ordinance or resolution. Any new or modified fees shall be incorporated by reference into this Ordinance and Attachment A-2 by reference upon their effectiveness.

Notwithstanding any other provision of this Ordinance, the District shall apply connection fees, capacity charges, meter installation fees, and monthly service charges for accessory dwelling units and junior accessory dwelling units in accordance with Government Code section 66311.5, Government Code section 66013, and any successor statutes. An accessory dwelling unit or junior accessory dwelling unit shall not be considered a new residential use for purposes of calculating connection fees or capacity charges for water service unless the unit is constructed with a new single-family dwelling. For any accessory dwelling unit or junior accessory dwelling unit described in Government Code section 66323(a)(1), the District shall not require a new or separate utility connection directly between the unit and the Water System or impose a related connection fee or capacity charge, except as authorized by Government Code section 66311.5. For any accessory dwelling unit for which a new or separate utility connection may lawfully be required, any connection fee or capacity charge shall be proportionate to the burden of the proposed accessory dwelling unit on the Water System, based on square footage or drainage fixture units, and shall not exceed the reasonable cost of providing service.

6.1.3 Other Fees and Charges.

Subject to any provisions set forth in this Ordinance or applicable law, the District shall charge applicants, customers, or other persons for other services at the rates set forth in

Attachment A-3 of this Ordinance. Such fees or charges shall be adopted by ordinance or resolution. Any new or modified fees or charges shall be incorporated by reference into this Ordinance and Attachment A-3 by reference upon their effectiveness.

6.2 BILLING FOR WATER SERVICE CHARGES

6.2.1 Bills.

~~Those portions of the bill attributable to base charges or consumption~~ Water service charges shall begin on the first day of the billing period following the installation of the water meter as required under Section 5.1. ~~Those portions of the bill attributable to water system replacement or capital improvements, if any, shall begin on the first day of the billing period following the payment of the connection fee and receipt of a water connection permit as required under Section 3.1.~~ ~~Basic~~ Unless the rate schedule provides otherwise, ~~Bbase~~ water service is billed in arrears. Bills will be mailed or sent electronically at the beginning of each billing period to the address furnished to the District. The customer shall be responsible ~~to keep for keeping~~ the District advised of the address to which bills are to be mailed. Non-receipt of a bill shall not relieve a customer of any payment obligation to the District.

6.2.2 Payment.

Bills shall be due and payable upon presentation. Payment shall be made to the District office. Bills shall become past due in thirty (30) days, and delinquent in sixty (60) days from the billing date and may become a lien on the property (60) days after the billing date.

6.2.3 Delinquent Bills.

In the event of delinquency in the payment of any rates, or charges, or installation charges thereof, or interest thereon, penalty and interests shall be imposed as set forth in ~~set forth in~~ Attachment A-3 of this Ordinance.

6.2.4 Responsibility for Payment

(a) Unless otherwise provided by law, all charges for water service shall be billed to the owner of the property making application for service. Upon written request of the owner, and approval by the District, charges for water service shall be billed to the person occupying the property provided, however, that in the event of delinquency, such charges shall be billed to the property owner and remain with the property. In such case, the owner shall be deemed the person receiving service under Public Utilities Code section 16472.1 and should charges remain delinquent, the District shall place a lien on the property.

(b) Should the property be sold, and a delinquent bill exists on said property, the District will transfer those charges to any other open account under the name of the previous owner afforded such service. Should the property be sold, and no other account is available to accommodate the transfer, the District may utilize whichever collection methods it wishes to recover the fees from the prior owner.

(c) Charges for sewer collection and water service provided by the District shall be billed upon the same bill and collected as one item.

CHAPTER 7

DISCONTINUANCE, DISCONNECTION, TERMINATION, AND ABANDONMENT OF SERVICE

7.1 DISCONTINUANCE OF SERVICE FOR NON-PAYMENT

7.1.1 Residential Customers.

The District shall not discontinue service to residential customers for non-payment of bills. Rather, when a bill is delinquent, the District may install a flow restrictor to such water service connection. The District shall provide fourteen (14) days' written notice to the customer prior to doing so.

7.1.2 Non-Residential Customers.

Service to non-residential customers may be discontinued for non-payment as provided in this section. However, service shall not be terminated during the pendency of any investigation into a customer dispute or complaint or when the customer has been granted an extension of time to pay the applicable bill.

The following steps will be followed where an active service must be discontinued:

(a) Customer and/or owner of property will be noticed at least ten (10) days before the time and date for discontinuance. This ten-day period shall commence five (5) days after District mails customers and/or owner notice via mail. The notice shall in a form approved by the General Manager and District Counsel.

(b) A notice will be placed on the property at least 48 hours prior to discontinuance.

As an alternative to discontinuance of service to non-residential customers, the District may install a flow restrictor under the procedures set forth in Section 7.1.1.

7.2 DISCONTINUANCE OF SERVICE FOR OTHER REASONS

7.2.1 Grounds for Discontinuance.

In addition to ~~discontinuance for non-payment~~ the provisions set forth in Section 7.1, the District reserves the right to discontinue water service or disconnect any water service connection for any of the following reasons:

(a) The customer fails to comply with this Ordinance or any of the District's rules, regulations or policies.

- (b) The service is being furnished without a proper application or under a false or fraudulent application.
- (c) The customer unlawfully tampered or interfered with the District's facilities.
- (d) The District or a State or County public health officer finds that there exists a condition hazardous to the health and safety of the customer or any water user of the District.
- (e) The customer fails, after notice from the District, to remove an obstruction that prevents the reading of the meter.
- (f) The customer fails to maintain the facilities in a suitable condition that allows for reading of the meter.
- (g) The customer does not meet the requirements of the District's water conservation provisions in this Ordinance.

7.2.2 Procedures for Discontinuance.

Unless otherwise provided in this Ordinance, the District shall provide written notice of planned discontinuance or disconnection at least five (5) days in advance. In addition, the Placer County Health Department shall be advised of pending water shutoff. Notice shall not be required if a health and safety emergency necessitates immediate termination. In such event, the District shall provide whatever notice is practicable.

7.3 REQUEST TO TURN OFF OR TURN ON CUSTOMER'S SERVICES

In the event of an emergency, as determined by the District, the District will, upon request, turn off or turn on the customer's service. A temporary turn off shall not exempt the customer from paying any applicable minimum monthly charge for water service.

7.4 TERMINATION/RECONNECTION OF SERVICES

~~Except as provided in Section 7.5, w~~Water service to an existing developed property may not be terminated. If all uses on the property requiring water service have permanently ceased, the owner may request termination of service. If all use requiring water at the property ceases, then a service may be terminated. The District may approve termination only after the District determines that termination and physical disconnection will not create a public health, safety, environmental, operational, or regulatory concern and the owner provides evidence of any required demolition, building, TRPA, Placer County, or other approvals. Termination of service shall include the removal of the water meter and capping of the private service lateral at the water main. Charges for service will cease effective the first day of the billing period following system disconnection. Any request to reconnect to the water system shall be processed as a new application for service. To obtain water service for the same parcel in the future will require applying for a new water service and payment of all then current fees and charges, and there is no credit for any fees or deposits paid for the water service being abandoned.

7.5 OWNER REQUEST FOR TEMPORARY DISCONNECTION OF SERVICES

~~There is no temporary disconnection of services starting on September 10, 2026. The only way to avoid monthly system charges is to terminate the service in accordance with Section 7.4. Owners may request a temporary disconnection and reconnection of water service where service will be discontinued for at least ninety (90) days. In such cases, the District may require that the structure be physically disconnected from the water service at the water meter box. Those portions of the bill attributable to base charges or consumption shall cease during the temporary disconnection period, effective the first day of the billing period following temporary disconnection. Those portions of the bill attributable to water system replacement or capital improvements, if any, shall continue to be charged during the temporary disconnection period. Any request to reconnect to the water system shall be processed as a reconnection and not a new application for service.~~

CHAPTER 8

WATER CONSERVATION

8.1 WATER CONSERVATION AND USE REQUIREMENTS

Customers shall not use water in a manner that is wasteful and without a reasonable purpose. These requirements in this Chapter are to ensure the most efficient use of the water resources available to the District, and to enable the water system to be operated in the most cost-effective manner for the benefit of all the District customers.

8.1.1 Permanent Prohibition on Potable Water Irrigation of Nonfunctional Turf.

(a) For purposes of this Section, the terms "common area," "common interest development," "community service organization or similar entity," "community space," "functional turf," "homeowners' association," "nonfunctional turf," and "recreational use area" shall have the meanings set forth in Water Code section 10608.12, as amended. This Section shall be interpreted consistent with Water Code section 10608.14, as amended.

(b) Potable Water shall not be used to irrigate nonfunctional turf on properties served by the District as follows:

(1) All properties owned by the Department of General Services, beginning January 1, 2027.

(2) All properties owned by local governments, local or regional public agencies, and public water systems, except those specified in paragraph (5), beginning January 1, 2027.

(3) All other institutional properties and all commercial and industrial properties, beginning January 1, 2028.

(4) All common areas of properties of homeowners' associations, common interest developments, and community service organizations or similar entities, beginning January 1, 2029.

(5) All properties owned by local governments, local public agencies, and public water systems in a disadvantaged community, beginning January 1, 2031, or the date upon which a state funding source is made available to fund conversion of nonfunctional turf on those properties to climate-appropriate landscapes, whichever is later.

(c) Notwithstanding paragraph (b), the use of Potable Water is not prohibited by this Section to the extent necessary to ensure the health of trees and other perennial nonturf plantings, or to address an immediate health and safety need.

(d) Any postponement or revision adopted by the State Water Resources Control Board pursuant to Water Code section 10608.14(c), as amended, shall apply to this Section.

(e) This Section is a permanent water use restriction and applies irrespective of whether a Water Conservation Action Stage has been declared under Section 8.2.

(f) A violation of this Section constitutes non-compliance with this Ordinance and may be enforced pursuant to Chapters 7 and 11 and Attachment A-3, as each may be amended.

(g) The District shall communicate the requirements of this Section to its customers on or before January 1, 2027, and thereafter as reasonably necessary.

8.2 WATER CONSERVATION ACTION STAGES

Stages of water conservation measures, use requirements, and restrictions are set forth in this Section. Increasing stages correspond with increasing levels of required water conservation, use, and restrictions as formally declared by the Board at a publicly noticed meeting.

The District shall operate in Water Conservation Stage 1 under normal conditions. The Board may declare other levels when conditions warrant.

Each increasing stage level also includes all conservation measures, use requirements, and restrictions of all previously declared lower level stages.

Customers shall meet the most current conservation stage declared by the District, or other government agencies, whichever is more restrictive.

8.2.1 Stage 1: 10% Reduction Goal.

(a) The customer shall maintain the private service lateral, from the water service connection, in good repair.

(b) Any leak or abnormal use in plumbing and/or irrigation systems, including running toilets, or any leak in any receptacle used to store water for any purpose, shall be repaired when found; in any case, the leak shall be repaired within ten (10) days of District notice to repair.

(c) Irrigation resulting in application of, or runoff onto, sidewalks, walkways, roadways, parking lots, structures, any non-irrigated area, or adjacent properties is prohibited.

(d) Any use of water which results in flooding or runoff into gutters, streets or onto adjacent property is prohibited.

(e) Automatic shutoff valves or nozzles shall be used whenever a hose is used for cleaning or clearing of vehicles, walkways, patios, tennis courts, decks, driveways, parking areas, or other improved areas, whether paved or unpaved.

(f) Automatic shutoff valves or nozzles shall be used whenever water is used in connection with construction activity.

(g) Decorative water features which do not recirculate water are prohibited.

(h) Written authorization from the District shall be obtained prior to use of any fire hydrant for any purpose other than fire suppression or emergency aid.

(i) Water pressure shall not exceed 60 psi within any structure.

(j) Irrigation systems shall be winterized and discontinued from operation by November 1st each year.

(k) Any new irrigation system installed shall be equipped with rain sensing device halting irrigation during and within 48 hours after measurable precipitation.

(l) New non-turf landscaping, including bedding plants and trees, shall be on drip, micro sprinkler, or micro sprayer irrigation systems. Overhead watering is only allowed for turf areas.

(m) Landscaping may not be irrigated: (1) between the hours of 9:00 AM and 6:00 PM, (2) during, or within 48-hours after, measurable precipitation, and/or (3) when the air temperature is less than 40 degrees Fahrenheit.

8.2.2 Stage 2: 20% Reduction Goal.

(a) Water consumption by each customer, as measured by the District's meter, shall be reduced by twenty percent (20%).

(b) No irrigation shall occur on Saturday.

(c) Properties with even number street address may only irrigate on Monday, Wednesday, and Friday.

(d) Properties with odd number street address may only irrigate on Tuesday, Thursday, and Sunday.

(e) Irrigation of non-turf areas which exclusively utilizes drip systems, including micro sprinklers and micro sprayers, or a hose with an automatic shutoff nozzle, shall be exempt from designated irrigation days.

(f) Water shall not be applied to hard surfaces for any reason, except as required for pavement resurfacing or sealing, or health and safety reasons.

(g) Filling or refilling of swimming pools.

(h) Water consumption and allowed uses shall be reduced as specifically prescribed for individual customers based on historic consumption, type of use, time of use, or any other relevant factors.

(i) All visitor accommodations businesses shall wash guest linens only upon request and/or after checking out. A placard or notice stating such shall be displayed in each guest room.

(j) All public entities shall display informational material, placards, and/or decals, provided by the District, in places visible to all customers.

(k) The owner and/or manager of each hotel, motel, restaurant, convention center, and other visitor-serving facility shall display informational water conservation materials, placards, and/or decals, provided by the District, in places visible to all customers.

8.2.3 Stage 3: 30% Reduction Goal.

(a) Water consumption by each customer, as measured by the District's meter, shall be reduced by thirty percent (30%).

(b) No irrigation shall occur on Saturday, Sunday, or Wednesday.

(c) Properties with even number street address may only irrigate on Monday and Thursday.

(d) Properties with odd number street address may only irrigate on Tuesday and Friday.

(e) Irrigation of non-turf areas which exclusively utilizes drip systems, including micro sprinklers and micro sprayers will be allowed only Monday through Friday and shall be prohibited on Saturdays and Sundays.

(f) All food service and drinking establishments shall serve drinking water only upon request and shall provide a placard at each table, and/or language on their menu, stating such.

(g) Other specific water reduction mandate, and/or use restrictions, as defined and designated by the Board when Stage 3 action is declared.

8.2.4 Stage 4: 40% Reduction Goal.

(a) Water consumption by each customer, as measured by the District's meter, shall be reduced by forty percent (40%).

(b) The use of water for other than domestic and commercial non-irrigation use is prohibited.

(c) Irrigation of landscaping of any type is prohibited, except that irrigation of public facilities may be permitted pursuant to review, conditioning, and approval by the District.

(d) The application of water to hard surfaces is prohibited.

(e) Use of decorative water features is prohibited.

8.2.5 Stage 5: 50% Reduction Goal.

(a) Water consumption by each customer, as measured by the District's meter, shall be reduced by 50%.

8.2.6 Stage 6: Greater than 50% Reduction Goal.

The District may implement mandatory water rationing using rolling outages, or other methods, should the situation require. Affected customers will be notified via public outreach, local media, written notice posted at the property, mail, and/or personal contact.

CHAPTER 9

CONTROL OF BACKFLOW AND CROSS CONNECTIONS

9.1 GENERAL

No water service connection to any premises shall be installed or maintained by the District unless the public water supply is protected in accordance with the State Water Resources Control Board Cross-Connection Control Policy Handbook (CCCCPH), the California Plumbing Code, this Ordinance, the Technical Specifications, any District Cross-Connection Control Plan, and other applicable law, as each may be amended.~~as required by State regulations and the requirements of this Ordinance.~~

9.2 DISTRICT RESPONSIBILITY

The District shall administer a cross-connection control program to protect the water system from contamination or pollution. The General Manager may adopt, maintain, and update a CCCCCPH compliant Cross-Connection Control Plan, technical standards, forms, procedures, and customer notices. The District may survey premises, perform or require hazard assessments, determine the degree of hazard, determine the type and location of required protection, require corrective action, and coordinate with the State Water Board, the local primacy agency, Placer County, fire authorities, and other agencies.

The District shall be responsible for the protection of the water system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection to the extent required by law. If, in the judgment of the District, an approved backflow prevention assembly is required on the customer's water service connection for the safety of the water

system, the District shall give notice in writing to the customer to install an approved backflow prevention assembly. District shall not be responsible for any loss or damage directly or indirectly resulting from or caused by the proper, improper, or negligent installation, operation, use, repair or maintenance of, or interfering with, any protective device by any customer or any other person.

9.3 CUSTOMER RESPONSIBILITY

It shall be the responsibility of each customer at their own expense to furnish, install, field test, replace, and keep in good working order and safe condition, any and all backflow prevention assembly, air gap, or other backflow protection required by the District.~~protective devices.~~ Once notified of the need to install a backflow prevention assembly, the customer shall immediately install such approved assembly at the customer's own expense; and failure, refusal or inability on the part of the customer to install, have tested and maintain the assembly shall constitute a ground for discontinuing water service to the premises until the requirements have been satisfactorily met.

No customer shall install, maintain, modify, remove, bypass, or operate any piping, fixture, equipment, auxiliary water supply, irrigation system, fire protection system, or other condition in a manner that creates an unprotected cross-connection or backflow hazard.

Customer to maintain an adequate heat source to backflow prevention assembly housing in order to prevent cold weather from affecting the operation of the assembly.

9.4 TESTING AND MAINTENANCE

Backflow prevention assemblies shall be approved for the intended use and installed at the location and in the manner required by the District and applicable law. Each backflow prevention assembly required by the District shall be tested after installation and then thereafter annually to assure proper operation. In instances where a hazard is deemed great enough, the District may require additional testing ~~may be required~~ at more frequent intervals. The customer shall bear all costs of device testing. The cost of any maintenance required as a result of inspections or testing is the responsibility of the customer. Maintenance work shall be performed by the owner or the owner's representative. Records of inspections, testing or repairs shall be kept by the District and made available to the California Department of Health Services.

The District will notify the customer when tests are required and supply the necessary test forms and instructions. These approved test forms will be completed by the certified backflow prevention tester and returned to the District by the date indicated. All required field testing and inspections shall be performed by persons certified or otherwise qualified as required by the State Water Board's Cross-Connection Control Policy Handbook and the District's Cross-Connection Control Program or Plan.~~Testers shall be certified by the American Water Works Association, California-Nevada Section.~~ Test procedures shall be those recommended by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California.

9.5 NON-COMPLIANCE

If, following an inspection and/or testing, a required backflow prevention assembly ~~a device~~ is found to be in non-compliance, the customer shall be notified and given fourteen (14) days to correct the deficiency after which time the inspection will be repeated.

The District shall cause discontinuance of water service if a backflow prevention device has failed to be tested properly or properly maintained or installed as required by the District.

CHAPTER 10

PRIVATE SERVICE LATERAL RELOCATIONS

10.1 GENERAL

The purpose of this Chapter is to establish regulations relative to the relocation of private service laterals to connect to relocated District water service mains.

10.2 RELOCATION OF PRIVATE SERVICE LATERAL

When the District relocates water service mains with the intention of disconnecting service through the original existing service mains it shall be the responsibility of the owners of all properties which have service provided through the original existing service mains to relocate their private service laterals to accept service through the relocated service mains at their sole expense and pursuant to the relocation schedule established by the District pursuant to the provisions of this Chapter. The District shall install appropriate meters at the property line at no cost to the property owner.

10.3 NOTICE AND HEARING REGARDING RELOCATION SCHEDULE

The relocation schedule to establish the timing of installation of relocated service mains, the timing of construction of relocated private service laterals and the timing of disconnection of service through original existing service mains shall be set by the Board at a public hearing. All affected property owners shall be notified by personally mailed notice to the property owners' address in the District files at least fifteen (15) days prior to the date of the public hearing.

At the public hearing, the Board shall establish a relocation period giving the affected property owners at least two building seasons (May 1 through October 15), but ending on September 1 of the last season, to construct and have inspected new private service laterals between the use served and their property line served by the relocated service main. The relocation period shall include the season during which the relocated service main is constructed.

10.4 CONTINUING NOTICE DURING RELOCATION PERIOD

Between May 1 and May 15 of each building season during the relocation period the District shall review the status of construction of new private service laterals and shall give further notice of the relocation schedule to all property owners who have not at that time constructed and had inspected new private service laterals between the use served and their property line served by the relocated service main. Notice shall be given by personal mail to the property owners' address in the District files.

10.5 DISCONTINUANCE OF SERVICE FOR FAILURE TO RELOCATE PRIVATELY OWNED SERVICE LATERAL

At the end of the relocation period, all services that have not had relocated private service laterals constructed and inspected between the use served and their property line served by the relocated service main shall be subject to disconnection. Disconnection shall be made only after ninety (90) days prior notice given in the same manner as disconnection to non-residential customers for failure to pay District service charges. In the event of disconnection, reconnection shall be made only after the construction and inspection of a new private service lateral between the use served and the property line served by the relocated service main and payment of any applicable reconnection charges, including service charges for the period during which service was disconnected. In the event that reconnection is not made within a period of one year following disconnection, service charges shall cease and reconnection shall require payment of the full connection charge applicable to connection of a new use.

10.6 APPEAL BASED UPON SPECIAL CIRCUMSTANCE

Any property owner may petition the Board for an extension of the relocation period based upon special circumstances, provided that such petition shall be made at least ninety (90) days prior to the end of the relocation period. The Board may grant such an extension and may condition such an extension upon payment of the District's estimated cost of maintaining the service main which was to be abandoned during the extension period.

CHAPTER 11

VIOLATIONS

11.1 GENERAL

11.1.1 In the event of a violation of any applicable laws of the State of California, this Ordinance, or any other District rules and regulations, the General Manager or designee shall notify the person or persons causing, allowing or committing such violation, in writing, specifying the violation, or upon the failure of such person to cease or prevent further violation, within a reasonable time depending on the severity of the violation after service of notice in the same manner as administrative citations.

11.1.2 The General Manager shall exercise his/her authority to disconnect the property from the public water system. However, in the event such violation results in a public health or safety hazard, the District may enter upon the property and perform such work, and expend such sums, as may be deemed necessary to abate such nuisance, and the reasonable value of the work done and the amounts so expended thereon shall be a charge to the property in violation. Charges shall include any legal fees incurred by the District. The District shall obtain an abatement warrant as necessary prior to doing so.

11.2 CHARGES FOR NON-COMPLIANCE

In addition to the other remedies set forth in this Chapter, the District may impose a non-

compliance charge to reimburse the District for costs related to investigating, abating, and correcting non-compliance with this Ordinance. The charge shall be as set forth in Attachment A-3, as it may be amended by ordinance or resolution.

11.3 ADMINISTRATIVE CITATIONS

11.3.1 Authority.

(a) Any person violating any provision of this Ordinance may be issued an administrative citation by an enforcement officer as provided in this Section. Customers shall be responsible for all violations at their property.

(b) A civil fine shall be assessed by means of an administrative citation issued by the General Manager or designee. Fines shall be assessed in the amounts specified by resolution of the Board or where no amount is specified, those amounts set forth in Government Code section 53069.4, Public Utilities Code section 16472.5, or other applicable law. ~~Government Code section 36900.~~

11.3.2 Service.

Administrative citations may be served personally or by mail. Service by mail shall be sent to the responsible person's address as shown on public records or as known to the District. If the administrative citation is sent by certified mail and returned unsigned, then service shall be deemed effective by first class mail, provided the administrative citation sent by the first class mail is not returned.

