

ROUND HILL GENERAL IMPROVEMENT DISTRICT

WATER CONSERVATION POLICY

WATER USE RESTRICTIONS

DECLARATION OF PURPOSE

INCLUDED IN WATER TARIFF ADOPTED 6/15/2005

1. The Board of Trustees of the Round Hill General Improvement District recognizes that in certain years there may be a shortage of water for domestic use by the residents of the District, which requires the imposition of restriction on use, so that the District may provide adequate and equal amounts of water to its customers.
2. In order to assure that the District can provide an adequate supply of water to its customers, the Board of Trustees will restrict the use of water for certain irrigation of house hold purposes, and limit the time within which water shall be used for such purposes. In furtherance of that goal, the Board enacts these restrictions pursuant to it's authority granted by NRS 318.144, NRS 318.145, NRS 318.170(1)(d), and NRS 318.199.

II

DEFINITIONS

As used in the Appendix, the following words or phrases are defined as follows:

1. "Board": The Board of Trustees of the Round Hill General Improvement District.
2. "Commercial": A commercial area or commercial use is defined as any use which has been designated by any commercial zoning by the Douglas County Board of Commissioners, which has a use upon it which is the subject of any licensure from the County or from the State of Nevada, or which conducts upon it a commercially related activity for remuneration. The Board of trustees shall determine each definition of "commercial" on a case-by-case basis for the purposes of the determining the applicability of these restrictions to such use. For the purposes of these restrictions all areas and uses, which are not determined to be commercial, are defined as residential.

3. "Declaration": Means a declaration of water shortage by the Board when it appears to a majority of the Board that either insufficient water is available to meet the reasonable needs and requirements of the District, or that there is insufficient potable water for human consumption as determined by the Nevada State Bureau of Health Protection Services, the Douglas County Health Officer, or the District Agent. This limit shall be a pre-set limit set by the Board.
4. "District Agent": Means the District's Manager, Engineer, Maintenance Supervisor, or a Board Member.
5. "Household Purposes": Means the purposes for which a person uses water inside a residence.
6. "Irrigation": Means, but not limited to irrigate water, moisten, sprinkle, soak, water-log, flow, wet, or any supply of water to land by natural or artificial means for other than household purposes.
7. "User": Means, but is not limited to, violation of these water use restriction, or the careless consumption of water as evidenced by irrigation overflowing or puddling on a property.

III

EMERGENCY WATER USE RESTRICTIONS

1. Upon declaration by the Chairman of the Board, after a majority vote of the Board, taken at a regularly held meeting, at a specially called meeting, or in an emergency meeting after a canvass of the Board members by the District agent, the District shall impose any or all of the following restrictions:
 - A)
 - i) require houses whose street address or unit number ends with an even number irrigate on Mondays and Thursdays; and
 - ii) require houses whose street address or unit number ends with an odd number irrigate on Tuesdays and Fridays; and
 - iii) require multiple unit housing with multiple irrigation service lines, being billed to a single address, irrigate on either i) or ii) above, and specify to the District which one they will use.
 - B) Require that irrigation be conducted, when permitted, during the hours of 7:00 p.m. and 10:00 A.M.
 - C) Prohibit the use of water for other than household purposes.

IV

NON-EMERGENCY WATER USE RESTRICTIONS

1. Upon declaration by the Chairman of the Board, after a majority vote of the Board, taken at a regularly held meeting, at a specially called meeting, or in an emergency meeting after a canvass of the Board members by the District agent, the District shall impose any or all of the following restrictions:
 - A) require houses whose street address or unit number ends with an even number irrigate on Mondays and Wednesdays, and Fridays; and
 - ii) require houses whose street address or unit number ends with an odd number irrigate on Tuesdays and Thursdays and Saturdays; and
 - iv) require multiple unit housing with multiple irrigation service lines, being billed to a single address, irrigate on either i) or ii) above, and specify to the District which one they will use.
2. Without declaration by the Board of a water emergency or shortage, in no event shall a water user irrigate or use water for other than household purposes between the hours of 10:00 a.m. and 4:00 p.m.
3. In no event shall a water user waste water in violation of these restrictions, in using water for household purposes or irrigation, as water uses are defined in Section II herein above.

V

EXEMPTIONS TO NON-EMERGENCY WATER USE RESTRICTIONS

1. The Board shall exempt the following uses of water in non-emergency situations.
 - A. Upon notice to the District by a property owner of lawns, which have been newly planted within thirty (30) days.
 - B. Professional gardeners or landscapers when performing services to install, repair, or maintain sprinkler systems of related mechanical devices.
 - C. Automatic irrigation systems set to operate on any day between 10:00 p.m. and 6:00 a.m.
 - D. Accidental flow of water due to equipment failure.
 - E. Children's toys such as water slides and inflatable pools.