11.3.3 Contents of Notice.

Each administrative citation shall contain the following information:

- (a) Date, approximate time and address or definite description of the location where the violation(s) was observed;
- (b) The Ordinance section(s) or condition(s) violated and a description of the violation(s);
- (c) A description of the action required to correct the violation(s);
- (d) An order to the responsible person to correct the violation(s) by a correction date and an explanation of the consequences of failure to correct the violation(s);
- (e) The amount of the fine for the violation(s);
- (f) An explanation of how the fine shall be paid, the deadline by which it shall be paid, and the place to which the fine shall be paid;
- (g) An order prohibiting the continuation or repeated occurrence of the Ordinance violation(s) described in the administrative citation;

(h) Identification of rights of appeal, including the time within which the administrative citation may be contested and the place to obtain a notice of appeal and request for hearing form to contest the administrative citation; and

(i) The name and signature of the enforcement officer and, if possible, the signature of the responsible person.

11.3.4 Satisfaction of Administrative Citation.

Upon receipt of an administrative citation, the responsible person shall do the following:

(a) Remedy the violation(s) if the violation(s) is of such a nature that it can be remedied. If a nonemergency health or safety violation(s) is corrected before the correction date provided on the administrative citation, no fine shall be imposed;

(b) Pay the fine to the District within fifteen (15) calendar days from the correction date on the administrative citation. Payment of a fine shall not excuse or discharge the failure to correct the violation(s) nor shall it bar further enforcement action by the District.

11.3.5 Appeal of Administrative Citation.

(a) Any recipient of an administrative citation may appeal an administrative citation under the procedures set forth in this Section. In addition, requests for an appeal of an administrative citation shall be submitted with an advance deposit of the fine or an advance deposit hardship waiver request.

(b) Appeals shall be heard by a hearing officer determined by the Board. The hearing officer shall establish rules for the conduct of such appeals but formal rules of evidence shall not apply. Hearings shall occur within sixty days of a valid appeal request unless otherwise agreed to by the District and appellant.

(c) The hearing officer's decision shall be in writing.

(i) If the hearing officer determines that the administrative citation should be upheld, then the District shall retain the fine amount on deposit with the District.

(ii) If the hearing officer determines that the administrative citation should be upheld, and the fine has not been deposited pursuant to an advance deposit hardship waiver, the hearing officer shall set a fine payment schedule for the payment of the fine.

(iii) If the hearing officer determines that the administrative citation should be canceled and the fine was deposited with the District, then the District shall promptly refund the amount of the deposited fine.

11.3.6 Advance Deposit Hardship Waiver.

Any person who intends to request a hearing to contest an administrative citation and who is financially unable to make the advance deposit of the fine may file a request for an advance deposit hardship waiver.

(a) The request shall be filed with the Finance Department within five (5) days of the date of the issuance of the administrative citation.

(b) The requirement of depositing the full amount of the fine as described in Section 11.3.4 shall be stayed unless or until the Chief Financial Officer makes a determination not to issue the advance deposit hardship waiver.

(c) The Chief Financial Officer may waive the requirement for advance deposit only if the cited party submits to the Chief Financial Officer a declaration, under penalty of perjury, supported by evidence that shows to the Chief Financial Officer's reasonable satisfaction that such party is financially unable to deposit the total amount of the fine in advance of the hearing.

(d) If the Chief Financial Officer determines not to issue an advance deposit hardship waiver, the cited party shall remit the deposit to the District within five (5) days of the date of that decision or fifteen (15) days from the date of issuance of the administrative citation, whichever is later.

(e) The Chief Financial Officer shall list his or her reasons for granting or not granting an advance deposit hardship waiver in writing and serve it on the cited party. The Chief Financial Officer's decision is final.

11.3.7 Right to Judicial Review.

Any person aggrieved by a decision of a hearing officer may obtain review of the decision by filing a petition for review with the Placer County Superior Court in accordance with the timelines and provisions set forth in the Government Code and/or Code of Civil Procedure, as applicable.

11.4 VIOLATIONS

(a) Without limiting the other remedies in this Chapter, any violation of this Ordinance is declared unlawful and violators shall be liable for such remedies specified in Public Utilities Code section 16472.5.

(b) Every day a violation of this Ordinance continues shall constitute a separate offense.

CHAPTER 12

APPEALS

12.1 GENERAL

The many variables applicable to the provision of water service requires that appeals be accepted by the District. In the event a customer wishes to dispute the applicability of any section or challenge any staff decision under this Ordinance, he or she shall follow these procedures unless a specific procedure is provided.

12.2 APPEALS

Requests for an appeal shall be directed to the General Manager in writing. The General Manager shall perform such investigative work as deemed necessary and respond to the customer within fourteen (14) days. The response shall contain information obtained by the investigation and the decision of the General Manager.

12.2.1 Any person who is dissatisfied with a determination of the General Manager may, at any time within ten (10) days after such determination, appeal to the Board by giving written notice to the General Manager setting forth the determination with which the person is dissatisfied. The General Manager shall investigate and transmit to the Board a report upon the matter appealed. The Board shall cause written notice, as to the time and place fixed for hearing such appeal, to be given to all persons affected by such application at least ten (10) days prior to said appeal.

12.2.2 At the time and place~~r~~ ordered in the hearing, the Board shall consider the appeal. Except for appeals of corrective orders and suspension or termination of service, the appeal is an evaluative, and not an adversarial, process to determine the facts of the issue and the appropriate application of this Ordinance. The Board, appellant and General Manager may provide any information deemed relevant to the issue and the Board's consideration. The Board's decision at the conclusion of the hearing shall be final.

12.3 PAYMENT OF CHARGES PENDING APPEAL REFUNDS

For appeals related to the amount of charges, the appellant shall pay the disputed charges. After the appeal is heard the Board may order refunded to the person making the appeal such amount, if any, as the Board shall determine should be refunded.

AMENDMENTS TO WATER ORDINANCE SINCE ADOPTION

(Amendments Incorporated Herein)

Ordinance 393	Master Water Amendment in Full	November 12, 2019
Ordinance 395	Sections: 1.4.13, 6.2.1, 7.4, 7.5, 11.2, 11.4	May 12, 2020
Ordinance 397	Sections: 1.4.24, 1.4.28, 3.1, 3.2.1(c), 3.2.1(f)	April 13, 2021

NTPUD SEWER ORDINANCE

TABLE OF CONTENTS

	Page
CHAPTER 1 GENERAL.....	1
1.1 PURPOSE	1
1.2 VARIANCES	1
1.3 TECHNICAL SPECIFICATIONS	1
1.4 DEFINITIONS	1
1.4.1 Accessory Dwelling Unit (ADU).....	1
1.4.2 Junior Accessory Dwelling Unit (JADU)	2
1.4.3 Backfill.....	2
1.4.4 Biochemical Oxygen Demand (BOD).....	2
1.4.5 Building Sewer.....	2
1.4.6 Cleanout.	2
1.4.7 California Plumbing Code (CPC).....	2
1.4.8 Commercial/Industrial.	2
1.4.9 Connection Fees.....	2
1.4.10 Cooling Water.....	3
1.4.11 District.....	3
1.4.12 District Board or Board.	3
1.4.13 Domestic Wastewater.	3
1.4.14 Equivalent Dwelling Unit	3
1.4.15 Enforcement Officer.	3
1.4.16 Exempt ADU.....	3
1.4.17 Fats, Oils, and Grease (FOG).....	3
1.4.18 Food Waste.	34
1.4.19 Gravity Grease Interceptor.....	4
1.4.20 Industrial Wastewater.	4
1.4.21 Infiltration.	4
1.4.22 Inflow.....	4
1.4.23 Mixed Use Commercial.	4
1.4.24 Mixed Use Multi-Residential.....	4
1.4.25 Multi-Family Residential.....	45
1.4.26 Parcel.....	5
1.4.27 pH.....	5
1.4.28 Pollutant.	5
1.4.29 Private Service Lateral.....	5
1.4.30 Private Sewer.	5
1.4.31 Sand-Oil Interceptor.....	5
1.4.32 Sewage or Wastewater.....	5
1.4.33 Sewer System.....	56
1.4.34 Single Family Residential	56
1.4.35 Slug.	6
1.4.36 Tahoe-Truckee Sanitation Agency (TTSA).....	6

TABLE OF CONTENTS

(continued)

Page

1.4.37 Total Suspended Solids (TSS).....	6
1.4.38 Temporary Discharge.....	6
1.4.39 Technical Specifications.....	6
1.4.40 Wastewater Treatment Plant.....	6
CHAPTER 2 CONDITIONS OF SERVICE	<u>67</u>
2.1 USE OF PUBLIC SEWERS REQUIRED	<u>67</u>
2.2 DISTRICT RESPONSIBILITY	7
2.3 OWNER RESPONSIBILITY	7
CHAPTER 3 NEW OR MODIFIED SERVICES	<u>78</u>
3.1 DISTRICT APPROVAL OF CONNECTIONS	<u>78</u>
3.2 NEW SERVICE	<u>78</u>
3.2.1 General Requirements.....	<u>78</u>
3.2.2 Extension of Facilities.....	<u>89</u>
3.3 ALTERED SERVICE	<u>910</u>
3.4 TERMINATION/RECONNECTION OF SERVICE	10
3.5 TEMPORARY DISCONNECTION OF SERVICE	10
CHAPTER 4 PRIVATE SERVICE LATERALS	<u>1011</u>
4.1 CONNECTIONS TO SEWER SYSTEM.....	<u>1011</u>
4.2 SHARED LATERALS	11
4.3 LAND DIVISION	11
4.4 COMMON USE ARRANGEMENTS	11
CHAPTER 5 TESTING.....	11
5.1 PURPOSE	11
5.2 APPLICABILITY	<u>1112</u>
5.3 TESTING PROTOCOL	12
5.3.1 New Connections.....	12
5.3.2 Existing Connections.....	12
5.3.3 Effect of Test.....	<u>1213</u>
CHAPTER 6 BILLING	<u>1314</u>
6.1 GENERAL	14
6.1.1 Sewer Service Charges.....	14
6.1.2 Connection Fees.....	14
6.1.3 Other Fees and Charges.....	<u>1415</u>
6.2 BILLING FOR SEWER SERVICE CHARGES	<u>1415</u>
6.2.1 Bills.....	<u>1415</u>
6.2.2 Payment.....	15

TABLE OF CONTENTS

(continued)

	Page
6.2.3 Delinquent Bills.	15
6.2.4 Credits and Adjustments.	1516
6.2.5 Responsibility for Payment.	1516
CHAPTER 7 WASTE PRETREATMENT	16
7.1 PRETREATMENT REQUIRED	16
7.2 GENERAL REQUIREMENTS	16
7.2.1 Food Waste.	16
7.2.2 FOG (Food Type).	1617
7.2.3 Sand and Petroleum-Based Oils and Grease.	1617
7.3 SWIMMING POOLS.	1718
CHAPTER 8 PRIVATE SERVICE LATERAL RELOCATIONS.	1718
8.1 GENERAL	1718
8.2 RELOCATION OF PRIVATE SERVICE LATERAL	1718
8.3 NOTICE AND HEARING REGARDING RELOCATION SCHEDULE.	18
8.4 CONTINUING NOTICE DURING RELOCATION PERIOD.	18
8.5 DISCONTINUANCE OF SERVICE FOR FAILURE TO RELOCATE PRIVATELY OWNED SERVICE LATERAL	1819
8.6 APPEAL BASED UPON SPECIAL CIRCUMSTANCE	1819
CHAPTER 9 REGULATION OF DISCHARGES	19
9.1 PROHIBITED DISCHARGES	19
9.2 APPLICATION.	20
9.3 TESTING	2021
CHAPTER 10 PENALTIES AND ENFORCEMENT	2021
10.1 GENERAL	21
10.2 NON-PAYMENT OF FEES OR CHARGES	21
10.3 VIOLATIONS.	21
10.4 ILLEGAL CONNECTIONS OR CHANGE OF USE	2122
10.5 ENFORCEMENT; INJUNCTIONS; ENTERING INTO PRIVATE PROPERTY	2122
10.6 ADMINISTRATIVE CITATIONS.	2223
10.7 EMERGENCY REPAIR WORK ON PRIVATE PROPERTY	2223
10.7.1 Request of Private Property Owner.	2223
10.7.2 Request of Public Agency with Authorization to Request District Assistance.	2223
CHAPTER 11 APPEALS	23
11.1 GENERAL	23
11.2 APPEALS.	23
11.3 PAYMENT OF CHARGES PENDING APPEAL REFUNDS	2324

NTPUD SEWER ORDINANCE

CHAPTER 1

GENERAL

1.1 PURPOSE

The purpose of this Ordinance is to establish the rules, regulations, conditions of service, and rates for sewer service by the North Tahoe Public Utility District. The General Manager shall administer and enforce this Ordinance and may adopt and impose administrative rules or regulations to assist~~ing~~ in doing so. By applying for or receiving sewer service from the District, each customer, on its own behalf and on behalf of its guests, tenants, employees and anyone else using sewer service at the property, covenants and agrees to be bound by and to comply with all regulations of the District as may be in force at the time of application and as may subsequently be adopted by the District.

1.2 VARIANCES

The General Manager is authorized to consider and grant variances from the requirements of this Ordinance, including the Technical Specifications, upon application by any person and payment of applicable fees. Variances shall only be allowed under the following circumstances: (1) the granting of the variance will not significantly adversely impact the operation and maintenance of District facilities, including but not limited to economic impacts, (2) the granting of the variance will not result in adverse public health or environmental consequences, (3) there is no other practical alternative available to the applicant which does not require the granting of a variance, and (4) the applicant has proposed to utilize the highest technological methodology available in design and construction so as to avoid or minimize adverse impacts on District facilities.

1.3 TECHNICAL SPECIFICATIONS

The General Manager shall adopt and amend the Technical Specifications. Any amendments to the Technical Specifications shall be incorporated by reference into this Ordinance upon their adoption.

1.4 DEFINITIONS

1.4.1 Accessory Dwelling Unit (ADU).

An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons, and is located on a lot with a proposed or existing primary residence, as provided in Government Code section 66313, as it may be amended. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. In the event that Placer County adopts an ordinance regulating ADUs as permitted by Government Code section 65852.2 State Code, accessory dwelling unit shall ~~mean~~ include an ADU as defined in such ordinance.

NTPUD SEWER ORDINANCE

1.4.2 Junior Accessory Dwelling Unit (JADU)

A unit that is no more than 500 square feet of interior livable space in size and contained entirely within a single-family residence, as provided in Government Code section 66313, as it may be amended.

1.4.21.4.3 Backfill.

The placement of earthen materials for the purpose of refilling any trench or excavation.

1.4.31.4.4 Biochemical Oxygen Demand (BOD).

The quantity of oxygen used in the biochemical oxidation of organic matter in a specified time, at a specified temperature, and under specified conditions.

1.4.41.4.5 Building Sewer.

The pipes within the walls of a building and extending five (5-ft.) feet outside the wall which conveys wastewater to the private service lateral. The private service lateral begins five (5-ft.) feet outside the exterior face of the building.

1.4.51.4.6 Cleanout.

A “wye” connection on the private service lateral, brought to grade, for the purpose of accessing the private service lateral.

1.4.7 California Plumbing Code (CPC).

The California Plumbing Code incorporates by adoption the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials with necessary California amendments.

1.4.8 Commercial/Industrial.

Service to customers engaged in selling, warehousing, or distributing a commodity, in some business activity, or in a profession, or in some form of economic or social activity (offices, stores, clubs, schools, hotels, etc.) and for purposes that do not come directly under another classification of service

1.4.9 Connection Fees.

A one-time charge for customers connecting to the system or a customer increasing capacity. A cost based charge reflecting the value of system capacity based on the utility's infrastructure costs. Does not include meter installation fee, tap fee, fire service detector and/or to physically connect to the system

NTPUD SEWER ORDINANCE

~~1.4.6~~1.4.10 Cooling Water.

The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

~~1.4.7~~1.4.11 District.

The North Tahoe Public Utility District, a California public utility district authorized under Public Utilities Code, § 15501 et seq.

~~1.4.8~~1.4.12 District Board or Board.

Board of Directors of the North Tahoe Public Utility District, an elected body.

~~1.4.9~~1.4.13 Domestic Wastewater.

Any liquid, solid, sewage or waterborne waste of the type normally resulting from flushing and washing waste products from residences and lavatories.

1.4.14 Equivalent Dwelling Unit

Commercial, industrial, and multi-family units are assigned varying equivalent dwelling unit (EDU) multipliers depending on the type of business, seat count, fixture count, or building size. A residential living unit is 1.0 EDU. The non-residential EDUs are determined using the District's Mixed Use Billing Account type Determination form during the plan check process or during a property inspection.

~~1.4.10~~1.4.15 Enforcement Officer.

A District employee designated to enforce this Ordinance.

~~1.4.11~~1.4.16 Exempt ADU.

An ADU or JADU for which the District is prohibited from requiring a new or separate utility connection, or from imposing a related connection fee or capacity charge, under Government Code section 66311.5 or any successor statute. An ADU where the District is precluded from requiring the installation of a new or separate connection for that ADU under Government Code section 65852.2, as it may be amended.

~~1.4.12~~1.4.17 Fats, Oils, and Grease (FOG).

Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time. All such compounds are sometimes referred to herein as "Grease."

~~1.4.13~~1.4.18 Food Waste.

NTPUD SEWER ORDINANCE

The animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods and/or produce.

1.4.141.4.19 Gravity Grease Interceptor.

An approved plumbing appurtenance or appliance that is installed to intercept non-petroleum FOG, and/or solids from a wastewater discharge.

1.4.151.4.20 Industrial Wastewater.

Any liquid or waterborne waste from manufacturing, processing, commercial or industrial facilities, except domestic waste, boiler blowdown, and uncontaminated or noncontact cooling water, provided, however, that substantial discharge of boiler blowdown closely associated with industrial activity shall be considered industrial wastewater when such discharge has a reasonable potential to affect or interfere with the Wastewater Treatment Plant, its treatment process, or operations as determined by the District or TTSA. The term is synonymous with “nondomestic wastewater.”

1.4.161.4.21 Infiltration.

The quantity of groundwater that enters the sanitary sewer through joints, cracks, breaks or other defects.

1.4.171.4.22 Inflow.

The quantity of surface water that enters the sanitary sewer from illegal and system access connections.

1.4.23 Mixed Use Commercial.

A customer that has both residential and commercial uses on the property will be categorized mixed use commercial when the number of commercial equivalent dwelling units (EDUs) is greater than the number of residential EDUs, as determined under the then-current rate schedule or District administrative procedures..

1.4.24 Mixed Use Multi-Residential.

A customer that has both residential and commercial uses on the property will be categorized mixed use multi-residential when the number of residential equivalent dwelling units (EDUs) is greater than or equal to the number of commercial EDUs, as determined under the then-current rate schedule or District administrative procedures.

1.4.25 Multi-Family Residential.

Residential uses containing two or more residential units, including apartment buildings, duplexes, townhomes for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.

NTPUD SEWER ORDINANCE

~~1.4.18~~1.4.26 Parcel.

A lot or other legal unit of real property as recognized by Placer County.

~~1.4.19~~1.4.27 pH.

A scale from 0 - 14 is used to specify how acidic or basic a water-based solution is.

~~1.4.20~~1.4.28 Pollutant.

Substances which include, but are not limited to, the following: any dredged spoil, solid waste, incinerator residue, sewage, garbage, petroleum products or by-products, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water, which may affect characteristics of wastewater (including, but not limited to, pH, temperature, total suspended solids (TSS), turbidity, color, BOD, toxicity or odor).

~~1.4.21~~1.4.29 Private Service Lateral.

The part of the private sewer commencing five (5-ft.) feet outside the foundation line of the structure and extending to the property line or easement boundary-

~~1.4.22~~1.4.30 Private Sewer.

The building sewer extending through the private service lateral and terminating at the property line.

~~1.4.23~~1.4.31 Sand-Oil Interceptor.

An approved plumbing appurtenance or appliance that is installed to intercept sand, grit and/or petroleum-based liquid waste from a wastewater discharge.

~~1.4.24~~1.4.32 Sewage or Wastewater.

Liquid and water-carried industrial wastes from residential dwellings, commercial buildings, industrial and manufacturing facilities, or institutions, whether treated or untreated, which are contributed to the Wastewater Treatment Plant.

~~1.4.25~~1.4.33 Sewer System.

The system is owned and operated by the District to transport wastewater from the property line to the wastewater treatment plant.

1.4.34 Single Family Residential.

NTPUD SEWER ORDINANCE

A single family residential unit shall mean a single family dwelling that is designed for residential occupancy by one or more persons for sleeping, eating, cooking and sanitation purposes.

~~1.4.26~~1.4.35 Slug.

Any discharge containing an unusual volume of flow or concentration of liquid, water, sewage, wastewater or pollutants.

~~1.4.27~~1.4.36 Tahoe-Truckee Sanitation Agency (TTSA).

The Tahoe-Truckee Sanitation Agency, a California sanitation agency authorized by the Tahoe-Truckee Sanitation Agency Act.

~~1.4.28~~1.4.37 Total Suspended Solids (TSS).

The total suspended matter that either floats on the surface of or is suspended in water, sewage or other liquids and which is removable by laboratory filtering.

~~1.4.29~~1.4.38 Temporary Discharge.

The limited and temporary discharge of water (ground, surface, storm, or process water whether treated or not in accordance with this Ordinance) to the sewer system.

~~1.4.30~~1.4.39 Technical Specifications.

These rules and regulations adopted by the General Manager regarding the Sewer System.

~~1.4.31~~ Uniform Plumbing Code (UPC).

~~A code published and updated periodically by the International Association of Plumbing and Mechanical Officials as amended by the State of California incorporated into the California Building Standards Code. If further amended by Placer County or other applicable land use authority, the UPC shall include these amendments to the extent provided by applicable law.~~

~~1.4.32~~1.4.40 Wastewater Treatment Plant.

The regional treatment and disposal facilities operated by TTSA.

CHAPTER 2

CONDITIONS OF SERVICE

2.1 USE OF PUBLIC SEWERS REQUIRED

All developed parcels within the District shall connect to the public sewer. No septic tanks, cesspools, or other means of private and/or on-site wastewater disposal system shall be permitted.

NTPUD SEWER ORDINANCE

2.2 DISTRICT RESPONSIBILITY

2.2.1 The District shall own, operate and maintain the sewer system. The District, its officers, agents, contractors or employees shall not be liable for interruption, shortage or curtailment or stoppage of service, or for any loss or damage related to sewer service or interruption of service.

2.2.2 The District, whenever it shall find it necessary or convenient for the purpose of making repairs or improvements to the sewer system or any private sewer, shall have the right to temporarily suspend sewer services, and it shall not be liable for any loss or damage occasioned by the suspension.

2.2.3 Except as it may agree to do so as set forth in this Ordinance, the District will not be responsible for the maintenance and operation of any private sewer.

2.3 OWNER RESPONSIBILITY

2.3.1 The owner of each parcel shall be responsible for the operation and maintenance of the private sewer. The intrusion of roots and any blockage caused by roots that begins within the private sewer shall be the responsibility of the owner even if portions of the damage extend into the sewer system.

2.3.2 Cleanouts shall be maintained by the owner in a functional capacity and shall be kept free of obstructions and accessible.

2.3.3 The District shall not be responsible for blockages in any part of the private service lateral, unless the blockage is caused by a physical defect in the [District's](#) sewer system.

2.3.4 It shall be unlawful to connect roof or other drains to the private sewer, which would allow inflow to enter the sewer system. Parcels shall be developed and maintained to ensure no inflow or infiltration enters the sewer system.

CHAPTER 3

NEW OR MODIFIED SERVICES

3.1 DISTRICT APPROVAL OF CONNECTIONS

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb the sewer system without first obtaining a sewer connection permit from the District and paying all applicable fees.

3.2 NEW SERVICE

3.2.1 General Requirements.

New services will be connected subject to the following conditions:

NTPUD SEWER ORDINANCE

(a) The property to be served is within the sewer service area of the District.

(b) A District sewer main of adequate capacity, as solely determined by the District, exists in a publicly traveled right of way, or District easement abutting a principal boundary of the land to be served; or adequate mains, lift stations and other facilities, as solely determined by the District, are constructed in accordance with Section 3.2.2.

(c) The customer shall apply for service. Applications for new service shall be in writing on forms provided by the District and signed by the owner or authorized agent. Applications shall be supported by such data as the District may require, such as a map or legal description of the property to be served, the date service is to begin and the names and billing address of the recorded owners responsible for payment. If the person making the application is not the owner of the property, permission to bill this person must be provided to the District on a form provided by the District. Applications are valid for one year from the date of submittal.

(d) The customer shall obtain a sewer connection permit from the District and construct all necessary facilities as identified on the permit in accordance with the Technical Specifications or other applicable law. Permits are not transferable.

(e) The customer shall not have any outstanding amounts owed against the property to be served, on any District water or sewer account, subject to applicable law. ~~to the District on any water or sewer account.~~

(f) Connection fees shall be collected at the time of issuing the permit for a water-sewer connection. Connection fees shall be charged at the rate in effect on the day of application for service from the District. Applications will be voided if connections fees are not paid within one-year of receipt of the application by the District. Payment of connection fees constitutes acceptance of a new service connection application by the District and billing will commence in accordance with Chapter 6. No connection fees will be refunded after connection. The connection fees collected for such application shall be returned to the applicant if connection is not made, upon written request and connection fee refund charge, and a new application and payment of fees will be required before service will be provided. No refund or credit will be provided for previously paid water-sewer service charges billed in accordance with Chapter 6.

3.2.2 Extension of Facilities.

If the sewer system must be extended to provide service, the applicant shall comply with this Section.

(a) Necessary Facilities. The extension facilities necessary to serve any parcel of land shall be determined solely by the District and may include oversizing subject to Subsection (e). These facilities may be designed by the District or a qualified agent of the applicant, and shall be installed in accordance with the Technical Specifications and other plans and specifications required by the District. Upon completion, inspection and acceptance of the facilities by the District, they shall be owned and operated by the District as a part of the sewer system. The applicant shall install extension facilities utilizing a competent and experienced contractor, licensed in California, and approved by the District. The District reserves the right to construct,

NTPUD SEWER ORDINANCE

with its own personnel or by contract, all extension facilities including but not limited to lift stations, taps of existing mains, and extensions involving complicated connections to, or interference with, the District's existing facilities.

(b) Location of Facilities. Extension facilities shall be located only on land owned by the District in fee, or in a public street or highway, or in an easement granted to the District and satisfactory to the District. The applicant will cause to be conveyed or granted to the District, without cost to the District, such lands and/or easements as the District determines to be necessary for the extension of facilities. Lands shall be conveyed to the District in simple, free and clear of liens or encumbrances, except for such encumbrances of record that may be acceptable to the District. Easements shall be granted in such form as shall be satisfactory to the District.

(c) Costs and Expenses. The applicant shall be solely responsible for all costs and expenses. The applicant shall deposit cash into escrow or an irrevocable standby Letter of Credit in favor of the District issued by a bank reasonably acceptable to the District ~~with the District~~ in a sum equal to 125% of the estimated total cost of the construction of the extension facilities prior to ~~final design and commencement of~~ construction. If, upon completion of the work, the amount paid to or deposited with the District is less than said actual costs, the difference shall be paid to the District by the applicant prior to the commencement of service. Any amount paid or deposited in excess of said actual cost will be credited toward usage or refunded upon application.

(d) Environmental Documentation. Whenever the District determines that an environmental document is necessary, the District will provide the applicant with an estimate of the cost. The applicant will deposit an amount sufficient to cover sixty (60) days' of expenses with the District. The District's actual costs, including overhead expenses and legal and consultant fees, of preparing said report, and conducting hearings as necessary will be invoiced to the applicant monthly and shall be deducted from the deposit. The applicant shall pay such invoices and/or replenish the deposit. If the applicant fails to do so, the District may suspend or cease work and/or take any action necessary to recover the amounts owed. At the conclusion of the process, any remaining deposit amounts shall be returned to the applicant without interest.

(e) Reimbursement. In the event that the District requires the installation of any extension facilities larger than those necessary to serve the parcel or extension facilities that would have been required to serve adjacent or nearby parcels upon their development, the District and applicant may enter into a reimbursement agreement outlining the terms and conditions of reimbursement to the applicant. Reimbursement agreement shall be effective for a maximum of ten (10) years. Any prorated reimbursement shall be determined by the District based on years remaining on the agreement and total parcels capable of being served. Upon termination of the ten (10) year period, any pro rata share shall become property of the District.

3.3 ALTERED SERVICE

Customers shall notify the District and obtain a sewer connection permit, if necessary, whenever the use changes or new additional structures are built on parcels having existing sewer service. In such instances, the District may require a new or increased connection fee for additional fixtures, different uses or other situations where connection fees would be imposed. A credit shall be provided for previously paid connection fees. Such credit shall not be limited to the actual dollar

NTPUD SEWER ORDINANCE

amount paid but shall be increased to reflect increases in connection fee rates. If no records exist demonstrating the amount of paid fees, the District may estimate that amount based on the current size, number of fixtures or other indicia used to calculate the then current connection fees. No refund or credit shall be provided for situations where altered service results in a lower connection fee. The District may require the private sewer or any portion of the sewer system be modified if necessary to comply with this Ordinance as a condition of approving any altered service.

3.4 TERMINATION/RECONNECTION OF SERVICE

~~As set forth in Section 2.1 and except as provided in Section 3.5, s~~Sewer service to an existing developed property may not be terminated. If all uses on the existing developed property requiring sewer ~~service at the property~~ ceases, ~~the owner may request termination of service then a service may be terminated. The District may approve termination only after the District determines that termination and physical disconnection will not create a public health, safety, environmental, operational, or regulatory concern and the owner provides evidence of any required demolition, building, TRPA, Placer County, or other approvals.~~ Termination of service shall include the removal and capping of the private service lateral at the sewer main. Charges for service will cease effective the first day of the billing period following system disconnection. Any request to reconnect to the sewer system shall be processed as a new application for service. To obtain sewer service for the same parcel in the future will require applying for a new sewer service and payment of all then current fees and charges, and there is no credit for any fees or deposits paid for the sewer service being abandoned

3.5 TEMPORARY DISCONNECTION OF SERVICE

~~There is no temporary disconnection of services starting on September 10, 2026. The only way to avoid monthly system charges is to terminate the service in accordance with Section 3.4. Owners may request a temporary disconnection and reconnection of sewer service where service will be discontinued for at least ninety (90) days. In such cases, the District may require that the structure be physically disconnected from the sewer service at the property line cleanout box. In such cases, those portions of the bill for basic service shall cease during the temporary disconnection period, effective the first day of the billing period following temporary disconnection. Those portions of a bill attributable to system replacement or capital improvements, if any, shall continue to be charged during the temporary disconnection period. Any request to reconnect to the sewer system shall be processed as a reconnection and not a new application for service.~~

CHAPTER 4

PRIVATE SERVICE LATERALS

4.1 CONNECTIONS TO SEWER SYSTEM

The private sewer and any portions of the sewer system necessary to connect the parcel to a sewer main shall be constructed in accordance with the Technical Specifications and other plans and specifications required by the District. All such costs and expenses shall be the sole responsibility of the owner. The owner shall defend, indemnify and hold the District harmless from any claims, loss or damage that may directly or indirectly be occasioned by the installation of these facilities.

NTPUD SEWER ORDINANCE

4.2 SHARED LATERALS

Where more than one structure or building exists on a parcel and are under common ownership, they may share a common private sewer. Structures in different ownership shall not share the same private service lateral.

4.3 LAND DIVISION

No land division resulting in structures in different ownership being served by the same private service lateral shall be allowed. Prior to the recording of any final or parcel map resulting in the creation of parcels, which if sold to different persons would result in structures in different ownerships being served by the same private service lateral, independent service to each structure shall be provided. In lieu of construction, submission and approval of private easements or other arrangements acceptable to the General Manager may be provided.

4.4 COMMON USE ARRANGEMENTS

Notwithstanding the foregoing, the District may elect to require parcels served by a homeowners' association or similar entity to receive service through a single private service lateral owned and maintained by the association or entity.

CHAPTER 5

TESTING

5.1 PURPOSE

The intent of this Chapter is to reasonably ensure the soundness of the sewer system in order to prevent inflow and infiltration and to ensure compliance for both new and existing lines. Because of the nature and physical location of existing lines, the General Manager has the authority to alter the testing methods if the methods stated in this Chapter are impractical.

5.2 APPLICABILITY

5.2.1 All new connections to the sewer system shall be tested in accordance with the provisions of this Chapter, to include gravity and pumped sewer services. No person shall use or introduce wastewater into the sewer system until the private service lateral has passed a test as specified in Section 5.3.1.

5.2.2 No existing private service lateral shall be allowed to remain connected to the public sewer which is incapable of passing a test as specified in Section 5.3.2. Tests shall be required under occurrence of any of the following conditions:

- (a) Remodeling of the house, building or property served to an extent of more than fifty percent (50%), as determined by the District, or
- (b) Installation of additional toilet or drainage facilities in the house, building or property served, or

NTPUD SEWER ORDINANCE

- (c) Change of use of the house, building or property serviced from residential to business or commercial, or from non-restaurant commercial to restaurant commercial, or
- (d) Upon repair or replacement of all or part of the private sewer, or
- (e) Upon addition to structures of living quarters, such as guest cabins on the property served or plumbing of garages into living quarters, or
- (f) Prior to close of escrow upon sale of the house, building or property served, or
- (g) Upon determination of the General Manager that the cleaning and testing is required for the protection of the public health, safety and welfare.

5.3 TESTING PROTOCOL

5.3.1 New Connections.

All new service laterals shall be tested by either an air or water method, under the established procedures of and at the discretion of the District. The test section shall be from the wye fitting at the main to the building cleanout or from the service stub at the property line to the building cleanout, corresponding to the line installed. If a line fails, the owner shall be responsible for correction of the condition causing failure, notifying the District when such work has been completed, and for scheduling a new test.

5.3.2 Existing Connections.

It shall be unlawful for any owner of a house, building, or property connected to the sewer system to maintain the building sewer in a condition where leakage is such that the tests in this Section cannot be successfully accomplished. If a cleanout has not been installed at the property line, ~~the owner shall notify the District shall be notified and the District shall install a cleanout shall be installed~~ prior to cleaning and testing. The District will install the cleanout within 14 days of being notified and between May 1 and October 1. The owner will then be able to complete the necessary cleaning and testing. The property owner shall be responsible for such installation in accordance with the Technical Specifications.

5.3.3 Effect of Test.

District approval of any test does not constitute a warranty by the District of the soundness or ability of the private service lateral to accomplish its purpose or to remain in compliance with this Ordinance.

- (a) The owner of any house, building, or property shall conduct all cleaning and testing required at his sole expense and shall notify the District three (3) business days prior to cleaning and testing. Operations conducted without such notice shall not satisfy the requirements of this Chapter.

NTPUD SEWER ORDINANCE

(b) Existing private service laterals shall be tested by the air or water method, at the discretion of, and under inspection by, the District. In the event that a private service lateral fails, the owner shall cause corrective work and re-testing to be performed within thirty (30) days from the date of the original test.

(c) If the sewer line fails the testing, it shall be repaired or replaced in accordance with Technical Specifications and this Ordinance. Patch repairs shall not be made using cement grout, glues, epoxies, or other fillers. Damaged portions of the pipe shall be cut out and replaced.

(d) In the event that sewer cleaning, testing, repair or replacement would be required, at a time when weather conditions or excavation restrictions (October 15 until May 1) prohibit such repairs, the General Manager may defer completion of such requirement until June 15th or such earlier date as agreed upon with the owner. If the test is deferred, the Owner may post a performance bond with the District in an amount equal to one hundred twenty-five (125%) percent of the District's estimate of the cost of replacing the private service lateral. The bond shall be callable on the date when the owner should have completed testing and the funds will be released to the District.

In place of a performance bond, the owner shall escrow funds in an amount equal to one hundred twenty-five (125%) percent of the District's estimate, if the property is being sold. Funds escrowed will not be released without written notification by the District to the title company holding such funds. If the cleaning and testing is not completed by the time set by the Ordinance, the funds held in escrow shall be released to the District. These funds may be used by the District for physical disconnection, testing, repair or replacement of the private sewer. Should such costs exceed the amount held in escrow, the difference will be billed to the property owner of record. Such costs shall become a lien on the property.

During the period from May 1st until September 15th no funds shall be held in escrow or a performance bond posted in lieu of testing and acceptance of the sewer service lateral prior to close of escrow.

The District may, upon written notice to the property owner, discontinue ~~or restrict water and/or~~ sewer service to the property until such repairs are made, to the extent necessary to protect the public health. The cost of discontinuing service and restoring service will be the responsibility of the property owner. Services left unconnected for a period of one year or greater shall be subject to the connection fees in effect at the time of reconnection.

(e) Cleaning and testing requirements prior to escrow are waived if the building sewer has a passing test within a prior five (5) year period approved and on file with the District, if the building sewer has been installed and has a passing test within a prior fifteen (15) year period approved and on file with the District, or upon determination by the General Manager.

CHAPTER 6

BILLING

NTPUD SEWER ORDINANCE

6.1 GENERAL

6.1.1 Sewer Service Charges.

The District shall charge customers for sewer service at the rates set forth in Attachment A-1 of this Ordinance. Such fees and charges shall be adopted by ordinance or resolution. Any new or modified fees or charges shall be incorporated by reference into this Ordinance and Attachment A-1 by reference upon their effectiveness.

6.1.2 Connection Fees.

The District shall charge applicants for connecting to the sewer system at the fees set forth in Attachment A-2 of this Ordinance. Such fees shall be adopted by ordinance or resolution. Any new or modified fees shall be incorporated by reference into this Ordinance and Attachment A-2 by reference upon their effectiveness.

Notwithstanding any other provision of this Ordinance, the District shall apply connection fees, capacity charges, and monthly service charges for accessory dwelling units and junior accessory dwelling units in accordance with Government Code section 66311.5, Government Code section 66013, and any successor statutes. An accessory dwelling unit or junior accessory dwelling unit shall not be considered a new residential use for purposes of calculating connection fees or capacity charges for sewer service unless the unit is constructed with a new single-family dwelling. For any accessory dwelling unit or junior accessory dwelling unit described in Government Code section 66323(a)(1), the District shall not require a new or separate utility connection directly between the unit and the Sewer System or impose a related connection fee or capacity charge, except as authorized by Government Code section 66311.5. For any accessory dwelling unit for which a new or separate utility connection may lawfully be required, any connection fee or capacity charge shall be proportionate to the burden of the proposed accessory dwelling unit on the Sewer System, based on square footage or drainage fixture units, and shall not exceed the reasonable cost of providing service.

6.1.3 Other Fees and Charges.

Subject to any provisions set forth in this Ordinance or applicable law, the District shall charge applicants, customers or other persons for other services at the rates set forth in Attachment A-3 of this Ordinance. Such fees or charges shall be adopted by ordinance or resolution. Any new or modified fees or charges shall be incorporated by reference into this Ordinance and Attachment A-3 by reference upon their effectiveness.

6.2 BILLING FOR SEWER SERVICE CHARGES

6.2.1 Bills.

Those portions of the bill attributable to base Sewer service charges shall begin on the first day of the billing period following the completion of the pressure test required under Section 5.3.1, or the installation of the water meter if a current water customer, or within

NTPUD SEWER ORDINANCE

~~two years after the permit fees are paid, whichever comes first. These portions of the bill attributable to sewer system replacement or capital improvements, if any, shall begin on the first day of the billing period following the payment of the connection fee and receipt of sewer connection permit as required under Section 3.1. Payment for basic~~ Unless the rate schedule provides otherwise, Base sewer service is ~~billed~~due in arrears. Bills will be mailed or sent electronically at the beginning of each billing period to the address furnished to the District. The customer shall be responsible ~~to keep~~for keeping the District advised of the address to which bills are to be mailed. Non-receipt of a bill shall not relieve a customer of any payment obligation to the District.

6.2.2 Payment.

Bills shall be due and payable upon presentation. Payment shall be made to the District office. Bills shall become past due in thirty (30) days, and delinquent in sixty (60) days from the billing date, and may become a lien on the property (60) days after the billing date.

6.2.3 Delinquent Bills.

In the event of delinquency in the payment of any rates, or charges, or installation charges thereof, or interest thereon, penalty and interest shall be imposed as set forth in ~~set forth in~~ Attachment A-3 of this Ordinance.

6.2.4 Credits and Adjustments.

The General Manager may adjust billings upon changes of use or after dispute of a charge. Errors or mistakes in bills for service charges shall be corrected and retroactively adjusted for the prior six months.

6.2.5 Responsibility for Payment.

(a) Unless otherwise provided by law, all charges for sewer service shall be billed to the owner of the property making application for service. Upon written request of the owner, and approval by the District, charges for sewer service shall be billed to the person occupying the property provided, however, that in the event of delinquency, such charges shall be billed to the property owner and remain with the property. In such case, the owner shall be deemed the person receiving service under Public Utilities Code section 16472.1 and should charges remain delinquent, the District shall place a lien on the property.

(b) Should the property be sold and a delinquent bill exists on said property, the District will transfer those charges to any other open account under the name of the previous owner afforded such service. Should the property be sold and no other account is available to accommodate the transfer, the District may utilize whichever collection methods it wishes to recover the fees from the prior owner.

(c) Charges for sewer collection and water service provided by the District shall be billed upon the same bill and collected as one item.

CHAPTER 7

WASTE PRETREATMENT

7.1 PRETREATMENT REQUIRED

Whenever deemed necessary by the District or the Tahoe-Truckee Sanitation Agency, the owner of any parcel shall, at his/her own expense, provide such treatment or take such other measures, as shall be required in order to reduce objectionable characteristics, contents, or rate of discharge of waters or wastes being deposited in the sewer system so that the same may be received without any damage to the sewer system or any undue interference with its operation and without any hazard of any kind to humans or animals.

7.2 GENERAL REQUIREMENTS

7.2.1 Food Waste.

No person shall discharge, deposit, throw, cause, allow or permit to be discharged, deposited, or thrown into the sewer system, any food waste, or any fruit, vegetable, animal or other solid material from any food-processing facility or food-preparing facility or retail grocery store. No person shall install, operate, use or maintain upon the premises of any such facility any mechanical grinder or waste grinder that is connected directly or indirectly to the sewer system.

7.2.2 FOG (Food Type).

Gravity grease interceptors shall be installed in all establishments which handle, prepare, cook, or serve foods or when in the opinion of the General Manager they are necessary for the handling of wastes that can affect the proper functioning of the sewer system; except that such interceptors shall not be required for dwelling units. All gravity grease interceptors shall comply with the Technical Specifications, be maintained in good working order and be supported by records of maintenance and proper operation. Records shall be provided to the District upon request. Notwithstanding the foregoing, existing uses as of December 1, 2019 with a FOG removal device may continue to operate in existing condition and shall only be required to comply with this Section 7.2 in the event of one of the following:

- (a) Changes ownership of either the underl~~y~~ing property or the business.
- (b) Modified to increase seating by any amount (either inside or outside).
- (c) Facility is found to be contributing FOG in unreasonable quantities as determined by the District.

7.2.3 Sand and Petroleum-Based Oils and Grease.

Sand-oil interceptors shall be installed prior to discharge of waste to the sewer system in all establishments where in the opinion of the General Manager, they are necessary for the

NTPUD SEWER ORDINANCE

handling of liquid wastes containing grease, flammable wastes, sand, oil, solids or acid or alkaline substances in quantities that can affect the proper functioning of the sewer system; except that such interceptors shall not be required for dwelling units. All sand-oil interceptors shall comply with the Technical Specifications, be maintained in good working order and be supported by records of maintenance and proper operation. Records shall be provided to the District upon request. Sand-oil interceptors shall be installed at the following facilities:

- (a) Recreational vehicle dump stations.
- (b) Vehicle wash stations.
- (c) All automotive service bays and automotive repair shops must have floor drains connected to the sewer system. All such floor drains shall have a sand-oil interceptor installed.
- (d) All other establishments where, in the opinion of the General Manager, they are necessary for the handling of liquid wastes containing grease, flammable wastes, sand, oil, solids or acid or alkaline substances in quantities that will affect the proper functioning of the sewer system.

7.3 SWIMMING POOLS

7.3.1 All swimming or wading pools containing 2,000 gallons of water or more shall discharge and drain wastewater to the public sewer as set forth in this Section.

7.3.2 Prior to draining, written approval must be obtained from the General Manager, which will include conditions determined by the General Manager to be necessary or advisable. The General Manager reserves the right to prohibit the draining of swimming pools when, in his/her opinion, doing so would deleteriously affect the operation of the public sewer.

CHAPTER 8

PRIVATE SERVICE LATERAL RELOCATIONS

8.1 GENERAL

The purpose of this Chapter is to establish regulations relative to the relocation of private service laterals to connect to relocated District sewer service mains.

8.2 RELOCATION OF PRIVATE SERVICE LATERAL

When the District relocates sewer service mains with the intention of disconnecting service through the original existing service mains it shall be the responsibility of the owners of all properties which have service provided through the original existing service mains to relocate their private service laterals to accept service through the relocated service mains at their sole expense and pursuant to the relocation schedule established by the District pursuant to the provisions of

NTPUD SEWER ORDINANCE

this Chapter. The District shall install appropriate cleanouts and other facilities at the property line at no cost to the property owner.

8.3 NOTICE AND HEARING REGARDING RELOCATION SCHEDULE

The relocation schedule to establish the timing of installation of relocated service mains, the timing of construction of relocated private service laterals and the timing of disconnection of service through original existing service mains shall be set by the Board at a public hearing. All affected property owners shall be notified by personally mailed notice to the property owners' address in the District files at least fifteen (15) days prior to the date of the public hearing.

At the public hearing, the Board shall establish a relocation period giving the affected property owners at least two building seasons (May 1 through October 15), but ending on September 1 of the last season, to construct and have inspected new private service laterals between the use served and their property line served by the relocated service main. The relocation period shall include the season during which the relocated service main is constructed.

8.4 CONTINUING NOTICE DURING RELOCATION PERIOD

Between May 1 and May 15 of each building season during the relocation period, the District shall review the status of construction of new private service laterals and shall give further notice of the relocation schedule to all property owners who have not at that time constructed and had inspected new private service laterals between the use served and their property line served by the relocated service main. Notice shall be given by personal mail to the property owners' address in the District files.

8.5 DISCONTINUANCE OF SERVICE FOR FAILURE TO RELOCATE PRIVATELY OWNED SERVICE LATERAL

At the end of the relocation period, all services that have not had relocated private service laterals constructed and inspected between the use served and their property line served by the relocated service main shall be subject to disconnection. Disconnection shall be made only after ninety (90) days prior mailed and posted notice to the customer. In the event of disconnection, reconnection shall be made only after the construction and inspection of a new private service lateral between the use served and the property line served by the relocated service main and payment of any applicable reconnection charges, including service charges for the period during which service was disconnected. In the event that reconnection is not made within a period of one year following disconnection, service charges shall cease and reconnection shall require payment of the full connection charge applicable to connection of a new use.