VI

PENALTIES

1. **IT IS THE INTENTION OF THE BOARD OF TRUSTEES OF THE ROUND HILL GENERAL IMPROVEMENT DISTRICT THAT ANY AND ALL PENALTIES DELINEATED HEREIN SHALL BE PAID BY THE RECORD OWNER OF THE PROPERTY IN VIOLATION. ANY PENALTY AMOUNT OR WATER METER INSTALLATION COSTS ASSESSED AGAINST A PROPERTY OWNER SHALL, IN ALL CASES, CONSTITUTE A LIEN AGAINST THE PROPERTY UNTIL PAID. AN AGENT OF THE DISTRICT IS DIRECTED TO FILE FOR RECORD ANY LIEN RESULTING FROM A VIOLATION OF THE PROVISIONS OF THESE RESTRICTIONS.**

2. Any user found by the agent of the District to be in violation of these restrictions, shall in addition to being subject to all rights and remedies of the District at law or in equity, be subject to the following:

- A) Warnings: A user found to be in violation of the provisions of these restrictions shall be warned by the District agent, orally and/or by a citation in writing, of violations of these restrictions. A person warned of violation of the provisions of these restrictions on more than two occasions within a two year period shall be subject to the penalties contained in subsections B and C of this section

- i) It is the intention of the Board that violations shall be consecutive in nature during a two year period. The Board shall not consider a violation that has occurred two years or more prior to the latest warning issued by the District for enhancement of the penalties provided for herein.

- B) Third Violation: On a third violation within a two year period a user found to be in violation of the provisions of these restrictions shall be assessed a penalty in the amount of One Hundred Dollars (\$100.00) and shall a Fifty percent (50%) increase in water rates for two years following the third violation.

- C) Change of Ownership: An Owner and/or occupant of a property found to be in violation of the provisions of these restrictions resulting in the increase in water rates, shall not be exempt from the requirements of these restrictions, and shall pay for water based on actual use of water as determined by the meter installed.

- i) Any change of ownership of a property reflected by recorded documents of record in the Office of the Douglas County Recorder shall operate to cancel previous warnings issued to a prior user of water at the property. If a water meter has been installed at a location, which subsequently sold, the water meter shall remain installed, but the new

- owner or user of the water at the property shall be billed for water use as other metered properties within the District.
- E) Consecutive Violations: Each and every violation of these restrictions is deemed to be a separate and succeeding violation.

3.

Nothing contained herein shall prevent the District agent, without notice to any owner or occupant of a property, from entering a property to halt water waste. If entrance to the property is not reasonably possible, the District agent shall cause water service to the property to be halted.

- i) When it is reasonably determined that water waste results from a mechanical or other malfunction of the watering system located on the property, and upon adequate provision for the remedy of the malfunction, water service to the property shall be restored. In the case of water waste due to mechanical malfunction, a warning shall not be issued to the user, property owner, or occupant if the malfunction is remedied within seventy two (72) hours. If the user, property owner, or occupant neglects, refuses or fails to remedy the malfunction within seventy two (72) hours, a citation shall be issued unless the district Manager, on sufficient cause shown, extends the period of time to repair a mechanical malfunction as in his discretion is appropriate on a case by case basis.
- ii) If the District agent determines that the water waste results from a cause other than mechanical or other malfunction of the watering system located on the property, a water violation shall be issued to the user, property owner, or occupant.
- iii) If the user, property owner, or occupant of the property, at the time that water service is halted, is found to have two or more violations of these restrictions within a two year period, water service to the property shall not be restored until a water meter is installed. Upon a fourth violation at such location where a water meter is installed pursuant to this section, the account of the user will be billed based upon the actual water use measured by the water meter installed. The cost of the installation of the water meter by the district shall be paid by the property owner of the premises, and shall constitute a lien against the property.
- iv) If the property owner or resident is found to have less than two violations within a two year period at the time that water service to the property is halted, water service to the property shall be immediately restored without the installation of a water meter by the District after a written warning is delivered to the owner of the

property, resident or occupant thereof.

VII

APPEALS

1. Any person aggrieved by the actions of the District agent in the enforcement of these restrictions may appeal such action to the District.
2. An appeal shall be taken by filing a written statement of reasons why the agent of the District acted in error, and shall be submitted to the District Manager for review and possible action. The District Manager is empowered to affirm, modify, or cancel any warning citation issued, or penalty assessed. Should the District Manager deem it necessary, the District Manager shall meet with the person appealing a warning or citation to discuss with the appellant the reasons for the appeal. At any such meeting minutes shall be taken of the conference between the appellant and the District Manager. At the conclusion of such meeting, the District Manager shall submit a report to the Board of Trustees delineating his action to affirm, modify, or cancel any warning or citation issued.
3. At the next regularly scheduled Board of Trustees' meeting, the District Manager's recommendation regarding any appeal shall be considered by the Board, which shall accept or reject the recommendation of the District Manager on its Consent Agenda.
4. If the District Manager's recommendation is rejected, the District shall notify the appellant who shall appear at the following Board meeting if the appellant complies with the procedures set forth in Paragraph 5 through 7 of this Section 7.
5. Any person aggrieved by the recommendation of the District Manager, as accepted by the Board in its Consent Agenda, may appeal such recommendation directly to the Board of Trustees upon receipt of written notification of the Board's acceptance of the recommendation made by the District Manager. Any appeal may be taken by payment of all penalty amounts assessed for the third /and forth violations, and by payment of a FIFTY DOLLAR AND NO CENTS (\$50.00) FILING FEE.
6. An appeal may be taken within ten (10) DAYS AFTER WRITTEN NOTICE OF THE ACTION OF THE Board in accepting the recommendation of the District Manager.
7. Any person who fails to file a written request for hearing before the Board appealing Board's acceptance of the District Manager's recommendation within ten (10) days after notice of the acceptance of the recommendation by the Board, waives his right to appeal.