8.6 APPEAL BASED UPON SPECIAL CIRCUMSTANCE

Any property owner may petition the Board for an extension of the relocation period based upon special circumstances, provided that such petition shall be made at least ninety (90) days prior to the end of the relocation period. The Board may grant such an extension, and may condition such an extension upon payment of the District's estimated cost of maintaining the service main which was to be abandoned during the extension period.

CHAPTER 9

REGULATION OF DISCHARGES

9.1 PROHIBITED DISCHARGES

No person shall discharge or cause to be discharged into the public sewer the following:

9.1.1 Any liquid or vapor having a temperature higher than one hundred forty (140) degrees Fahrenheit.

9.1.2 Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures below 60 degrees F.

9.1.3 Any food waste from a residential unit that has not been properly shredded to a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension. Food waste is prohibited from a commercial property.

9.1.4 Any oil-component wastes shall not contain more than 20 mg/l of oil.

9.1.5 Any water containing synthetic detergents in excessive quantity.

9.1.6 Any water or wastes containing excessive suspended solids or excessive dissolved solids.

9.1.7 Any noxious or malodorous gas or substance capable of creating a public nuisance.

9.1.8 Any water or wastes containing acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

9.1.9 Any water or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement.

9.1.10 Any wastewater containing cyanides in excess of two tenths of a milligrams per liter (0.2 mg/l).

9.1.11 Any water or wastes containing phenols or other taste or odor producing substances in high concentrations.

9.1.12 Any radioactive wastes or isotopes.

9.1.13 Any water or wastes having pH lower than 5 or in excess of 9.5.

9.1.14 Any wastewater flow or concentration of wastes constituting a slug.

9.1.15 Any wastewater with an excessive BOD or chemical oxygen demand.

NTPUD SEWER ORDINANCE

9.1.16 Any wastewater which is prohibited (volume or substance) by the TTSA.

9.1.17 Any substance prohibited by applicable federal, state, or local law.

9.1.18 Any water or wastes which contain substances or possess characteristics or pollutants which, in the judgment of the General Manager, may have a deleterious effect upon the sewage treatment works or collection system.

9.1.19 The use of diluting waters to meet the requirement standards for discharge of waste is prohibited.

9.2 APPLICATION

If any water or wastes are proposed to be discharged to the public sewer, the District reserves the right to:

9.2.1 Reject the wastes, or

9.2.2 Require pretreatment to an acceptable condition for discharge to the public sewers,
or

9.2.3 Require control over the quantities and rates of discharge, and/or

9.2.4 Require payment to cover the added cost of handling the wastes not covered by charges under the provisions of the Ordinance.

9.2.5 Require payment of fees for temporary discharge into the sewer system.

The owner shall make written application to the District. Such application shall name the substance, its concentration, the quantity of flow, the proposed discharge point, hours of discharge and other pertinent information as is necessary to determine the possible effects of such a discharge. No such discharge shall take place until and upon issuance of a permit for temporary discharge and posting of a deposit. The deposit is equal to the fee for the entire estimated discharge if the discharge will take place in less than 90 days, or of the estimated fee for the first 90 days of the discharge if the discharge is to take place for a period of time over 90 days. The District will not provide service without proof of a valid permit issued by the TTSA.

9.3 TESTING

When the District suspects the discharge of prohibited substances into the public sewer without written authorization, it may analyze samples by a certified laboratory. If substances are found in violation of this Ordinance, the owner shall immediately cease discharging and shall be subject to the penalties as outlined in this Ordinance.

CHAPTER 10

PENALTIES AND ENFORCEMENT

NTPUD SEWER ORDINANCE

10.1 GENERAL

All persons violating this Ordinance shall be subject to penalties as set forth in this Chapter.

10.2 NON-PAYMENT OF FEES OR CHARGES

Upon non-payment by the owner of applicable fees and/or charges in accordance with the provisions of the Ordinance, such unpaid amount, including interest and penalties, shall be a lien on the parcel, and any other remedies authorized by law may be used to enforce payment.

Any person who shall continue non-payment beyond six months (6) from the time said charges were due and payable shall be subject to disconnection from the public sewer upon ten days (10) written notice.

10.3 VIOLATIONS

All persons performing work under this Ordinance shall be responsible for any and all acts of their agents or employees in connection with the work. Any person found to be in violation of any provision of this Ordinance shall be served by the District with written notice stating the nature of the violation and providing a reasonable time to correct the violation. The offender shall, within the period of time stated in such notice, permanently cease and correct all violation(s). Immediate correction may be required when necessary to protect the sewer system or public health and safety.

Any person who shall continue any violation beyond the limit specified in the written notice above, shall be subject to disconnection from the District's sewer system upon five (5) days written notice, and shall be liable for such additional remedies specified in Public Utilities Code section 16472.5.

Each day in which any such violation shall continue shall be deemed a separate offense.

Any person violating any of the provisions of this Ordinance shall become liable to the District for any expense, loss, or damage occasioned to the District by reason of such violation including any charges as set forth in Attachment A-3.

10.4 ILLEGAL CONNECTIONS OR CHANGE OF USE

Any parcel found to have made a connection or change in use without making application to the District and paying all fees and/or service charges shall be subject to paying all fees and charges from the date of the issuance of the building permit or physical connection to the public sewer, whichever is earliest.

10.5 ENFORCEMENT; INJUNCTIONS; ENTERING INTO PRIVATE PROPERTY

As an alternative to the other remedies set forth in this Ordinance, the District may:

10.5.1 The District may correct any violation of an ordinance of the District. Generally, the District shall not enter onto private property where the occupant or owner has a constitutionally protected expectation of privacy without an abatement warrant. However, in the event such

NTPUD SEWER ORDINANCE

violation results in a public health or safety hazard, the District may enter upon the property and perform such work, and expend such sums, as may be deemed necessary to abate such nuisance, and the reasonable value of the work done and the amounts so expended thereon shall be a charge to the property in violation. Such charges shall include any legal fees incurred by the District. The District shall obtain an abatement warrant as necessary prior to doing so.

10.5.2 The District may also petition the superior court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate, restraining any person from the continued violation of any ordinance of the District or for the issuance of an order stopping or disconnecting a service if the charges for that service are unpaid at the time specified in the ordinance.

10.5.3 The District may enter upon the private property of any person within the jurisdiction of the District in order to investigate possible violations of an ordinance of the District. The investigation shall be made with the consent of the owner or tenant of the property or, if consent is refused, with an inspection warrant.

10.6 ADMINISTRATIVE CITATIONS

The District may issue administrative citations for violations of this Ordinance under the procedures set forth in the Water Ordinance, [Government Code section 53069.4, Public Utilities Code section 16472.5, and other applicable law, as each may be amended.](#)

10.7 EMERGENCY REPAIR WORK ON PRIVATE PROPERTY

10.7.1 Request of Private Property Owner.

When requested by a private property owner, the District may perform emergency repair work to a private service lateral when the owner has experienced an emergency line leak or break on the lateral which threatens the integrity of the sewer system and for which the emergency continues. An owner requesting emergency assistance from NTPUD must agree to enter into a written agreement for performance of such repairs in a form maintained by the District which shall include the following: the nature of the work to be performed, indemnification, waiver of liability and hold harmless agreement, scope and method of work to be performed by the District, and payment by the owner.

10.7.2 Request of Public Agency with Authorization to Request District Assistance.

When requested by a governmental agency that has the authority to request that the District enter onto property to conduct emergency repairs to stop the flow of sewage from a private service lateral which has experienced an emergency line leak or break located on private property.

The governmental agency directing the District to enter private property and effectuate emergency repairs must agree to enter into a written agreement for performance of such repairs in a form maintained by the District which shall outline the following: that agency has said right to direct the District onto private property, the nature of the work to be performed, indemnification, waiver

NTPUD SEWER ORDINANCE

of liability and hold harmless agreement, scope and method of work to be performed by the District, and payment by agency for District's expenses.

CHAPTER 11

APPEALS

11.1 GENERAL

The many variables applicable to the provision of sewer service requires that appeals be accepted by the District. In the event a customer wishes to dispute the applicability of any section or challenge any staff decision under this Ordinance, the customer shall follow these procedures unless a specific procedure is provided.

11.2 APPEALS

Requests for an appeal shall be directed to the General Manager in writing. The General Manager shall perform such investigative work as deemed necessary and respond to the customer within fourteen (14) days. The response shall contain information obtained by the investigation and the decision of the General Manager.

11.2.1 Any person who is dissatisfied with a determination of the General Manager may, at any time within ten (10) days after such determination, appeal to the Board by giving written notice to the General Manager setting forth the determination with which the person is dissatisfied. The General Manager shall investigate and transmit to the Board a report upon the matter appealed. The Board shall cause written notice, as to the time and place fixed for hearing such appeal, to be given to all persons affected by such application at least ten (10) days prior to said appeal.

11.2.2 At the time and place ordered in the hearing, the Board shall consider the appeal. Except for appeals of corrective orders and suspension or termination of service, the appeal is an evaluative, and not an adversarial, process to determine the facts of the issue and the appropriate application of this Ordinance. The Board, appellant, and General Manager may provide any information deemed relevant to the issue and the Board's consideration. The Board's decision at the conclusion of the hearing shall be final.

11.3 PAYMENT OF CHARGES PENDING APPEAL REFUNDS

For appeals related to the amount of charges, the appellant shall pay the disputed charges. After the appeal is heard, the Board may order refunded to the person making the appeal such amount, if any, as the Board shall determine should be refunded.

NTPUD SEWER ORDINANCE

AMENDMENTS TO SEWER ORDINACE SINCE ADOPTION

(Amendments Incorporated Herein)

Ordinance 394	Master Sewer Amendment in Full	November 12, 2019
Ordinance 395	Sections: 1.4.11, 3.4, 3.5, 6.2.1, 10.3	May 12, 2020
Ordinance 397	Sections: 3.2.1(f), 5.1, 5.3.3(b), 5.3.3(d) 5.3.3(e), 3.1.1(c)	April 13, 2021



**NORTH TAHOE
PUBLIC UTILITY DISTRICT**

DATE: August 11, 2026

ITEM: G-1

FROM: Planning and Engineering Department

SUBJECT: Review, Discuss, and Possibly Approve Resolution 2026-18 Approving the Execution and Recordation of the Quitclaim of Utility Easement Rights Affecting APNs 090-174-021 Through 090-174-026 and the Transfer of Water and Sewer Facilities Serving 8746 Steelhead Avenue and Find the Action Exempt from the California Environmental Quality Act Under the Common Sense Exemption

RECOMMENDATION:

1. Approve Resolution 2026-18 approving the execution and recording of a quitclaim of utility easement rights affecting APNs 090-174-021 through 090-174-026 and transferring certain water and sewer facilities exclusively serving APN 090-174-026 to Oktay Kirak and Manching Ku, and authorizing related actions.
2. That the Board find the action exempt from the California Environmental Quality Act under the common sense exemption in State CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that the action will not have a significant effect on the environment.

DISCUSSION:

Oktay Kirak and Manching Ku own APN 090-174-026, located at 8746 Steelhead Avenue. The District holds or may hold historical water- and sewer-related easement rights affecting the rear portions of neighboring APNs 090-174-021 through 090-174-025, and existing water and sewer facilities extend across those parcels to serve APN 090-174-026. The proposed Quitclaim of Utility Easement Rights and Transfer of Water and Sewer Facilities (the "Instrument") will be recorded against all six APNs so the change in the District's easement interests appears in future title searches for each affected parcel.

The District's sewer rights arise from a sanitary sewer easement granted directly to the District on June 9, 1958, and recorded June 19, 1958, in Book 763 at Page 641 of the Official Records of Placer County as Instrument No. 5800. That easement covers the southerly four feet of Lots 1 through 6 of the Brockway Vista Subdivision and states that the sewer is to be used for Lots 7 and 8, Block PQ, only. District records identify the sewer facility addressed by the proposed quitclaim as exclusively serving APN 090-174-026.

The District's water-related rights are based on a deed dated August 13, 1932, from Brockway Land & Water Company to Sierra Mountain Homes Corporation and recorded August 29, 1932, in Book 242 at Page 372 of the Official Records of Placer County as Instrument No. 2703. The deed reserved broad rights-of-way for existing and future domestic-water pipelines and other utilities. The proposed Instrument quitclaims and transfers only whatever right, title, and interest, if any, the District holds under that reservation as it relates to the water pipeline exclusively serving APN 090-174-026.

Following relocation of the remaining water services from the former backyard main and completion of the private water service for 8746 Steelhead Avenue, no other property is connected to or served by either pipeline proposed for transfer. The water and sewer facilities are located within APNs 090-174-021 through 090-174-026 but exclusively serve APN 090-174-026. The proposed Quitclaim of Utility Easement Rights and Transfer of Water and Sewer Facilities therefore performs two related functions: it quitclaims the District's interests in the historical sewer and water easement rights to Kirak and Ku as owners of APN 090-174-026, and it transfers the District's interest, if any, in the physical water and sewer pipelines and related appurtenances exclusively serving that parcel.

ENVIRONMENTAL REVIEW:

The proposed action concerns the transfer of existing easement interests and existing facilities and does not authorize new construction or other physical work. Staff recommends that the Board find the action exempt from the California Environmental Quality Act under the common sense exemption in State CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that the action will not have a significant effect on the environment.

FISCAL ANALYSIS:

No material fiscal impact. The District will incur routine document preparation and recording costs and importantly, after recordation, will no longer be responsible for the maintenance and operation of the transferred facilities which exclusively serve APN 090-074-026.

ATTACHMENTS:

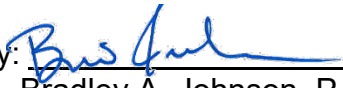
- Resolution 2026-18
- Quitclaim of Utility Easement Rights and Transfer of Water and Sewer Facilities, including Exhibits A and B
- 1932 Deed (Book 242, Page 372; Instrument No. 2703)
- 1958 Sanitary Sewer Easement (Book 763, Page 641; Instrument No. 5800)
- PowerPoint Presentation

MOTION: Approve Staff Recommendation

REVIEW TRACKING:

Submitted By: 

Joseph J. Pomroy, P.E.
Engineering and Operations Manager

Approved By: 

Bradley A. Johnson, P.E.
General Manager/CEO

RESOLUTION 2026-18
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH TAHOE PUBLIC
UTILITY DISTRICT APPROVING THE EXECUTION AND RECORDATION OF A
QUITCLAIM OF UTILITY EASEMENT RIGHTS AFFECTING APNS 090-174-021
THROUGH 090-174-026, THE TRANSFER OF WATER AND SEWER FACILITIES
EXCLUSIVELY SERVING APN 090-174-026, AND RELATED ACTIONS

WHEREAS, Oktay Kirak and Manching Ku own Assessor's Parcel Number 090-174-026, located at 8746 Steelhead Avenue, and the North Tahoe Public Utility District ("District") holds or may hold utility easement rights affecting Assessor's Parcel Numbers 090-174-021 through 090-174-026 under (i) the sanitary sewer easement recorded June 19, 1958, in Book 763 at Page 641 of the Official Records of Placer County as Instrument No. 5800, and (ii) the utility right-of-way reservation contained in the deed dated August 13, 1932, and recorded August 29, 1932, in Book 242 at Page 372 of the Official Records of Placer County as Instrument No. 2703;

WHEREAS, the existing water and sewer pipelines and related appurtenances proposed for transfer are located within Assessor's Parcel Numbers 090-174-021 through 090-174-026, exclusively serve Assessor's Parcel Number 090-174-026, are not connected to or used to serve any other property, and are no longer necessary or useful for the District's provision of public water or sewer service;

WHEREAS, the District has prepared a Quitclaim of Utility Easement Rights and Transfer of Water and Sewer Facilities (the "Instrument") that quitclaims the District's right, title, and interest, if any, in the identified easement rights to Kirak and Ku, transfers the identified water and sewer facilities to them AS IS, WHERE IS, WITH ALL FAULTS, requires them to assume all future ownership, operation, maintenance, repair, replacement, and liability for the facilities, and will be recorded against Assessor's Parcel Numbers 090-174-021 through 090-174-026 for indexing and notice purposes; and

WHEREAS, the Board of Directors has reviewed the proposed Instrument and its exhibits and finds that approval of the transaction is in the best interests of the District and its ratepayers.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE NORTH TAHOE PUBLIC UTILITY DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Findings and Approval. The Board finds that the Transferred Facilities exclusively serve Assessor's Parcel Number 090-174-026, are not connected to or used to serve any other property, and are not necessary or useful for the District's present or reasonably foreseeable public water or sewer service. The Board further finds that the easement rights identified in the Instrument are held, if at all, only in connection with those facilities. The Board hereby approves the Instrument substantially in the form

presented to the Board and authorizes the Board President to execute the Instrument on behalf of the District.

Section 3. Implementation and Recordation. The Board authorizes the General Manager, or designee, in consultation with General Counsel, to approve non-substantive revisions, complete the exhibits and recording information, cause the Instrument to be recorded against Assessor's Parcel Numbers 090-174-021 through 090-174-026, and take all other actions necessary or advisable to carry out this Resolution.

Section 4. California Environmental Quality Act. The Board finds that approval and recordation of the Instrument and transfer of the existing facilities will not result in a direct or reasonably foreseeable indirect physical change in the environment. The Board further finds that the action is exempt from the California Environmental Quality Act under State CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility the action may have a significant effect on the environment.

Section 5. Effective Date. This Resolution shall become effective upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE NORTH TAHOE PUBLIC UTILITY DISTRICT THIS 11th DAY OF AUGUST 2026, BY THE FOLLOWING ROLL CALL VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

**Sue Daniels, President,
Board of Directors**

ATTEST:

**Bradley A. Johnson, P.E.
General Manager/CEO**

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

North Tahoe Public Utility District
Attn: Suzi Gibbons
PO Box 139
Tahoe Vista, CA 96148

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 090-174-021, 090-174-022, 090-174-023, 090-174-024, 090-174-025, and 090-174-026

**QUITCLAIM OF UTILITY EASEMENT RIGHTS AND TRANSFER OF WATER AND
SEWER FACILITIES**

This cover sheet is provided solely for recording purposes and is not part of the Instrument.

RECORDING FEE EXEMPTION

Exempt pursuant to Government Code section 27383 because the instrument is executed and recorded by the North Tahoe Public Utility District, a political subdivision of the State of California.

BUILDING HOMES AND JOBS ACT (SB 2) FEE EXEMPTION

Exempt pursuant to Government Code section 27388.1(a)(2)(D) because the instrument is executed or recorded by a political subdivision of the State of California.

DOCUMENTARY TRANSFER TAX DECLARATION

Documentary transfer tax: \$ _____

☐ Computed on the full value of the interest conveyed.

☐ Computed on the full value less the value of liens or encumbrances remaining at the time of transfer.

☐ No documentary transfer tax is due. Basis:

_____.
The property is located in the unincorporated area of Placer County.

Signature of declarant or agent determining tax

Date

QUITCLAIM OF UTILITY EASEMENT RIGHTS AND TRANSFER OF WATER AND SEWER FACILITIES

This Quitclaim of Utility Easement Rights and Transfer of Water and Sewer Facilities (this "Instrument") is made by the NORTH TAHOE PUBLIC UTILITY DISTRICT, a California public utility district ("Grantor"), in favor of OKTAY KIRAK and MANCHING KU, with the mailing address of 1532 Albemarle Way, Burlingame, CA 94010 (collectively, "Grantees"), as owners of Assessor's Parcel Number 090-174-026.

For valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor, hereby remises, releases, and quitclaims to Grantees all of Grantor's right, title, and interest, if any, in and to (a) that certain sanitary sewer easement granted by Asa Abbott and Mary E. Abbott to Grantor, dated June 9, 1958, and recorded June 19, 1958, in Book 763 at Page 641 of the Official Records of Placer County, California, as Instrument No. 5800 (the "**Sewer Easement**"); and (b) the utility right-of-way reservation contained in that certain deed dated August 13, 1932, from Brockway Land & Water Company to Sierra Mountain Homes Corporation and recorded August 29, 1932, in Book 242 at Page 372 of the Official Records of Placer County, California, as Instrument No. 2703, solely to the extent such reserved rights are held by Grantor and relate to the water pipeline exclusively serving Assessor's Parcel Number 090-174-026 (the "**Water Easement**"; collectively with the Sewer Easement, the "**Quitclaimed Easement Rights**"). For indexing and notice purposes, this Instrument shall be recorded against Assessor's Parcel Numbers 090-174-021 through 090-174-026. The Quitclaimed Easement Rights affect or benefit all or portions of those parcels, are further described in Exhibit "A," and are generally depicted in Exhibit "B," each incorporated by this reference.

Grantor also conveys and transfers to Grantees, and Grantees accept, all of Grantor's right, title, and interest, if any, in the existing water and sewer pipelines and related appurtenances located within Assessor's Parcel Numbers 090-174-021 through 090-174-026 and exclusively serving Assessor's Parcel Number 090-174-026, as generally depicted in Exhibit "B" (collectively, the "**Transferred Facilities**"). No other property is connected to or served by the Transferred Facilities. The Transferred Facilities do not include District public mains, meters, connection facilities, or other facilities located on the District-ownership side of the point of ownership transfer shown on Exhibit "B." The Transferred Facilities are conveyed AS IS, WHERE IS, WITH ALL FAULTS, without representation or warranty. From and after recording, Grantor shall have no further responsibility for the ownership, operation, maintenance, repair, replacement, or liability associated with the Transferred Facilities, which shall be the sole responsibility of Grantees. The obligations assumed by Grantees with respect to the Transferred Facilities shall bind Grantees and their successors and assigns as owners of Assessor's Parcel Number 090-174-026.

Grantor makes no representation or warranty concerning the existence, validity, priority, scope, location, assignability, or enforceability of the Quitclaimed Easement Rights. Grantees acquire only such right, title, and interest, if any, as Grantor may lawfully transfer under the recorded instruments identified above. This Instrument does not create, enlarge, relocate, or otherwise modify any easement or other private right over Assessor's Parcel Numbers 090-174-021 through 090-174-025. Nothing in this Instrument imposes any obligation on the owners of those parcels,

who are not parties to this Instrument. Except as expressly provided herein, Grantor retains all other rights and interests, if any.

Grantees shall indemnify, defend, and hold harmless, to the fullest extent permitted by law, Grantor, its governing body, officers, agents, employees, and volunteers from and against any and all liability, loss, damage, claims, expenses, and costs (including attorneys' fees and litigation costs) arising out of or connected with Grantees' ownership, operation, maintenance, repair, replacement, or use of the Quitclaimed Easement Rights or Transferred Facilities, except to the extent caused by the active negligence, sole negligence, or willful misconduct of Grantor.

Grantees fully and forever release and discharge Grantor and its officers, agents, employees, representatives, and successors from and against all actions, proceedings, causes of action, claims, demands, damages, losses, expenses, obligations, and liabilities of any nature relating to the Quitclaimed Easement Rights, the Transferred Facilities, or their condition, ownership, operation, or maintenance, whether known or unknown, existing before or as of the date of recording.

Grantees acknowledge and agree that the foregoing release applies to all claims for injury, damage, or loss to their persons or property, whether known or unknown, foreseen or unforeseen, patent or latent, that Grantees may have against Grantor relating to the Quitclaimed Easement Rights or Transferred Facilities.

With respect to the foregoing release, Grantees expressly waive and relinquish all rights and benefits conferred by California Civil Code section 1542 and any similar law. Civil Code section 1542 provides:

“A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.”

Grantees acknowledge that they understand the effect of California Civil Code section 1542 and voluntarily waive its protections. If Grantees later discover facts different from or in addition to those now known or believed to be true, the release shall remain in full force and effect according to its terms.

(Signatures on following page)

IN WITNESS WHEREOF, the Parties have read and fully understood the terms of this Instrument and execute it effective as of the date of recording.

Executed this _____ day of _____, 2026.

GRANTOR

North Tahoe Public Utility District

By: _____

Name: Sue Daniels

Title: Board President

GRANTEES

Oktay Kirak and Manching Ku

By: _____

Oktay Kirak

By: _____

Manching Ku

CALIFORNIA ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

On _____ before me,

_____, personally appeared

_____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature

*Signer(s): Authorized representative of North
Tahoe Public Utility District*

Signature of Notary Public

CALIFORNIA ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

On _____ before me,
_____, personally appeared

_____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature

Signer(s): Oktay Kirak and Manching Ku

Signature of Notary Public

EXHIBIT A

Description of Quitclaimed Easement Rights and Transferred Facilities

Indexing and Affected Parcels. This Instrument shall be recorded against Assessor's Parcel Numbers 090-174-021, 090-174-022, 090-174-023, 090-174-024, 090-174-025, and 090-174-026. Grantees own Assessor's Parcel Number 090-174-026. The Quitclaimed Easement Rights affect or benefit all or portions of those parcels. The Transferred Facilities are located within those parcels and exclusively serve Assessor's Parcel Number 090-174-026. Their general locations are depicted on Exhibit "B."

Sewer Easement. All of Grantor's right, title, and interest in that certain sanitary sewer easement granted by Asa Abbott and Mary E. Abbott to the North Tahoe Public Utility District, dated June 9, 1958, and recorded June 19, 1958, in Book 763 at Page 641 of the Official Records of Placer County, California, as Instrument No. 5800. The easement area is described in the recorded instrument as follows:

"The Southerly four (4.00) feet of Lots 1, 2, 3, 4, 5, and 6, as shown on the Brockway Vista Subdivision, filed June 9th, 1958, Book 'D' of maps, page 30, of Records of Placer County, California."

The recorded instrument provides that the sewer within the easement is to be used for Lots 7 and 8, Block PQ, only. District records identify the sewer facility addressed by this Instrument as exclusively serving Assessor's Parcel Number 090-174-026.

Water Easement. All of Grantor's right, title, and interest, if any, in the utility right-of-way reservation contained in that certain deed dated August 13, 1932, from Brockway Land & Water Company to Sierra Mountain Homes Corporation and recorded August 29, 1932, in Book 242 at Page 372 of the Official Records of Placer County, California, as Instrument No. 2703, solely to the extent such reserved rights are held by Grantor and relate to the water pipeline exclusively serving Assessor's Parcel Number 090-174-026, which pipeline is generally depicted on Exhibit "B."

Transferred Facilities. The Transferred Facilities consist of Grantor's right, title, and interest, if any, in the existing water and sewer pipelines and related appurtenances located within Assessor's Parcel Numbers 090-174-021 through 090-174-026 and exclusively serving Assessor's Parcel Number 090-174-026, as generally depicted on Exhibit "B." No other property is connected to or served by the Transferred Facilities. The Transferred Facilities exclude District public mains, meters, connection facilities, and other facilities located on the District-ownership side of the point of ownership transfer shown on Exhibit "B."

EXHIBIT B

Depiction of Quitclaimed Easement Rights and Transferred Facilities

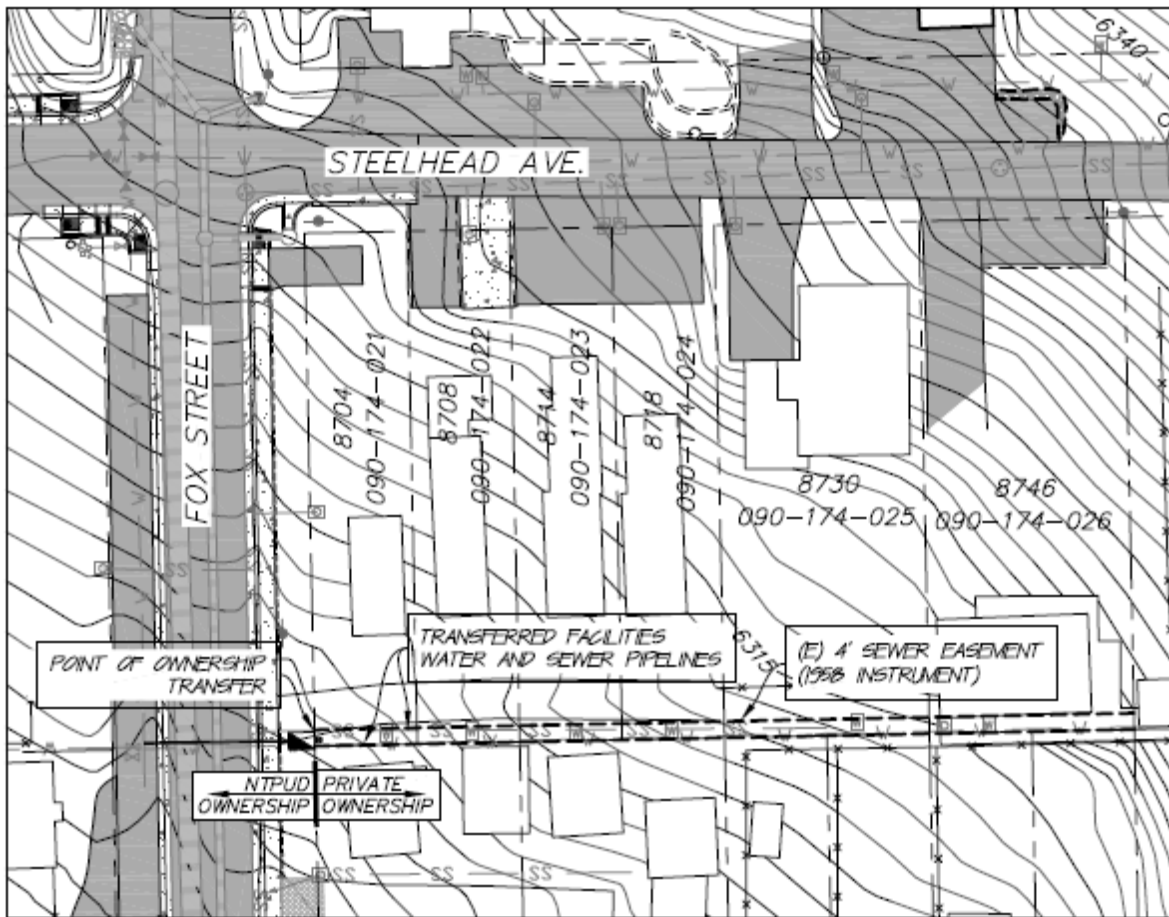


Exhibit B
APN 090-174-026
8746 Steelhead Ave.
Prepared by: NTPUD July 31, 2026

COMPARED

Record This copy

5800

VOL 763 PAGE 641

DEED OF EASEMENT

ASA ABBOTT AND MARY E. ABBOTT
as Grantor, hereby grant to the NORTH TAHOE PUBLIC UTILITY DISTRICT,
a public corporation, Placer County, State of California, as Grantee, the
following easement in the County of Placer, State of California, to-wit:

PARCEL No. 31A 16146

The Southernly four (4.00) feet of Lots 1, 2, 3, 4, 5, and 6, as
shown on the Brockway Vista Subdivision, filed June 9th, 1958,
Book D of maps, page 30, of Records of Placer County, California.

TO HAVE AND TO HOLD said easement for the purpose of acquiring,
constructing, completing, reconstructing, repairing, maintaining and
operating sanitary sewers and appurtenances for said District, together
with the right of ingress and egress therefor. This sewer will be used
for lots 7 and 8, Block PQ, only.

IN WITNESS WHEREOF, the Grantor ha hereto set hand
and signature this 9 day of June, 1958.

Asa E. Abbott
Mary E. Abbott

WITNESS:

Eulyn D. Riches

STATE OF CALIFORNIA }
County of PLACER } SS

On this 9TH day of JUNE, 1958, before me,
THE UNDERSIGNED, a Notary Public in
and for the said County of PLACER, State of California, residing
therein, duly commissioned and sworn, personally appeared
ASA ABBOTT & MARY E. ABBOTT personally known to me to be the person
whose name is subscribed to the within instrument as a subscribing wit-
ness thereto, who being by me duly sworn, deposed and said that he resides
in the County of PLACER, State of California, that he was
present and saw ASA E. ABBOTT & MARY E. ABBOTT
personally known to him to be the same persons described in and whose
name AS E subscribed to the within instrument as the parties
thereto, sign and execute the same; and that he, the affiant, then and
there subscribed his name to said instrument as a witness to said
signature S.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal, at my office in the County of PLACER,
the day and year in this certificate first above written.

OFFICIAL RECORDS
VOL 763 PAGE 641
PLACER COUNTY, CALIFORNIA
RECORDED AT REQUEST OF
North Tahoe Pub. Util. Distr.

JUN 19 9 58 AM 1958
5800

CLERK OF SUPERIOR COURT
PLACER COUNTY
RECEIVED
JUN 19 1958
Ret. no 5777

Clarke Allen
Notary Public in and for the
County of PLACER
State of California

My Commission Expires Oct. 26, 1960

: THIS IS TO CERTIFY that the NORTH
 : TAHOE PUBLIC UTILITY DISTRICT, Grantee
 : herein, acting by and through the General
 : Manager, hereby accepts for public purposes
 : the real property or interest therein con-
 : veyed by the within deed, and consents to
 : the recording thereof.
 : By authority of the resolution con-
 : ferring said authority to me, the General
 : Manager of said District, recorded
 : August 11, 1954, in Volume 656, Page 372,
 : of the Official Records of the County of
 : Placer, I have affixed my signature, this
 : 9 day of June, 1958
 : Edward J. Francis
 : Edward J. Francis, General Manager,
 : North Tahoe Public Utility District

RESOLUTION NO. 85

AUTHORIZING GENERAL MANAGER OF NORTH TAHOE
 PUBLIC UTILITY DISTRICT TO CONSENT TO GRANT
 OR DEED OF EASEMENT

RESOLVED by the Board of Directors of the North Tahoe Public
 Utility District, Placer County, California, that the General
 Manager of the North Tahoe Public Utility District be, and he is
 hereby authorized to consent for said District to any grant or
 deed of easement, to be evidenced by his written acceptance attached
 to such deed, or easement, and he is further authorized to record
 any such grant or deed, with the County Recorder of the County in
 which the real property or interest therein conveyed is situated,
 together with a certified copy of this Resolution conferring such
 authority, and furthermore the Recorder of Placer County is hereby
 authorized to record the same deed or grant of easement.

/s/ Joe King
 President of the North Tahoe
 Public Utility District

ATTEST:

/s/ Evelyn Mandeville
 Clerk and ex-officio Secretary

(SEAL)

* * * * *

I hereby certify the foregoing to be a true copy of a
 resolution adopted by the Board of Directors of the North Tahoe
 Public Utility District, Placer County, California, at a meeting
 thereof held on the 9th day of August, 1954, by the following
 vote of the Directors thereof:

AYES, and in favor thereof, Directors: Brooks, King, Sutton
 NOES, Directors: None
 ABSENT, Directors: None

Evelyn Mandeville
 Clerk of the North Tahoe Public
 Utility District

Quitclaim of Utility Easement Rights

Board of Director Meeting

August 11, 2026



Quitclaim of Utility Easement Rights

How Did this Come About

- Installation of Watermains in Steelhead and Golden
- Relocates required for South Side of Steelhead in 2025
- In 2019 the Owner of 8746 Steelhead requested:
 - Locate the water meter on Fox Street
 - Allow use of existing back yard watermain from 8746 Steelhead to Fox Street as conduit for new water service after abandonment.
- The District required
 - Water service must meet District standards for installation and inspection
 - Formally dedicate District sewer main to the property owner because it only serves 8746 Steelhead
 - Easements and infrastructure to be dedicated by quitclaim to 8746 Steelhead



**NORTH TAHOE
PUBLIC UTILITY DISTRICT**

DATE: August 11, 2026

ITEM: D-1

FROM: Office of the General Manager

SUBJECT: Adopt Resolution 2026-16, Determining that the District's Actions Regarding Pending Water Right Applications A024257, A023475, and A023727 Are Exempt From CEQA, Approving a Notice of Exemption, and Authorizing Its Filing and Related Actions

RECOMMENDATION:

1. Conduct a public hearing to receive comments regarding the proposed Notice of Exemption ("NOE") under the California Environmental Quality Act ("CEQA").
2. Adopt Resolution No. 2026-16 determining that (a) the District's action regarding pending Water Right Application A024257 qualifies for the Class 1 categorical exemption and (b) the District's action regarding Water Right Applications A023475 and A023727 is exempt under Public Resources Code § 21080(b)(5) and CEQA Guidelines § 15270(a).
3. Approve the NOE, authorize its filing, and authorize the General Manager or his designee to take all action reasonably necessary to implement the Resolution.

EXECUTIVE SUMMARY:

The North Tahoe Public Utility District ("District") has three pending water right applications before the State Water Resources Control Board ("State Water Board") Applications A024257, A023475, A023727, which were originally filed in 1972, 1970, and 1971, respectively. The proposed action consists of authorizing continued processing of Application A024257 and cancellation of Applications A023475 and A023727, determining that the proposed action regarding Applications A024257 A023475, and A023727 is exempt from CEQA, and approving the NOE. The proposed action does not authorize construction of new facilities, modification of existing facilities, or changes to the District's current operations.

District staff recommends that the Board determine that the proposed action regarding A024257 qualifies for the Class 1 categorical exemption for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public facilities involving negligible or no expansion of use. District staff also recommend that the

Board determine that cancellation of Applications A023475 and A023727 are exempt pursuant to Public Resources Code § 21080(b)(5) and CEQA Guidelines § 15270(a).

BACKGROUND:

The District's municipal water system is supplied, in part, by water diverted from Lake Tahoe pursuant to existing water rights and related legal authorities. The District currently possesses legal authority under State Water Board Decision 1056 ("D-1056") to divert up to 1,900 acre-feet per year ("AFY") from Lake Tahoe and has historically operated its water system within that authorized limit. The District currently operates its water system within that limit as well.

The District's pending water right applications were originally filed in 1970, 1971, and 1972 to preserve additional water right authority necessary to meet the District's anticipated long-term municipal water supply needs under a full buildout scenario. Since that time, the Truckee River Operating Agreement ("TROA") has established the operational framework governing diversions from Lake Tahoe. To conform the applications to the District's existing water system and the TROA framework, the District filed a Petition for Change in May 2024 requesting amendments to the application's point of diversion, place of use, diversion rate, and annual diversion quantity. Those changes were approved by the State Water Board in November 2024. Application A024257 is inclusive of the amounts of water subject to the other two applications and the District will cancel those applications, leaving only Application A024257 to take to permit.

Although the District currently possesses legal authority to divert approximately 1,900 AFY under D-1056, Application A024257 requests authority to divert up to 2,829 AFY, which is the quantity calculated to serve the District under full buildout over the requested period for completion of beneficial use. The application seeks to secure sufficient long-term water right authority for continued operation of the District's existing municipal water system should future municipal demands materialize.

The District's adopted 2025 Urban Water Management Plan ("UWMP") concludes that the District's service area is substantially built out, that future growth is expected to consist primarily of infill redevelopment subject to Tahoe Regional Planning Agency growth controls, and that existing water supplies and facilities are adequate to satisfy projected demand throughout the current planning period. The 2025 UWMP identifies no need to construct additional water supply facilities or modify the District's existing diversion infrastructure during that period. Consistent with these adopted planning assumptions, approval of the proposed action will not expand the operational use of the District's existing diversion facilities.

Importantly, the pending application does not authorize or require construction of new diversion facilities, modification of existing diversion infrastructure, or changes to the District's current operational practices. Instead, the District will continue to operate its existing municipal water system, including its Lake Tahoe intake, groundwater wells, treatment facilities, storage facilities, transmission facilities, and distribution system.

Any future increase in diversions would depend on future customer demand, operational decisions by the District, hydrologic conditions, continued compliance with TROA, satisfaction of permit conditions, and compliance with any other applicable legal and regulatory requirements.

DISCUSSION:

A. Lead Agency

CEQA requires that one public agency serve as the lead agency for a project (Pub. Res. Code § 21067; CEQA Guidelines § 15050). The lead agency is generally the public agency with principal responsibility for carrying out or approving the project (CEQA Guidelines § 15051(a)). Although the State Water Board will ultimately determine whether to issue the requested permit, the District is the public agency carrying out the proposed activity by electing to pursue the application and making a CEQA determination in connection with that discretionary action. Accordingly, the District is the appropriate lead agency for the proposed action.

B. Proposed Action

The proposed Board action is limited to: determining the applicability of CEQA to the District's pending water right applications; approving the NOE as attached as Exhibit A; authorizing the filing of the NOE; and authorizing District staff to undertake all actions reasonably necessary to implement the Resolution. The proposed action does not approve construction of new facilities, expansion of existing facilities, modification of existing diversion infrastructure, or any other physical improvement.

C. Applicability of the Class 1 Exemption

Staff concludes that the proposed action independently qualifies for the Class 1 categorical exemption set forth in CEQA Guidelines § 15301. The Class 1 exemption applies to operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public facilities involving negligible or no expansion of existing or former use.

The District's municipal water system, including its Lake Tahoe diversion facilities and groundwater wells, has been constructed and operated for many years. The proposed action does not authorize construction of new facilities, expansion of existing facilities, modification of existing diversion infrastructure, or any other physical alteration of the District's municipal water system. The District will continue to divert water through its existing National Avenue Intake using existing treatment, groundwater wells, storage, and distribution facilities. The requested permit establishes the legal authority under which the District may continue operating its existing municipal water system. Although the permit would authorize a greater quantity of water than the District is presently authorized to divert, the Board's action does not itself authorize or require any increase in actual diversions. The District will continue operating the same intake, treatment, groundwater wells, storage, transmission, and distribution facilities in substantially the same manner as they operate today.

Although Application A024257 seeks additional legal authority that could accommodate future municipal demand during the requested relief period for completion of beneficial use, approval of the proposed action does not itself authorize construction of facilities, changes to existing operations, or increased water diversions. Any future increase in diversions would depend upon future customer demand, hydrologic conditions, operational decisions by the District, continued compliance with TROA, satisfaction of permit conditions, and compliance with all applicable legal and regulatory requirements.

The District's adopted 2025 UWMP concludes that existing water supplies and existing municipal water facilities are adequate to satisfy the projected demands through the current planning horizon and identifies no need to construct additional water supply facilities or modify the District's existing diversion infrastructure during that period. Those adopted planning assumptions support the conclusion that approval of the proposed action will not expand the operational use of the District's existing diversion facilities.

Accordingly, the proposed action concerns the continued operation and licensing of the District's existing municipal water system. The District will continue operating the same diversion, treatment, groundwater wells, storage, and transmission facilities in substantially the same manner as they operate today. Because the proposed action does not authorize physical modifications to existing facilities or an expansion of their operational use, it involves negligible or no expansion of existing use within the meaning of CEQA Guidelines § 15301. The proposed action therefore falls within the Class 1 categorical exemption.

D. Exceptions to the Categorical Exemption Do Not Apply

CEQA Guidelines § 15300.2 identifies several exceptions to the use of categorical exemptions. Staff has reviewed each applicable exception in light of the proposed action and the administrative record and concludes that none precludes reliance on the Class 1 exemption.

The proposed action does not present unusual circumstances that create a reasonable possibility of a significant environmental effect. The action concerns the continued operation of the District's municipal water system and does not authorize construction of new facilities, physical modification of existing diversion infrastructure, or expansion of the operational use of those facilities. The District will continue operating the same municipal water system in substantially the same manner as it operates today.

The proposed action will not contribute to cumulative impacts because it does not authorize any physical change to the environment or modify the District's existing facilities. Likewise, the action will not damage scenic resources within a designated state scenic highway because it does not involve construction, grading, vegetation removal, or any other physical alteration of the landscape. The action is not located on a site identified pursuant to Government Code § 65962.5, as it concerns the continued operation of the District's existing municipal water system rather than development of contaminated property. Finally, the proposed action will not cause a substantial adverse

change in the significance of a historical resource because it does not involve demolition, alteration, relocation, or physical modification of any historical resource.

Based on the foregoing, staff concludes that none of the exceptions contained in CEQA Guidelines § 15300.2 applies. Accordingly, if the proposed action is determined to constitute a project under CEQA, the District may properly rely on the Class 1 categorical exemption.

E. Projects Disapproved or Rejected

Application A024257 encompasses the diversion authority previously sought through Applications A023475 and A023727. Accordingly, the District no longer requires Applications A023475 and A023727 to achieve its long-term municipal water supply objectives and intends to request that the State Water Board cancel those applications.

The Board's authorization to discontinue pursuit of Applications A023475 and A023727 constitutes rejection or disapproval of those applications. Pursuant to Public Resources Code § 21080(b)(5) and CEQA Guidelines § 15270(a), CEQA does not apply to projects that a public agency rejects or disapproves. Accordingly, the proposed cancellation of Applications A023475 and A023727 is independently exempt from CEQA.

F. Conclusion

Staff recommends that the Board determine that the proposed action regarding A024257 is categorically exempt under CEQA Guidelines § 15301, that none of the exceptions to the categorical exemption apply, and that the proposed action regarding Applications A023475 and A023727 are exempt under Public Resources Code § 21080(b)(5) and CEQA Guidelines § 15270(a).

FISCAL ANALYSIS:

Approval of the recommended action will not, by itself, result in any capital expenditures, construction costs, or changes to the District's operating budget. The recommended action authorizes the filing of a Notice of Exemption and supports the continued processing of the District's pending water right application before the State Water Resources Control Board. Staff time and legal services associated with processing the application will continue to be funded through the District's approved operating budget. Any future costs associated with the water right applications or subsequent regulatory proceedings will be subject to future Board consideration, as appropriate.

STRATEGIC PLAN ALIGNMENT:

Goal 1: Provide safe, efficient, sustainable water and wastewater services focusing on industry best practices and continuous improvement – Objective A: Comply with all regulatory mandates and environmental standards – Tactic 2: Meet all California Water Conservation goals and ensure sufficient water for essential indoor and outdoor use –

Activity b: Annually assess the water supply and demand for prediction of possible water shortages for all three water systems.