8. The Board shall hear the appeal at the next regularly scheduled meeting of the Board following the filing of a written request for hearing appealing the District Manager's recommendation. Notice of the date, time, and place of the hearing shall be given to the appellant. No new evidence, which was not presented to the district Manager prior to his recommendation to the Board, shall be presented at the time of the appellate hearing. The Board shall affirm, modify, or cancel any previous action by the Board or by the District Manager, including affirming, modifying, or canceling any warning or citation issued, penalty assessed, and/or filing fee paid.
9. Upon a person's failure to timely file for appeal of the Board's acceptance of the District Manager's recommendation, or upon final action by the Board with respect to an acceptance or rejection of the District Manager's recommendation, the Board shall pursue any of its rights and remedies contained at law or in equity, or in these restrictions.

WATER TARIFF SHEETS

SCHEDULE OF RATES

A. TEMPORARY SERVICE:

Consistent with RULE NO. 12, temporary service shall be that charge per connection for both installation and removal of service facilities, based upon the adjusted actual costs of the service provided.

B. CONNECTION CHARGE:

Persons desiring a connection to the water system of the Utility shall pay to the Utility, at the time of issuing the permit for a water connection, a connection charge in the amount of \$7,000.00/EDU.

For the purpose of establishing charges hereunder, each unit of a condominium development shall constitute a separate connection or one (1) EDU.

Only duly authorized employees or agents of the Utility will be authorized to install service connections.

C. **OPTIONAL RATES:**

D.

Commercial Irrigation

Any commercial business located in or near an entrance to the Round Hill General Improvement District, with a separate irrigation meter, to meter water used solely for irrigation, may apply for a separate irrigation rate specified in commercial rates. This meter must be located upstream of any meter used to supply the business domestic water. This rate will be classed as Commercial Irrigation (1).

D. **SERVICE RATES:**

EXHIBIT A

ROUND HILL GENERAL IMPROVEMENT DISTRICT

WATER CONNECTION RATES

ADOPTED BY THE BOARD OF TRUSTEES

MAY 28, 2002

<u>SERVICE SIZE</u>	<u>RESIDENTIAL*</u>	<u>COMMERCIAL*</u>
3/4"	\$7,000	\$7,000
1"	\$12,460	\$12,460
1-1/2"	\$28,140	\$28,140

2"	\$49,980	\$49,980
3"	\$112,350	\$112,350
4"	\$199,780	\$119,780
6"	\$ 484,610	\$484,610

*Plus meter and installation charges.

CONNECTION & CAPACITY CHARGES

WATER

Residential

Each unit-house see above rates

Each condo or apartment unit see above rates

Commercial

see above rates

NEW ACCOUNT AND RECONNECTION CHARGES

New Accounts

Definition - each time the service at any particular address is changed from one name to another name.

During Office Hours \$50.00

Emergency Shutoff After Office Hours \$100.00

Reconnection after Water Shutoff

During Office Hours \$50.00

After Office Hours \$100.00

Temporary interruption for repair during
Office hours (less than 1 day) \$50.00

DEPOSIT

For Residence: \$100.00
Refundable after 1 year upon
establishment of good credit

MONTHLY RATES per EDU* – Residential

Minimum Rate \$45.00
Metered - per 1000 Gallons \$45.00 for first 20,000 gal
Surcharge – per 1000 Gallons \$2.00 for all use over 20,000
gallons, up to 50,000
gallons.
Surcharge #2 – per 1000 Gallons \$2.50 for all use over 50,000
gallons.

***Usage per EDU:**

2 2

E.G. a 2-inch service will be charged $2 \frac{2}{3} \times \$45.00 = 4 \frac{2}{3} \times \$45.00 = \$321.00$ per month, and can use $4 \frac{2}{3} \times 7000$
gallons = 142,000 gallons per month before equivalent surcharge.

MONTHLY RATES per EDU – Commercial

Minimum Rate \$45.00
Metered - per 1000 Gallons \$45.00 for first 7,000 gal
Surcharge \$9.65 for next 3,500 gal
Surcharge #2 \$12.85 after 10,500 gal usage

Commercial Irrigation (1)

\$4.72 per 1000 gallons

The above increasing block rate tariff will be used to decrease the amount of water used for irrigation and encourages the use of xeriscape in the District.

RHGID will initiate a leak survey every five years beginning in 2003. This survey will pinpoint all leaks and will be used as a tool for water conservation.

All pressure reducing valves in the main service area will have a downstream pressure no greater than 80 PSI.

A seven-year meter calibration/replacement policy to ensure accuracy of meters will start in October 2003. All water service lines are to have a meter installed at this time.

After each monthly meter reading, usage of individual meters will be compared with the master meter for a water loss calculation.