ATTACHMENTS:

- Attachment A – Resolution 2026-16
- Attachment B – Notice of Exemption
- Attachment C – Map of Service Area for Application A024257
- Attachment D – Applications A024257, A023475, and A023727
- Attachment E – State Water Resources Control Board Order Approving Petition for Change for Application A024257 of Point of Diversion, Place of Use, and Reduction of Diversion Rate and Amount

REVIEW TRACKING:

Submitted By: 
Joseph J. Pomroy, P.E.
Engineering & Operations Manager

Approved By: 
Bradley A. Johnson, P.E.
General Manager/CEO

RESOLUTION 2026-16

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH TAHOE PUBLIC UTILITY DISTRICT DETERMINING THAT THE DISTRICT'S ACTION REGARDING WATER RIGHT APPLICATION A024257 IS EXEMPT FROM CEQA, DETERMINING THAT THE DISTRICT'S ACTION TO DISCONTINUE PURSUIT OF APPLICATIONS A023475 AND A023727 IS EXEMPT FROM CEQA, APPROVING A NOTICE OF EXEMPTION, AND AUTHORIZING RELATED ACTIONS

WHEREAS, the North Tahoe Public Utility District ("District") owns and operates a municipal water system that diverts, treats, stores, and distributes water to customers within its service area; and

WHEREAS, the District has three pending water right applications before the State Water Resources Control Board ("State Water Board"), identified as Applications A024257, A023475, A023727, each originally filed in the 1970s; and

WHEREAS, the purpose of the pending applications is to obtain water right permits authorizing diversions from Lake Tahoe consistent with the Truckee River Operating Agreement ("TROA") and the District's long-term municipal water supply planning; and

WHEREAS, the State Water Board approved the District's Petition to Change Application A024257 in September 2024;

WHEREAS, Application A024257, as amended, encompasses the diversion authority previously sought through Applications A023475 and A023727; and

WHEREAS, the District no longer requires Applications A023475 and A023727 to achieve its long-term water supply objectives and intends to request that the State Water Board cancel those applications; and

WHEREAS, the Board finds that the District is the appropriate lead agency under the California Environmental Quality Act ("CEQA") because the proposed action consists of the District's discretionary decision to continue pursuing Application A024257, seek cancellation of Applications A023475 and A023727, and to make the CEQA determination associated with those actions, while the State Water Board's subsequent action concerns whether to issue the requested water right permit; and

WHEREAS, the Board has considered the staff report, the Notice of Exemption ("NOE") attached as Exhibit A, all supporting documents, public testimony, and the entire administrative record before taking action; and

WHEREAS, the proposed Board action consists of (a) determining the applicability of CEQA to the District's actions regarding its pending water right applications, (b) approving the NOE attached as Exhibit A, and (c) authorizing District staff to take all actions reasonably necessary to implement this Resolution; and

WHEREAS, the proposed action does not approve construction of new facilities, expansion of existing facilities, modification of existing diversion infrastructure, or any other physical improvement; and

WHEREAS, the proposed action does not require any increase in water diversions from Lake Tahoe; and

WHEREAS, the District's existing diversion facilities have already been constructed and are currently operational; and

WHEREAS, the District's adopted 2025 Urban Water Management Plan ("UWMP") concludes that existing municipal water facilities are adequate to satisfy projected demands throughout the current planning horizon and identifies no need to construct additional water supply facilities or modify the District's existing diversion infrastructure during that period; and

WHEREAS, the District has requested a 20-year period to complete beneficial use under the requested permit, reflecting the long-term nature of municipal water supply planning and the gradual development of future municipal water demand; and

WHEREAS, A024257 seeks to secure sufficient long-term water right authority for the continued operation of the District's existing municipal water system over the requested period for completion and does not, by itself, authorize the construction of new facilities, physical modification of existing facilities, changes in the physical operation of the District's water system, or any immediate increase in water diversions; and

WHEREAS, any future increase in water diversions would depend upon future customer demand, future operational decisions by the District, hydrologic conditions, continued compliance with TROA, satisfaction of permit conditions, and compliance with all applicable legal and regulatory requirements; and

WHEREAS, the proposed action concerns the continued operation of the District's existing municipal water system, including its existing diversion, treatment, groundwater wells, storage, transmission, and distribution facilities; and

WHEREAS, approval of the proposed action will not authorize construction of new facilities, expansion or physical modification of existing diversion facilities, or changes in the manner in which the District's existing municipal system is operated; and

WHEREAS, consistent with the District's adopted 2025 UWMP, the Board finds that approval of the proposed action will not expand the District's current operational use of its existing diversion facilities and that those facilities will continue to operate substantially as they do today; and

WHEREAS, the Board finds that the proposed action involves the continued licensing and operation of existing public facilities involving negligible or no expansion of existing use and therefore qualifies for the Class 1 categorical exemption set forth in CEQA Guidelines § 15301; and

WHEREAS, the Board finds that none of the exceptions to the use of a categorical exemption identified in CEQA Guidelines § 15300.2 apply because the proposed action will not result in unusual circumstances creating a reasonable possibility of a significant environmental effect, will not contribute to cumulative environmental impacts, will not damage scenic resources within a designated state scenic highway, is not located on a site identified pursuant to Government Code § 65962.5, and will not cause a substantial adverse change in the significance of a historical resource; and

WHEREAS, the Board's authorization to discontinue pursuit of Applications A023475 and A023727 constitutes rejection or disapproval of those applications; and

WHEREAS, the Board finds that the proposed cancellation of Applications A023475 and A023727 is exempt from CEQA pursuant to Public Resources Code § 21080(b)(5) and CEQA Guidelines § 15270(a); and

WHEREAS, the Board finds that the Notice of Exemption attached as Exhibit A accurately describes the proposed action and the legal and factual basis supporting the District's CEQA determination; and

WHEREAS, the Board further finds that the proposed Board action is in the public interest because it facilitates continued processing of the District's long-pending water right application while preserving the District's ability to provide reliable, sustainable municipal water service through its existing water system.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE NORTH TAHOE PUBLIC UTILITY DISTRICT:

1. The foregoing recitals and findings are true and correct and incorporated herein by this reference.
2. The Board determines that the proposed action regarding Application A024257 is categorically exempt pursuant to CEQA Guidelines § 15301 (Existing Facilities) because it involves the continued licensing and operation of the District's existing municipal water system involving negligible or no expansion of existing use.
3. The Board determines that the proposed action regarding cancellation of Applications A023475 and A023727 is exempt from CEQA under Public Resources Code § 21080(b)(5) and CEQA Guidelines § 15270(a).
4. The Board approves the Notice of Exemption attached hereto as Exhibit A and incorporated by herein by this reference.
5. The General Manager or his designee is hereby authorized and directed to take all actions reasonably necessary to implement this Resolution, including filing the Notice of Exemption, pursuing Application A024257, and requesting cancellation of Applications A023475 and A023727.
6. This resolution shall take effect immediately upon its adoption.

7. The document and materials that constitute the record of proceedings on which this resolution and the above findings have been based are located at the District's office at 875 National Avenue, Tahoe Vista, CA 96148. The custodian for these records is the General Manager.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE NORTH TAHOE PUBLIC UTILITY DISTRICT THIS 11th DAY OF AUGUST, 2026, BY THE FOLLOWING ROLL CALL VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

**Sue Daniels, President
Board of Directors**

ATTEST:

**Bradley A. Johnson, P.E.
General Manager/CEO**

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency _____

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Attachment 1

To Notice of Exemption

For Water Right Applications A024257, A023475, and A023727

Project Location

The North Tahoe Public Utility District (“District”) is a public utility district located in and around Tahoe Vista, California, within Placer County. The District owns and operates an existing municipal water system, including water rights, water treatment facilities, groundwater wells, storage facilities, and a distribution system, to provide potable water to customers within its service area.

As described in the District’s adopted 2025 Urban Water Management Plan (“UWMP”), the District’s service area is substantially built out and future development is expected to consist of primarily of infill redevelopment within existing developed areas, subject to land use controls of the Tahoe Regional Planning Agency.

The proposed action relates solely to the District’s existing municipal water system and pending water right applications. The existing place of use associated with the applications is depicted on the map attached as Exhibit A.

The proposed point of diversion is Lake Tahoe Intake in the Agate Bay: North 2,218,088 feet and East 7,114,163 feet by California Coordinate System, Zone 2, North American Datum 1983, located within the Southwest quarter of the Northwest quarter of Section 14, Township 16 North, Range 17 East, Mount Diablo Base and Meridian.

Description of Nature, Purpose and Beneficiaries of Proposed Action

The proposed action consists of the District’s approval of a Notice of Exemption (“NOE”) under the California Environmental Quality Act (“CEQA”) in connection with the District’s pending water right applications before the State Water Resources Control Board (“State Water Board”), including continued pursuit of Application A024257 and cancellation of Applications A023475 and A023727. Although the State Water Board will act on the pending application, its action occurs after the District’s discretionary decision to pursue the application and does not alter the District’s responsibility to evaluate the environmental consequences of its own discretionary action.

The purpose of the proposed action is to facilitate the continued processing of the District’s pending water right application to secure sufficient long-term water right authority for operation of the District’s existing municipal water system consistent with the Truckee River Operating Agreement. It does not authorize or require construction of new facilities, modification of existing facilities, or changes to the District’s existing operations.

The beneficiaries of the proposed action are the District and its existing and future customers, who rely on the District’s municipal water system for a reliable and long-term potable water supply.

Reasons Why the Project Is Exempt

Following a duly noticed public hearing, the District determined that the proposed action is not subject to CEQA or, alternatively, is exempt from CEQA on the following independent grounds:

- Class 1 Categorical Exemption (14 Cal. Code Regs. § 15301). The proposed action involves the continued operation and licensing of the District's existing municipal water system and diversion facilities involving negligible or no expansion of existing use.
- Projects Disapproved or Rejected (Public Resources Code § 21080(b)(5); 14 Cal Code Regs. § 15270(a)). The proposed cancellation of Water Right Applications A023475 and A023727 is exempt under because CEQA does not apply to projects that the public agency rejects or disapproves.

Class 1 Exemption

The proposed action concerns the continued operation of the District's existing municipal water system and diversion facilities. It does not authorize construction of new facilities, physical modifications to existing facilities, expansion of existing diversion infrastructure, or changes in the physical operation of those facilities. The District will continue to operate its existing municipal water system, including its existing National Avenue Intake, using its existing treatment, storage, transmission, and distribution facilities.

Application A024257 seeks to secure sufficient long-term water right authority for the continued operation of the District's existing municipal water system over the requested period for completion of beneficial use. Although the requested permit would authorize a greater quantity of water than the District is presently authorized to divert, approval of the proposed action does not itself authorize or require any increase in actual water diversions. Rather, the proposed action concerns the legal authority under which the District may continue operating its existing municipal water system.

The District's adopted 2025 UWMP concludes that existing municipal water facilities are adequate to satisfy projected demand through 2050 and identifies no need to construct additional water supply facilities or modify the District's existing diversion infrastructure during that period. Consistent with those adopted planning assumptions, approval of the proposed action is not expected to expand the District's current operational use of its existing diversion facilities.

Any future increase in diversions would depend on future customer demand, operational decisions by the District, hydrologic conditions, continued compliance with the Truckee River Operating Agreement, satisfaction of permit conditions, and compliance with any other applicable legal and regulatory requirements. Those future contingencies are independent of the proposed Board action and do not alter the District's current operation of its existing municipal water system.

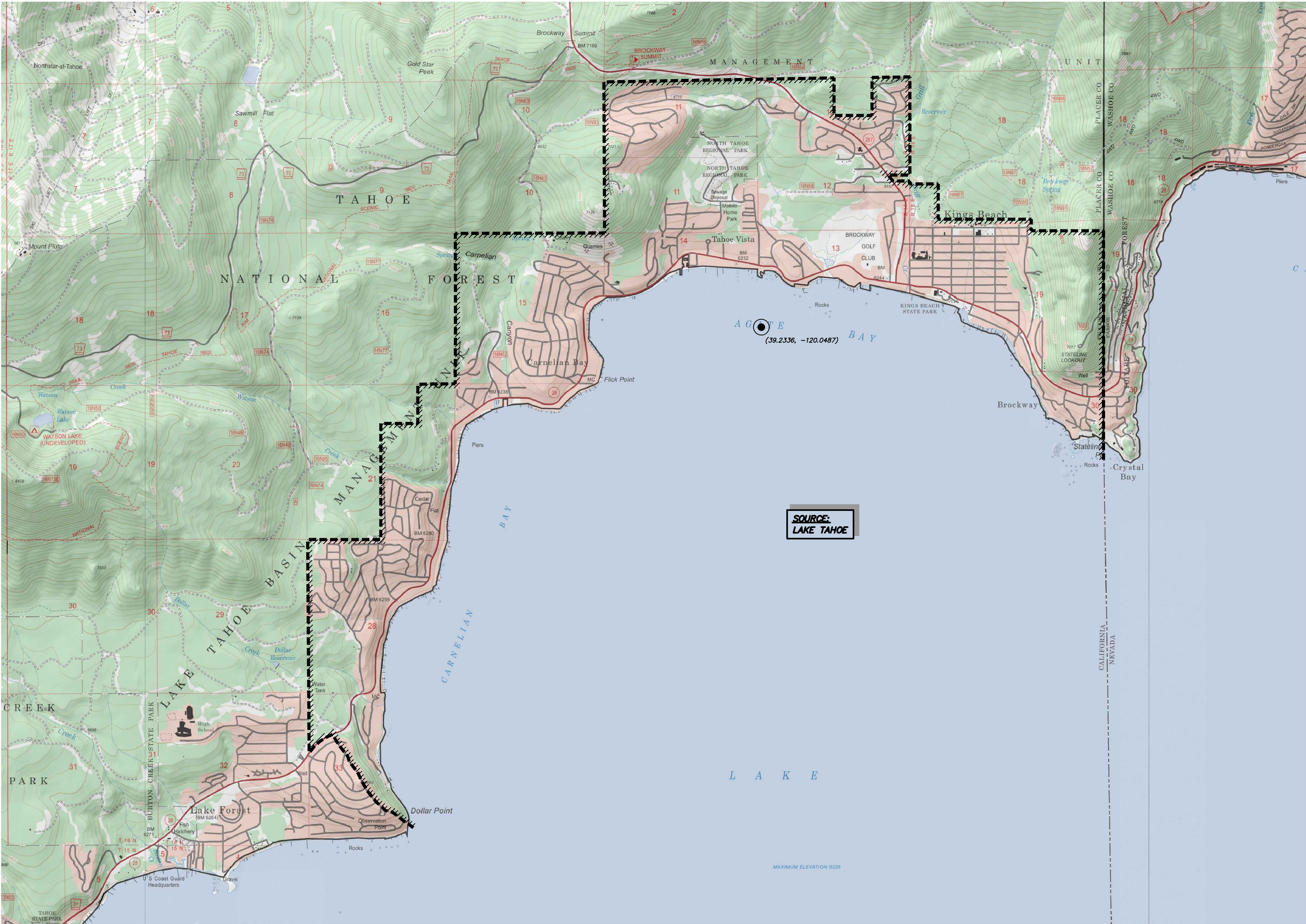
Accordingly, the proposed action involves the continued licensing and operation of existing public facilities involving negligible or no expansion of existing use and therefore falls within the Class 1 categorical exemption set forth in CEQA Guidelines § 15301.

The District further determined that none of the exceptions contained in CEQA Guidelines § 15300.2 applies. The proposed action concerns continued licensing and operation of the District's existing municipal water system and does not authorize construction of new facilities, physical modification of existing facilities, or expansion of the operational use of those facilities. The District will continue operating the same diversion, treatment, groundwater wells, storage, transmission, and distribution facilities in substantially the same manner as they operate today. Accordingly, the proposed action does not present unusual circumstances, does not contribute to cumulative impacts, does not affect scenic resources within a designated state scenic highway, does not occur on a hazardous waste site, and does not cause substantial adverse change in the significance of a historical resource.

Cancellation of Applications A023475 and A023727

Application A024257, as amended by the State Water Resources Control Board's approval of the District's 2024 Petition for Change, encompasses the diversion authority previously sought through Applications A023475 and A023727. Accordingly, the District no longer requires Applications A023475 and A023727 to achieve its long-term municipal water supply objectives and intends to request that the State Water Board cancel those applications.

The Board's authorization to discontinue pursuit of Applications A023475 and A023727 constitutes rejection or disapproval of those applications. Pursuant to Public Resources Code § 21080(b)(5) and CEQA Guidelines § 15270(a), CEQA does not apply to projects that a public agency rejects or disapproves. Accordingly, the proposed cancellation of Applications A023475 and A023727 is independently exempt from CEQA.



LEGEND

PLACE OF USE
(DISTRICT BOUNDARY)
(PER CA. LAFCD)
(4,200± ACRES)

POINT OF DIVERSION
(NATIONAL AVE. WATER TREATMENT PLANT)
(INTAKE MANIFOLD)

PLACE OF USE (AS SHOWN)

1/4 - 1/4 (40 ACRE)	1/4 (160 ACRE)	SECTION (SQ. MILE)	TOWNSHIP	RANGE	BASE & MERIDIAN
ALL		11	16N	17E	M.D.
PORTION		12	16N	17E	M.D.
ALL		13	16N	17E	M.D.
ALL		14	16N	17E	M.D.
ALL		15	16N	17E	M.D.
PORTION		21	16N	17E	M.D.
ALL		22	16N	17E	M.D.
ALL		28	16N	17E	M.D.
PORTION		33	16N	17E	M.D.
PORTION		18	16N	18E	M.D.
ALL		19	16N	18E	M.D.
PORTION		30	16N	18E	M.D.



WATER RIGHTS MAP

EXHIBIT OF APPLICATION A024257

875 NATIONAL AVENUE
TAHOE VISTA, CA 96148
MAIN: (530) 546-4212
FAX: (530) 546-2652

Designed: _____

Drawn By: _____

Approved By: _____

Job No: _____

Scale: PER SCALE BAR

Date: 9/30/2019

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD

APPLICATION TO APPROPRIATE WATER

Application No. **24257** Filed **December 12, 1972**

at **3:17 P. M.**

(Applicant must not fill in the above blanks.)
(This application must be typewritten or legibly written in ink.)

I, **North Tahoe Public Utility District**
Name of applicant
P.O. Box 139, Tahoe Vista, California
Address City or Town State Zip Code
95732

do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, SUBJECT TO VESTED RIGHTS:

1. The name of the source at the point of diversion is **Lake Tahoe**
If unnamed, state nature of source and that it is unnamed.
tributary to **Truckee River**

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) To be diverted directly to beneficial use **8.0** cubic feet per second
16,000 gallons per day is approximately 0.023 cubic foot per second. Use gallons per day if less than 0.023 c.f.s.
to be diverted from **January 1** to **December 31** of each year.
Beginning date Closing date

(b) To be stored and later applied to beneficial use **N/A** acre-feet per annum, to be collected
between **N/A** and **N/A** of each season.
Beginning date Closing date
TOTAL ANNUAL APPROPRIATION NOT TO EXCEED 3350 AF

If offstream storage is proposed, maximum rate of diversion to storage will be **N/A** c.f.s.

NOTE.—Neither the amount nor the season may be increased after the application is filed. If underground storage is proposed, a special supplemental form will be supplied by the State Water Resources Control Board upon request.

3. The use to which the water is to be applied is **municipal**

Domestic, irrigation, power, municipal, mining, industrial, recreational, stockwatering, fish culture, etc. Describe more fully in paragraphs 13, 14, 15, 16 and/or 17.

4. The points of diversion or redirection are to be located as follows:

List all points giving coordinate distances or bearing and distance from section corner or quarter-section corner	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
(1) 2700' S., 35' E. of NW Corner Sec. 13	NW 1/4 of SW 1/4	13	16N	17E	M.D.
(2) 450' S., 3500' E. of NW Corner Sec. 30	NW 1/4 of SW 1/4	30	16N	18E	M.D.
(3) 1650' S., 2040' E. of NW Corner Sec. 22	SE 1/4 of NW 1/4	22	16N	17E	M.D.
(4) 100' S., 3800' E. of NW Corner Sec. 33	NW 1/4 of NE 1/4	33	16N	17E	M.D.

The points of diversion are located in **Placer** County.

5. The main conduit will terminate in **N/A** of Sec. **_____**, T. **_____**, R. **_____**, B. & M. **_____**
State 40-acre subdivision of public land survey or projection thereof.

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or headworks (complete only those blanks which apply)

Complete (a) and/or (b) for direct diversion or diversion to offstream storage.

(a) Diversion will be made by pumping from **Lake through 1,000' intakes & 500' intake**

Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being **_____** feet in height (stream bed to level of overflow), **_____** feet long on top, and constructed of **Concrete, earth, brush, etc.**

(c) Complete for storage reservoirs only

Height of dam, ft. (streambed to spillway level)	Crest length of dam, ft.	Freeboard above spillway level, ft.	Material of construction

7. Storage Reservoirs

Name, if any	Sections flooded by reservoir. Also name 40-acre subdivisions unless shown on map	Surface area, acres	Capacity acre-feet

For any reservoir having a capacity of 25 acre-feet or more, complete the following:

Diameter of outlet pipe, inches	Length of outlet pipe, feet	Difference in elevation, spillway level to top of outlet pipe in reservoir, feet	Fall in outlet pipe, feet

8. Conduit system (describe diversion conduits and main distribution conduits only)

(a) Open channel _____; ditch _____; flume _____; canal _____ (check type to be used)

Width of top at water line, feet	Width at bottom, feet	Depth of water, feet	Length, feet	Grade, feet per 1,000 feet	Construction Materials: earth, rock, concrete, plastic, etc.

(b) Pipeline* ☒; sprinkler system _____; tunnel _____ (check type to be used)*Distribution System

Diameter, inches	Length, feet	Pump lift, feet	Gravity fall intake to outlet, feet	Construction Materials: steel, concrete, wood, etc.
6", 8", & 12"	20,000	270	N/A	Cast Iron

9. (a) Estimated capacities of the pumping plants are 2,000 GPM, 800 GPM; 1000 GPM

(b) Estimated capacities of the diversion conduits are 4000 GPM

(c) Estimated total cost of the diversion works proposed is \$180,000.00

Give only cost of intake, or headworks, pumps, storage reservoirs, and main conduits.

Completion Schedule

10. (a) Construction work will begin on or before six (6) months after approval of application

(b) Construction work will be completed on or before one (1) year after approval of application

(c) Water will be completely applied to the proposed use on or before Summer 2000

(d) If complete, state year of completion some facilities previously completed

Description of Proposed Use

11. Place of use

Does applicant own the land where the water will be used? No Jointly?

All joint owners should include their names as applicants and sign the application at bottom of page 4.

If applicant does not own land where the water will be used, give name and address of owner and state what arrangements have been made with him.

Municipal water to serve area comprising the service area of the

North Tahoe Public Utility District

If area is unsurveyed, state the location as if lines of the public land survey were projected. If space does not permit listing all 40-acre tracts, state sections, townships, and ranges and show detail on map.

40-acre tract	Section	Township	Range	Base and Meridian	If irrigation, state number of acres
All of	28, 21	16N	17 E	M.D.	N/A
All of	15, 22	16N	17 E	M.D.	N/A
All of	11, 14	16N	17 E	M.D.	N/A
All of	12, 13	16 N	17 E	M.D.	N/A
All of	19	16 N	18 E	M.D.	N/A
1/2 of	33	16N	17 E	M.D.	N/A

12. Other rights. Describe all rights except other applications on file with the State Water Resources Control Board under which water is served to the above-named lands.

Nature of Rights (riparian, appropriative, purchased water, etc.)	Year of first use	Use made in recent years including amount, if known	Season of use	Source of other supply
See attached Sheet 3-A				

13. Irrigation use. The total area to be irrigated is N/A acres. Acreage of crops is as follows:

Net acreage

Rice _____ acres; alfalfa _____ acres; orchard _____ acres; general crops _____ acres; pasture _____ acres.

Care should be taken that the various statements of acreage are consistent with each other, with the statement in paragraph 11, and with the map.

The irrigation season will begin about _____ and end about _____

Beginning date

Closing date

14. Power use. The total fall to be utilized is N/A feet. The maximum amount of water to be used through the penstock is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is _____. The use to which the power is to be applied is _____.

Second feet $\times$ fall $\div$ 2.2

For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____. The size of the nozzle to be used is _____ inches.

Turbine, Pelton wheel, etc.

After use, the water will be discharged into _____ in _____ of _____

Name of stream

State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M. _____

15. Municipal use. The name of the city or town to be served is North Tahoe P.U.D. Service Area

having a present population of 8,000. The estimated water requirement per capita per day during the month of maximum use is 225 GPD. The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

1975 - 2 MGD; 1980 - 4 MGD; 1985 - 5 MGD;

1990 - 6 MGD; 1995 - 7 MGD; 2000 - 8 MGD

16. Mining use. The name of the mining property to be served is N/A

Name of claim

and the nature of the mine is _____. Mineral to be extracted is _____. The method of utilizing the

Placer, lode, etc.

water is _____. The estimated

ultimate water requirement for this project is _____

Cubic feet per second, gallons per minute. State basis of estimate.

The water will not be polluted by chemicals or otherwise.

Explain nature of pollution, if any.

After use the water will be discharged into _____ in _____ of _____

Name of stream

State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M. _____

17. Uses other than those described in paragraphs 13 through 16. The nature of the use proposed is _____

Industrial, recreational, domestic, stockwatering, etc.

State basis of determination of amount needed _____

Number of persons, residences, area of domestic lawns and gardens,

number and kind of stock, type of industrial use, and unit requirements.

12. Other Rights. Describe all rights except other applications on file with the State Water Resources Control Board under which water is served to the above named lands.

<u>Nature of Rights</u>	<u>Year of First Use</u>	<u>Use Made in Recent Years including Amount, if known (1969)*</u>	<u>Season of Use</u>	<u>Source of Other Supply</u>
North Tahoe Public Utility District	1967	516.2	all year	N/A
North Tahoe Public Utility District (Nevada Use)	1967	210.4	all year	N/A
Brockway Golf Course	1920	176.0	summer	N/A
Tahoe Estates	Unknown	15.0	summer	N/A
Private Users (50)	Unknown	14.8	all year	N/A
Agate Bay	Unknown	47	all year	N/A
Carnelian Bay	Unknown	33.8	all year	N/A
Fulton (Cedar Flat)	Unknown	119.5	all year	N/A
Lake Forest	Unknown	14.8	all year	N/A
Dollar Cove Corporation	Unknown	2.1	all year	N/A

* From Lake Tahoe Report of 1969 Use of Water

18. If the required maps are not filed with the application, state the reasons for not filing them

Maps are being prepared at this time

I will need 14 (days) (months) within which to file the maps.

19. Does the applicant own the land at the proposed point of diversion? No. If not, give name and address of owner and state what steps have been taken to secure right of access. Placer County, Auburn, California.

Pump station located on public beach served by public road

20. What is the name of the post office most used by those living near the proposed point of diversion?

Tahoe Vista, Carnelian Bay & Kings Beach

21. What are the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion? N/A

Environmental Effects

22. Water Quality. After use, the water will be disposed of by (1) discharging into stream ☐, (2) land disposal ☐, or (3) other means ☒ ground infiltration, SW 1/4, Section 34, S 16 N, R 15 E, M.D.B. & M.

Describe method and location of disposal by 40-acre subdivision of public land survey or protection thereof.

The water quality will not be altered by this use

Explain nature of water quality effects (including pollution).

23. Fish and Wildlife. (a) Have you consulted the California Department of Fish and Game concerning this proposed appropriation? yes

(b) Will this proposed appropriation be beneficial or adverse to fish and wildlife? proposed appropriation will have no effect on fish and wildlife

(c) State all data and information reasonably available to you or that can be obtained from the California Department of Fish and Game concerning the extent, if any, to which fish and wildlife may be affected by the appropriation. Contact was made with the Environmental Services Section (Mr. Paul Giguere) of the Fish & Game Department. They reported that they saw no environmental impact as a result of our request.

24. Waste Water Reclamation. Describe what steps have been or can be taken to reclaim or reuse the water sought to be appropriated. Waste water currently treated at Cinder Cone plant. Future planning to move waste water reclamation to the Tahoe-Truckee Sanitation Agency plant in Martis Valley.

Name of person filing application if other than applicant

Correspondence about this application should be sent to:

Name North Tahoe Public Utility District, John C. Hassenplug, Supervising Engineer

Address P. O. Box 139, Tahoe Vista, Calif. 95732

Telephone 916 - 546-4212

Signature of applicant(s)

(Refer to Section 671 of the Board's regulations)

Mr.
Mrs.
X
X
X

Mr.
Mrs.
X
X
X

The complete information needed for preparation of this application may be found in the Regulations and Information Pertaining to Appropriation of Water. If there is insufficient space for answers in the form, attach extra sheets at top of page 3 and cross reference. Send application in duplicate to the State Water Resources Control Board, Room 1015, Resources Building, 1416 Ninth Street, Sacramento, California 95814, and retain one copy for your files.

STATE OF CALIFORNIA
THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD

APPLICATION TO APPROPRIATE WATER

MAR 31 10 40 A

Application No. **23475** Filed March 31, 1970

at 10:40 A.

STATE WATER RESO
CONTROL BOAR
SACRAMENTO(Applicant must not fill in the above blanks.)
(This application must be typewritten or legibly written in ink.)I, **Dollar Cove Corporation, c/o Robert L. Harmon**

Name of applicant

310 Sansome Street, San Francisco, California 94104

Address

City or Town

State

Zip Code

do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, SUBJECT TO VESTED RIGHTS:

1. The name of the source at the point of diversion is **Lake Tahoe**
If unnamed, state nature of source and that it is unnamed.
tributary to _____2. The amount of water which applicant desires to appropriate under this application is as follows:
TOTAL ANNUAL APPROPRIATION NOT TO EXCEED 208 acre-feet(a) To be diverted directly to beneficial use **0.50** cubic feet per second
16,000 gallons per day is approximately 0.025 cubic foot per second. Use gallons per day if less than 0.025 c.f.s.
gallons per dayto be diverted from **January 1** to **December 31** of each year.
Beginning date Closing date

(b) To be stored and later applied to beneficial use _____ acre-feet per annum, to be collected

between _____ and _____ of each season.
Beginning date Closing date

If offstream storage is proposed, maximum rate of diversion to storage will be _____ c.f.s.

NOTE.—Neither the amount nor the season may be increased after the application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Resources Control Board upon request.

3. The use to which the water is to be applied is **domestic**(c) _____ purposes.
Domestic, irrigation, power, municipal, mining, industrial, recreational, stockwatering, fish culture, etc. Describe more fully in paragraphs 13, 14, 15, 16 and/or 17.

4. The points of diversion or redirection are to be located as follows:

List all points giving coordinate distances or bearing and distance from section corner or quarter section corner	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
S07°30'E 480'± from N$\frac{1}{4}$ Corner Section 33, T16N-R17E, M.D.M.	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	33	16N	17E	M.D.M.
	$\frac{1}{4}$ of $\frac{1}{4}$				
	$\frac{1}{4}$ of $\frac{1}{4}$				

The points of diversion are located in **Placer** County.5. The main conduit will terminate in **NW $\frac{1}{4}$ NW $\frac{1}{4}$** of Sec. **33**, T. **16N**, R. **17E**, M.D. B. & M.
State 40-acre subdivision of public land survey or projection thereof.

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or headworks (complete only those blanks which apply)

Complete (a) and/or (b) for direct diversion or diversion to offstream storage.

(a) Diversion will be made by pumping from **offshore pipe**

Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being _____ feet in height (stream bed to level of overflow), _____ feet long on top, and constructed of _____
Concrete, earth, brush, etc.

(c) Complete for storage reservoirs only

Height of dam, ft. (streambed to spillway level)	Crest length of dam, ft.	Freeboard above spillway level, ft.	Material of construction

7. Storage Reservoirs

Name, if any	Sections flooded by reservoir. Also name 40-acre subdivisions unless shown on map	Surface area, acres	Capacity acre-feet

For any reservoir having a capacity of 25 acre-feet or more, complete the following:

Diameter of outlet pipe, inches	Length of outlet pipe, feet	Difference in elevation, spillway level to top of outlet pipe in reservoir, feet	Fall in outlet pipe, feet

8. Conduit system (describe diversion conduits and main distribution conduits only)

(a) Open channel _____; ditch _____; flume _____; canal _____. (check type to be used)

Width of top at water line, feet	Width at bottom, feet	Depth of water, feet	Length, feet	Grade, feet per 1,000 feet	Construction Materials: earth, rock, concrete, plastic, etc.

(b) Pipeline _____; sprinkler system _____; tunnel _____. (check type to be used)

Diameter, inches	Length, feet	Pump lift, feet	Gravity fall intake to outlet, feet	Construction Materials: steel, concrete, wood, etc.
10	2700	340		Asbestos Cement

9. (a) Estimated capacities of the pumping plants are 1000 gpm;
 (b) Estimated capacities of the diversion conduits are 1000 gpm;
 (c) Estimated total cost of the diversion works proposed is \$150,000
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits.

Completion Schedule

10. (a) Construction work will begin on or before September 1, 1970

(b) Construction work will be completed on or before September 1, 1974

(c) Water will be completely applied to the proposed use on or before September 1, 1974

(d) If complete, state year of completion _____

Description of Proposed Use

11. Place of use

Does applicant own the land where the water will be used? Yes Jointly? No

All joint owners should include their names as applicants and sign the application at bottom of page 4.

If applicant does not own land where the water will be used, give name and address of owner and state what arrangements have been made with him.

If area is unsurveyed state the location as if lines of the public land survey were projected. If space does not permit listing all 40-acre tracts, state sections, townships, and ranges and show detail on map.

40-acre tract	Section	Township	Range	Base and Meridian	If irrigation, state number of acres
NW 1/4 NW 1/4	33	16 N	17 E	M.D.M.	
NE 1/4 NW 1/4	"	"	"	"	
SW 1/4 NW 1/4	"	"	"	"	
SE 1/4 NW 1/4	"	"	"	"	
NE 1/4 SW 1/4	"	"	"	"	
NW 1/4 NE 1/4	"	"	"	"	
SW 1/4 NE 1/4	"	"	"	"	
NW 1/4 SE 1/4	"	"	"	"	
SW 1/4 SE 1/4	"	"	"	"	
SE 1/4 SW 1/4	28	"	"	"	
SE 1/4 SW 1/4	"	"	"	"	

12. Other rights. Describe all rights except other applications on file with the State Water Resources Control Board under which water is served to the above-named lands.

Nature of Rights (riparian, appropriative, purchased water, etc.)	Year of first use	Use made in recent years including amount, if known	Season of use	Source of other supply
Appropriative	1917	Domestic and Power	May-Sept.	Dollar Creek aka Slim Jim Creek

13. Irrigation use. The total area to be irrigated is _____ acres. Acreage of crops is as follows:

Net acreage

Rice _____ acres; alfalfa _____ acres; orchard _____ acres; general crops _____ acres; pasture _____ acres.

Care should be taken that the various statements of acreage are consistent with each other, with the statement in Paragraph 11 and with the map.

The irrigation season will begin about _____ and end about _____

Beginning date

Closing date

14. Power use. The total fall to be utilized is _____ feet. The maximum amount of water to be used through _____

Difference between nozzle or draft tube water level and first free water surface above.

the penstock is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated by the

works is _____ The use to which the power is to be applied is _____

Second feet $\times$ fall $\div$ 8.8

For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____ The size

Turbine, Pelton wheel, etc.

of the nozzle to be used is _____ inches.

After use, the water will be discharged into _____ in _____ of

Name of stream

State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M.

15. Municipal use. The name of the city or town to be served is _____ having a present population of _____. The estimated water requirement per capita per day during the month of maximum use is _____. The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. Mining use. The name of the mining property to be served is _____

Name of claim

and the nature of the mine is _____. Mineral to be extracted is _____. The method of utilizing the

Placer, lode, etc.

water is _____. The estimated

ultimate water requirement for this project is _____

Cubic feet per second, gallons per minute. State basis of estimate.

The water will not be polluted by chemicals or otherwise. _____

Explain nature of pollution, if any.

After use the water will be discharged into _____ in _____ of

Name of stream

State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M.

17. Uses other than those described in Paragraphs 13 through 16. The nature of the use proposed is _____

Domestic

Industrial, recreational, domestic, stockwatering, etc.

State basis of determination of amount needed _____

Number of persons, residences, area of domestic lawns and gardens,

_____ per residence

number and kind of stock, type of industrial use, and unit requirements.

18. If the required maps are not filed with the application, state the reasons for not filing them

I will need _____ (days) (months) within which to file the maps.

19. Does the applicant own the land at the proposed point of diversion? Yes. If not, give name and address of owner and state what steps have been taken to secure right of access.

20. What is the name of the post office most used by those living near the proposed point of diversion? Tahoe City

21. What are the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion? There are multiple users of Lake Tahoe water.

22. (a) Have you investigated the effect of the proposed appropriation on fish and wildlife? Yes

(b) Have you consulted with the State Department of Fish and Game concerning this proposed appropriation? No

(c) Will your proposed diversion or impoundment of water beneficially or adversely affect fish and wildlife? No

(d) State all data and information reasonably available to you or that can be obtained from the California Department of Fish and Game concerning the extent, if any, to which fish and wildlife would be affected by the appropriation.

There will be no effect on fish and wildlife.

(e) Describe any measures you propose to take for the protection of fish and wildlife in connection with the appropriation.

The intake line will be screened so as to prevent entry of fish or wildlife.

Name of person filing application if other than applicant

Correspondence about this application should be sent to:

Name Dollar Cove Corporation, c/o Robert L. Harmon

Address 310 Sansome Street, San Francisco, Calif Telephone 986-2171

Signature of applicant(s)

(Refer to Section 671 of the Board's regulations)

Mr.
Mrs.
Miss

Mr.
Mrs.
Miss

The complete information needed for preparation of this application may be found in the Regulations and Information Pertaining to Appropriation of Water. If there is insufficient space for answers in the form, attach extra sheets at top of page 3 and cross reference. Send application in duplicate to the State Water Resources Control Board, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814, and retain one copy for your files.

STATE WATER RESOURCES CONTROL BOARD

APPLICATION TO APPROPRIATE WATER

Application No.

23727

Filed March 16, 1971

STATE WATER RESOURCES
CONTROL BOARD
SACRAMENTO

(Applicant must not fill in the above blanks.)
(This application must be typewritten or legibly written in ink.)

I, NORTH TAHOE PUBLIC UTILITY DISTRICT

Name of applicant

P.O. BOX 139

TAHOE VISTA

CALIFORNIA 95732

Address

City or Town

State

Zip Code

do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, SUBJECT TO VESTED RIGHTS:

1. The name of the source at the point of diversion is Lake Tahoe

If unnamed, state nature of source and that it is unnamed.

tributary to Truckee River

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) To be diverted directly to beneficial use ~~416 acre ft/yr~~ 1.0 cubic feet per second
16,000 gallons per day is approximately 0.025 cubic foot per second. Use gallons per day if less than 0.025 c.f.s.

to be diverted from January 1 to December 31 of each year.

Total annual appropriation not to exceed ~~416 acre ft/yr~~ 416 acre ft/yr.

(b) To be stored and later applied to beneficial use ~~416 acre ft/yr~~ acre-feet per annum, to be collected

between and of each season.

If offstream storage is proposed, maximum rate of diversion to storage will be c.f.s.

NOTE.—Neither the amount nor the season may be increased after the application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Resources Control Board upon request.

3. The use to which the water is to be applied is Municipal

Domestic, irrigation, power, municipal, mining, industrial, recreational, stockwatering, fish culture, etc. Describe more fully in paragraphs 13, 14, 15, 16 and/or 17.

4. The points of diversion or redirection are to be located as follows:

List all points giving coordinate distances or bearing and distance from section corner or quarter section corner	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
1000' South and 1700' East of NW Cor Onex St & Lake Tahoe Sec 22	NE 1/4 of NW 1/4	22	T16N	R17E	MDB&M
	1/4 of 1/4				
	1/4 of 1/4				

The points of diversion are located in Placer County.

5. The main conduit will terminate in of Sec. , T. , R. , B. & M.

State 40-acre subdivision of public land survey or projection thereof.

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or headworks (complete only those blanks which apply)

Complete (a) and/or (b) for direct diversion or diversion to offstream storage.

(a) Diversion will be made by pumping from Lake Tahoe with 1000' of 12' Intake line with pump station located near lake.

Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being feet in height (stream bed to level

of overflow), feet long on top, and constructed of

Concrete, earth, brush, etc.

(c) Complete for storage reservoirs only

Height of dam, ft. (streambed to spillway level)	Crest length of dam, ft.	Freeboard above spillway level, ft.	Material of construction

7. Storage Reservoirs

Name, if any	Sections flooded by reservoir. Also name 40-acre subdivisions unless shown on map	Surface area, acres	Capacity acre-feet
500,000 Gallons steel reservoir located at 6500 ft. elevation			

For any reservoir having a capacity of 25 acre-feet or more, complete the following:

Diameter of outlet pipe, inches	Length of outlet pipe, feet	Difference in elevation, spillway level to top of outlet pipe in reservoir, feet	Fall in outlet pipe, feet

8. Conduit system (describe diversion conduits and main distribution conduits only)

(a) Open channel _____; ditch _____; flume _____; canal _____ (check type to be used)

Width of top at water line, feet	Width at bottom, feet	Depth of water, feet	Length, feet	Grade, feet per 1,000 feet	Construction Materials: earth, rock, concrete, plastic, etc.

(b) Pipeline X _____; sprinkler system _____; tunnel _____ (check type to be used)

Diameter, inches	Length, feet	Pump lift, feet	Gravity fall intake to outlet, feet	Construction Materials: steel, concrete, wood, etc.
6" & 8"	10,000 to 20,000	270 ft.		cast iron water mains

9. (a) Estimated capacities of the pumping plants are 1000 GPM ; 1000 GPM

(b) Estimated capacities of the diversion conduits are 2500 GPM ;

(c) Estimated total cost of the diversion works proposed is \$500,000.00

Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits.

Completion Schedule

10. (a) Construction work will begin on or before Summer 1971

(b) Construction work will be completed on or before Summer 1973

(c) Water will be completely applied to the proposed use on or before Summer 1975

(d) If complete, state year of completion _____

Description of Proposed Use

11. Place of use

Does applicant own the land where the water will be used? No. Jointly?

All joint owners should include their names as applicants and sign the application at bottom of page 4.

If applicant does not own land where the water will be used, give name and address of owner and state what arrangements have been made with him.

Municipal water to serve Carnelian Bay existing homes and business
and new subdivision approximately 2,000 ac.

If area is unsurveyed state the location as if lines of the public land survey were projected. If space does not permit listing all 40-acre tracts, state sections, townships, and ranges and show detail on map.

40-acre tract	Section	Township	Range	Base and Meridian	If irrigation, state number of acres
all of	15	T16N	R17E	MDB & M	
all of	22	T16N	R17E	MDB & M	

12. Other rights. Describe all rights except other applications on file with the State Water Resources Control Board under which water is served to the above-named lands.

Nature of Rights (riparian, appropriative, purchased water, etc.)	Year of first use	Use made in recent years including amount, if known	Season of use	Source of other supply
#1379 Carnelian Bay Water		2/3 CFS		Watson Creek
#8054 Link Fort Water Co.		1875 GPD		Lake Tahoe

13. Irrigation use. The total area to be irrigated is _____ acres. Acreage of crops is as follows:

Net acreage

Rice _____ acres; alfalfa _____ acres; orchard _____ acres; general crops _____ acres; pasture _____ acres.

Care should be taken that the various statements of acreage are consistent with each other, with the statement in Paragraph 11 and with the map.

The irrigation season will begin about _____ and end about _____

Beginning date

Closing date

14. Power use. The total fall to be utilized is _____ feet. The maximum amount of water to be used through

Difference between nozzle or draft tube water level and first free water surface above.

the penstock is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated by the

works is _____. The use to which the power is to be applied is _____

Second feet $\times$ fall $\div$ 8.8

For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____

Turbine, Pelton wheel, etc.

of the nozzle to be used is _____ inches.

After use, the water will be discharged into _____ in _____ of

Name of stream

State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M.

15. Municipal use. The name of the city or town to be served is Carnelian Bay having a present population of 150. The estimated water requirement per capita per day during the month of maximum use is 700,000 GPD. The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

M.J. Brock & Sons has plans to construct 1000 units in this area over 8 years period.

1971	20 units	=	700 GPD per unit	=	14000 GPD	Peak de
1972	100	"	"	"	70000	"
1973	200	"	"	"	140000	"
1978	998	"	"	"	700000	"

16. Mining use. The name of the mining property to be served is _____

Name of claim

and the nature of the mine is _____. Mineral to be extracted is _____

Placer, lode, etc.

water is _____. The estimated

ultimate water requirement for this project is _____

Cubic feet per second, gallons per minute. State basis of estimate.

The water will not be polluted by chemicals or otherwise. _____

Explain nature of pollution, if any.

After use the water will be discharged into _____ in _____ of

Name of stream

State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M.

17. Uses other than those described in Paragraphs 13 through 16. The nature of the use proposed is _____

Industrial, recreational, domestic, stockwatering, etc.

State basis of determination of amount needed _____

Number of persons, residences, area of domestic lawns and gardens,

number and kind of stock, type of industrial use, and unit requirements.

18. If the required maps are not filed with the application, state the reasons for not filing them

I will need _____ (days) (months) within which to file the maps.

19. Does the applicant own the land at the proposed point of diversion? No. If not, give name and address of owner and state what steps have been taken to secure right of access. Placer County

Public Road and Public Beach

20. What is the name of the post office most used by those living near the proposed point of diversion?

21. What are the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion? State of Nevada

22. (a) Have you investigated the effect of the proposed appropriation on fish and wildlife? None

(b) Have you consulted with the State Department of Fish and Game concerning this proposed appropriation? NO

(c) Will your proposed diversion or impoundment of water beneficially or adversely affect fish and wildlife? NO

(d) State all data and information reasonably available to you or that can be obtained from the California Department of Fish and Game concerning the extent, if any, to which fish and wildlife would be affected by the appropriation.

(e) Describe any measures you propose to take for the protection of fish and wildlife in connection with the appropriation.

Name of person filing application if other than applicant

Correspondence about this application should be sent to:

Name Thomas E. Llewellyn, North Tahoe Public Utility District

Address P.O. Box 139, Tahoe Vista, Calif. 95732 Telephone 916/546-4212

Signature of applicant(s)

(Refer to Section 671 of the Board's regulations)

Mr.
Mrs.
Miss

Mr.
Mrs.
Miss

The complete information needed for preparation of this application may be found in the Regulations and Information Pertaining to Appropriation of Water. If there is insufficient space for answers in the form, attach extra sheets at top of page 3 and cross reference. Send application in duplicate to the State Water Resources Control Board, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814, and retain one copy for your files.

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Water Right Application A024257

North Tahoe Public Utility District

**ORDER APPROVING PETITION FOR CHANGE OF
POINT OF DIVERSION, PLACE OF USE, AND REDUCTION OF
DIVERSION RATE AND AMOUNT**

SOURCE: Lake Tahoe tributary to the Truckee River

COUNTY: Placer

WHEREAS:

1. On December 12, 1972, the North Tahoe Public Utility District (Applicant) filed water right permit application A024257 with the State Water Resources Control Board (State Water Board), Division of Water Rights. The application, as originally filed, included the following:
 - a. The source of water is Lake Tahoe tributary to the Truckee River.
 - b. Direct diversion of up to 8 cubic feet per second (cfs) with a maximum annual limit of 3,350 acre-feet per year (afy).
 - c. Four points of diversion by California Coordinate System, Zone 2, North American Datum 1983 and within Township 16 North, Range 17 East, Mount Diablo Base and Meridian, as follows:
 - i. Two points of diversion in Lake Tahoe's Agate Bay: (1) National Ave Intake, located at North 2,217,713 feet and East 7,114,333 feet, within section 13; and, (2) Brockway Intake, located at North 2,215,232 feet and East 7,123,249 feet, within section 30.
 - ii. Two points of diversion in Lake Tahoe's Carnelian Bay: (3) Carnelian Intake, located at North 2,213,224 feet and East 7,105,756 feet, within section 22; and, (4) Dollar Cove Intake,

located at North 2,203,847 feet and East 7,101,587 feet, within section 33.

- d. Municipal use within North Lake Tahoe Public Utility District service area, located within sections 11, 12, 13, 14, 15, 21, 22, 28, and 33, Township 16 North, Range 17 East, and Section 19, Township 16 North, Range 18 East, Mount Diablo Base and Meridian.
2. The application was publicly noticed on February 14, 1973. Protests were received from the Pyramid Lake Paiute Tribe and the California Department of Fish and Wildlife.
3. The interstate waters of the Lake Tahoe and Truckee River Basins (Basins) have been the subject of dispute, controversy, and litigation for well over a century. These conflicts have now been addressed with federal legislation, the 1990 Truckee-Carson-Pyramid Lake Water Rights Settlement Act (Settlement Act) (Pub. Law 101-618), and a negotiated agreement known as the Truckee River Operating Agreement (TROA). With the implementation of TROA on December 1, 2015, the interstate allocations under the Settlement Act for the Basins took effect. The State Water Resources Control Board will administer water rights actions in California in accordance with the Settlement Act and TROA.
4. By letter dated January 12, 2018, the State Water Board informed the Applicant that the application would be re-noticed and requested that the Applicant provide updated application information to ensure that the application reflects current circumstances. By letter dated January 30, 2020, the Applicant responded with updated application information. The updated information includes changes to the application that require the filing of a petition for change as the application was previously publicly noticed (Wat. Code, § 1701 et seq.; Cal. Code Regs., tit. 23, § 791, subd. (a).)
5. On May 1, 2024, the Applicant filed a petition for change of the application with the State Water Board. The petition requested changes to the application's point of diversion, place of use, and diversion rate and amount. The requested change to the point of diversion would remove three of the points of diversion (Brockway Intake, Carnelian Intake, and Dollar Cove Intake). The requested change to the place of use would expand the place of use in the application from the Applicant's service area in 1972 (approximately 4,175 acres) to the Applicant's current service area (approximately 4,200 acres). The requested change to the diversion rate and amount would reduce the diversion rate from 8 cfs to 5.34 cfs and reduce the maximum amount of water that may be diverted is reduced from 3,350 afy to 2,829 afy.
6. The petition was filed to make changes to the application. After approval of the petition, the application must be re-noticed. (Cal. Code Regs., tit. 23, § 792,

subd. (a)(2).) Therefore, the State Water Board does not require public notice of the petition. (Cal. Code Regs., tit. 23, § 795, subd. (a).)

7. Before approving a petition submitted pursuant to Water Code section 1700, the State Water Board must find that the proposed change will neither in effect initiate a new right nor injure any other legal user of water. (Cal. Code Regs., tit. 23, § 791.)
8. The proposed change will not initiate a new right nor increase the amount of water the applicant is entitled to use. The change to the point of diversion would remove three of the four points. The change to the place of use would expand the place of use from approximately 4,175 acres to approximately 4,200 acres. The change to the diversion rate and amount would be a reduction. The changes do not seek to add a new source of water, increase the season of diversion, or increase the instantaneous rate or total amount of water authorized for diversion. Thus, the proposed changes will not initiate a new right nor increase the amount of water the applicant is entitled to use.
9. The proposed change will not injure nor unreasonably affect any legal user of water. The application will be re-noticed after approval of the petition, and any legal users of water that may be affected by the application will have the opportunity to file a protest.

NOW, THEREFORE, IT IS ORDERED THAT THE PETITION IS APPROVED AND APPLICATION A024257 IS AMENDED AS FOLLOWS:

1. The maximum rate of direct diversion is reduced to 5.34 cubic feet per second and the maximum amount of water that may be diverted is reduced to 2,829 acre-feet per year.
2. The point of diversion in the application is the North Tahoe Public Utility District Lake Tahoe Intake (formerly National Ave Intake) in Lake Tahoe's Agate Bay, located at North 2,217,713 feet and East 7,114,333 feet by California Coordinate System, Zone 2, North American Datum 1983, located within the Northwest quarter of the Southwest quarter of Section 13, Township 16 North, Range 17 East, Mount Diablo Base and Meridian.
3. The place of use in the application is the North Tahoe Public Utility District service area as shown on the application map dated September 30, 2019, filed with the State Water Board. The service area is approximately 4,200 acres located within all or a portion of sections 11, 12, 13, 14, 15, 21, 22, 28, and 33, Township 16 North, Range 17 East, and sections 18, 19, and 30, Township 16 North, Range 18 East, Mount Diablo Base and Meridian.

STATE WATER RESOURCES CONTROL BOARD

Erik Ekdahl, Deputy Director
Division of Water Rights

Dated: November 15, 2024



NORTH TAHOE PUBLIC UTILITY DISTRICT

DATE: August 11, 2026

ITEM: D-2

FROM: Office of the General Manager

SUBJECT: Adopt Resolution No. 2026-17, Determining that the District's Actions Regarding Minor Change to Permit 13525 (A017139) Is Exempt From CEQA, Approving a Notice of Exemption, and Authorizing Its Filing and Related Actions

RECOMMENDATION:

1. Conduct a public hearing to receive comments regarding the proposed Notice of Exemption ("NOE") under the California Environmental Quality Act ("CEQA").
2. Adopt Resolution No. 2026-17 determining that the District's discretionary action to continue pursuing a minor change petition for Permit 13525 is exempt from CEQA under the Class 1 exemption under CEQA Guidelines § 15301 and, independently, the common sense exemption under CEQA Guidelines § 15061(b)(3).
3. Approve the NOE, authorize its filing, and authorize the General Manager or his designee to take all action reasonably necessary to implement the Resolution.

EXECUTIVE SUMMARY:

The North Tahoe Public Utility District ("District") holds Water Right Permit 13525 (Application 017139), which is on file with the State Water Resources Control Board ("State Water Board"). Permit 13525 has a priority date of June 18, 1956, and currently authorizes the diversion of up to 600 acre-feet per year ("AFY"), at a rate not to exceed 2.5 cubic feet per second, between June 1 and September 30 of each year. The permit authorizes diversion from the District's Lake Tahoe Intake and the Old Brockway Golf Course Lake Tahoe Intake for municipal use within the District's service area and for irrigation at the Old Brockway Golf Course.

The District and Old Brockway Golf Course jointly hold Permit 13525. The District has additional water rights that it uses to provide municipal water supplies and has determined that it no longer requires Permit 13525 to supply users within its service area. The Old Brockway Golf Course will continue to use water under Permit 13525 for irrigation purposes.

The District is pursuing a minor change petition requesting that Permit 13525 be modified to reduce the maximum annual diversion authorized under the permit from 600 AFY to 210 AFY and remove the District's Lake Tahoe Intake and associated place of use from the permit. Following approval of the requested change, Permit 13525 would be limited to diversion through the Old Brockway Golf Course Lake Tahoe Intake for use at the golf course.

The State Water Board's Decision 1056 ("D-1056") allows the District to divert up to 1,900 acre feet per year ("AFY") under certain of the District's existing water rights, including Permit 13525. However, the proposed permit change would not reduce the District's authority to divert up to 1,900 AFY because the District's other water rights subject to D-1056 authorize up to that diversion amount. Therefore, the reduction in Permit 13525 is offset by the District's diversion authority under its other existing water rights subject to D-1056. Accordingly, the proposed action would not increase or otherwise alter the District's total authorized diversion quantity, authorize new or expanded diversions, require construction or modification of diversion facilities, or change the manner in which the District operates its existing municipal water system.

The State Water Board has requested that the District make a CEQA determination and file an NOE in connection with the minor change petition. District staff recommends that the Board determine that the District's discretionary action to continue pursuing the petition qualifies for the Class 1 categorical exemption because it concerns the continued operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public facilities involving negligible or no expansion of existing or former use. Staff further recommends that the Board determine, independently, that the action qualifies for the common sense exemption because it can be seen with certainty that the action has no possibility of causing a significant effect on the environment.

DISCUSSION:

A. CEQA Review

CEQA generally requires that one public agency serve as the lead agency for a project (Pub. Res. Code § 21067; CEQA Guidelines § 15050, 15051). The State Water Board is the agency with authority to approve or deny the requested modification to Permit 13525. The State Water Board has nevertheless requested that the District make a CEQA determination and file a NOE in connection with the petition.

For purposes of this Resolution, the District has evaluated the environmental consequences of its discretionary action to continue pursuing the minor change petition. The Board's action would not approve the requested permit modification on behalf of the State Water Board. The State Water Board will retain independent authority to determine whether to approve the proposed petition and to make any additional findings required by applicable law.

B. Proposed Action

The proposed action does not approve construction of new facilities, expansion of existing facilities, modification of existing diversion infrastructure, or any other physical improvement. The proposed permit modification would reduce the maximum annual diversion authorized under Permit 13525 from 600 AFY to 210 AFY and remove the District's Lake Tahoe Intake and associated place of use from that permit. The permit would thereafter apply only to the existing Old Brockway Golf Course Lake Tahoe Intake and the existing golf course place of use.

Although the diversion authorized under Permit 13525 would be reduced, the District's authority to divert up to 1,900 AFY under D-1056 would remain unchanged because the reduction under Permit 13525 is offset by corresponding diversion authority under the District's other existing water rights subject to D-1056. Accordingly, the proposed modification would not increase or otherwise alter the District's total diversion quantity or change the manner in which the District currently operates its municipal water system.

C. Class 1 Categorical Exemption

District staff concludes that the proposed action qualifies for the Class 1 categorical exemption set forth in CEQA Guidelines § 15301. The Class 1 exemption applies to operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public facilities involving negligible or no expansion of existing or former use.

The District's municipal water system and the Old Brockway Golf Course Lake Tahoe Intake are existing facilities that have been constructed and operated for many years. The proposed action does not authorize construction of new facilities, modification of existing diversion infrastructure, or expansion of existing operational use.

The proposed permit change would reduce the maximum annual diversion authorized under Permit 13525 from 600 AFY to 210 AFY and remove the District's Lake Tahoe Intake and municipal place of use from that permit. The District's authority to divert up to 1,900 AFY under D-1056 would remain unchanged, and the proposed action would not authorize any additional diversion authority, increase the operational use of existing facilities, extend the diversion season, or change the operation of the District's existing diversion, treatment, storage, groundwater, or distribution facilities.

Accordingly, the proposed action concerns the continued permitting, licensing, and operation of existing water facilities and involves negligible or no expansion of existing or former use. The proposed action therefore qualifies for the Class 1 categorical exemption under CEQA Guidelines § 15301.

D. Exceptions to the Categorical Exemption Do Not Apply

CEQA Guidelines § 15300.2 identifies several exceptions to the use of categorical exemptions. Staff has reviewed each applicable exception in light of the proposed action and the administrative record and concludes that none precludes reliance on the Class 1 exemption.

The proposed action is limited to pursuing and processing a minor change to Water Right Permit 13525. It does not authorize construction of new facilities, physical modification to existing facilities, expansion of existing operations, or any other physical change to the environment. Rather, the proposed action reduces the diversion authorized under Permit 13525, removes the District's Lake Tahoe Intake and municipal place of use from that permit, and does not increase the District's overall diversion authority or alter existing operations.

Accordingly, the proposed action does not present unusual circumstances giving rise to a reasonable possibility of a significant environmental effect because it authorizes no physical changes to the District's facilities or operations. The proposed action will not contribute to cumulative impacts because neither authorizes physical development nor increases operational use of existing facilities. The proposed action will not damage scenic resources within a designated state scenic highway because it does not involve construction, grading, vegetation removal, or any other physical alteration of the landscape. The proposed action is not located on a site identified pursuant to Government Code § 65962.5, as it concerns the continued operation of the District's existing municipal water system rather than development of contaminated property. Finally, the proposed action will not cause a substantial adverse change in the significance of a historical resource because it does not involve demolition, alteration, relocation, or physical modification of any historical resource.

Based on the foregoing, staff concludes that none of the exceptions contained in CEQA Guidelines § 15300.2 applies. Accordingly, if the proposed action is determined to constitute a project under CEQA, the District may properly rely on the Class 1 categorical exemption.

E. Common Sense Exemption

The proposed action also independently qualifies for the common sense exemption under CEQA Guidelines § 15061(b)(3). The common sense exemption applies where it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment.

The proposed permit modification would reduce the maximum annual diversion authorized under Permit 13525 from 600 AFY to 210 AFY and remove the District's Lake Tahoe Intake and municipal place of use from the permit. Although the District's diversion authority under D-1056 would remain unchanged at 1,900 AFY, the proposed action would not authorize any increase in the operational use of existing facilities, physical modifications to the municipal water system, or any other activity capable of causing a physical change in the environment.

The action also would not commit the District or State Water Board to approve any pending or future water right application. Any application seeking additional diversion authority will remain subject to separate review under applicable law including CEQA.

Because the proposed action would only reduce and administratively modify existing diversion authority and would not authorize physical or operational change capable of affecting the environment, it can be seen with certainty that there is no possibility the proposed action may have a significant environmental effect. The action therefore qualifies for the common sense exemption under CEQA Guidelines § 15061(b)(3).

F. Separate Review of Pending Water Right Applications

The District's proposed minor change petition for Permit 13525 is separate from the District's three pending water right permit applications, where the District is proposing to move one application to permit and cancel the remaining two applications.

The purpose of the proposed minor change petition is to remove the District as a holder of Permit 13525 so that Old Brockway Golf Course would be the only permit holder. The proposed minor change petition would have no impact on the District's other existing water rights, and would reduce the diversion amount authorized under Permit 13525 to align with Old Brockway Golf Course's stated water supply needs. The requested modification neither increases the District's overall diversion authority nor authorizes any change in the operation of the District's existing municipal water system. As a result, the environmental considerations with the pending application seeking additional diversion authority are not presented by the proposed minor permit change.

The proposed minor change petition would reduce and modify existing authority under Permit 13525. It does not approve, require, or depend upon approval or denial of the three pending permit applications, and does not commit the State Water Board to any particular decision regarding those applications.

The three pending applications will remain subject to their own administrative and environmental review. Approval of the proposed Resolution and filing of the NOE for the proposed minor change petition will not constitute approval of those applications or predetermine any CEQA determination applicable to them.

For these reasons, staff recommends that the proposed minor change petition be addressed through a separate CEQA determination and NOE and not combined with the District's CEQA review of the three pending water right permit applications.

G. Conclusion

Staff recommends that the Board determine that the District's discretionary action to pursue a minor change petition for Permit 13525 is exempt from CEQA pursuant to the Class 1 categorical exemption under CEQA Guidelines § 15301.

Staff further recommends that the Board determine that none of the exceptions set forth in CEQA Guidelines § 15300.2 applies and that the proposed action independently qualifies for the common sense exemption under CEQA Guidelines § 15061(b)(3).

Staff recommends that the Board adopt Resolution 2026-17, approve the NOE, authorize its filing, and authorize the General Manager or the General Manager's designee to take all actions reasonably necessary to implement the Resolution.

FISCAL ANALYSIS:

Approval of the recommended action will not, by itself, result in any capital expenditures, construction costs, or changes to the District's operating budget. Staff time and legal services associated with the continued processing of the minor change petition will be funded through the District's approved operating budget. Any material future costs associated with the petition or related regulatory proceedings will be presented to the Board for consideration, as appropriate.

STRATEGIC PLAN ALIGNMENT:

Goal 1: Provide safe, efficient, sustainable water and wastewater services focusing on industry best practices and continuous improvement – Objective A: Comply with all regulatory mandates and environmental standards – Tactic 2: Meet all California Water Conservation goals and ensure sufficient water for essential indoor and outdoor use – Activity b: Annually assess the water supply and demand for prediction of possible water shortages for all three water systems.

ATTACHMENTS:

- Attachment A – Resolution 2026-17
- Attachment B – Notice of Exemption
- Attachment C – Map of Service Areas for Permit 13525 (A017139)

REVIEW TRACKING:

Submitted By: 

Joseph J. Pomroy, P.E.
Engineering & Operations Manager

Approved By: 

Bradley A. Johnson, P.E.
General Manager/CEO

RESOLUTION 2026-17

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH TAHOE PUBLIC UTILITY DISTRICT DETERMINING THAT THE DISTRICT'S DISCRETIONARY ACTION REGARDING A MINOR CHANGE PETITION FOR WATER RIGHT PERMIT 13525 IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, APPROVING A NOTICE OF EXEMPTION, AND AUTHORIZING ITS FILING

WHEREAS, the North Tahoe Public Utility District ("District") and Old Brockway Golf Course jointly hold Water Right Permit 13525 (Application 017139) issued by the State Water Resources Control Board ("State Water Board"); and

WHEREAS, Permit 13525 currently authorizes diversion of up to 600 acre-feet per year ("AFY") from the District's Lake Tahoe Intake and the Old Brockway Golf Course Lake Tahoe Intake for authorized municipal and irrigation purposes; and

WHEREAS, the District has additional water rights that it uses to provide municipal water supplies and has determined that it no longer requires Permit 13525 to supply users within its service area;

WHEREAS, the District proposes to submit a minor change petition requesting that Permit 13525 be modified to reduce the maximum annual diversion authorized under the permit from 600 AFY to 210 AFY; remove the District's Lake Tahoe Intake as an authorized point of diversion; and remove the District's municipal place of use from Permit 13525; and

WHEREAS, the State Water Board's Decision 1056 ("D-1056") allows the District to divert up to 1,900 acre feet per year ("AFY") under certain of the District's existing water rights, including Permit 13525;

WHEREAS, the proposed modifications to Permit 13525 would not reduce or increase the District's authority to divert up to 1,900 AFY because the District's other water rights subject to D-1056 authorize the District to divert up to that amount; and

WHEREAS, the proposed modification would not authorize construction of new facilities, expansion or modification of existing diversion facilities, increased operational use of existing facilities, or any other physical change to the environment; and

WHEREAS, the State Water Board has requested that the District make a determination regarding applicability of the California Environmental Quality Act ("CEQA") and file a Notice of Exemption ("NOE") in connection with the minor change petition; and

WHEREAS, the Board has reviewed and considered the Staff Report, the proposed NOE, all supporting materials, and all testimony and evidence presented at the public meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE NORTH TAHOE PUBLIC UTILITY DISTRICT:

1. The foregoing recitals and findings are true and correct and incorporated herein by this reference.
2. The Board finds that the District's discretionary action regarding a minor change petition qualifies for the Class 1 categorical exemption set forth in CEQA Guidelines § 15301 because it concerns continued permitting and operation of existing water supply facilities involving negligible or no expansion of existing or former use.
3. The Board further finds that none of the exceptions identified in CEQA Guidelines § 15300.2 applies.
4. The Board independently finds that the proposed action is exempt from CEQA pursuant to CEQA Guidelines § 15061(b)(3) because it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment.
5. The Board further finds that the proposed minor change petition is a discrete modification to the District's existing water rights and does not increase the total quantity of water that the District is authorized to divert, authorize any new or expanded diversion, or commit either the District or the State Water Board to approve any pending or future water right application.
6. The Board approves the NOE attached as Exhibit A and authorizes the General Manager, or the General Manager's designee, to execute, file, and record the NOE in accordance with CEQA.
7. The General Manager and District staff are authorized to take all actions reasonably necessary to implement this resolution.
8. This Resolution shall take effect immediately upon its adoption.
9. The document and materials that constitute the record of proceedings on which this resolution and the above findings have been based are located at the District's office at 875 National Avenue, Tahoe Vista, CA 96148. The custodian for these records is the General Manager.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE NORTH TAHOE PUBLIC UTILITY DISTRICT THIS 11th DAY OF AUGUST, 2026, BY THE FOLLOWING ROLL CALL VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

**Sue Daniels, President
Board of Directors**

Bradley A. Johnson, P.E.
General Manager/CEO

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency _____

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

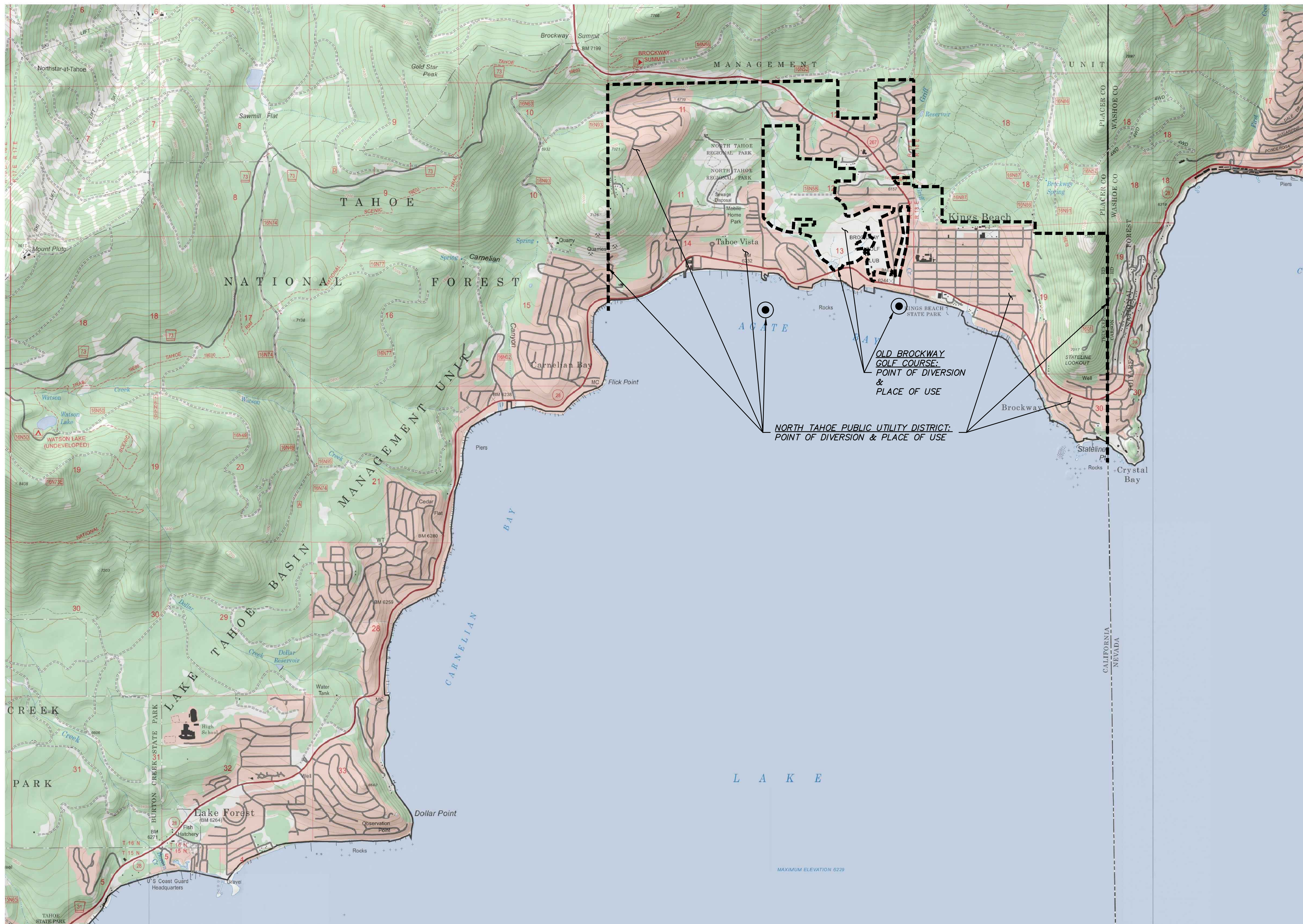
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



WATER RIGHTS MAP
EXHIBIT OF A17139 (P13525)

875 NATIONAL AVENUE
TAHOE VISTA, CA 96148
MAIN: (530) 546-4212
FAX: (530) 546-2652



REGISTERED CIVIL ENGINEER
WILLIAM B. STARNES
No. C 65139
Exp. 9/30/2021
CIVIL
STATE OF CALIFORNIA

Designed:	
Drawn By:	
Approved By:	
Job No:	
Scale:	PER SCALE BAR
Date:	6/5/2020

SHEET No.

1 OF 1