

Ordinance Type	District Administration	Date Adopted	June 28, 2006
Ordinance Number & Title	1000 - General Provisions	Date Amended	February 23, 2022

## 1000.00 Definitions and Miscellaneous Provisions

### 1000.01 Title – Reference to Code

This code shall be known as the “San Juan Water District Code of Ordinances.” References herein to the “Code” shall be deemed to mean this Code of Ordinances.

### 1000.02 Definitions

The following words as used in the Code shall have the meanings set forth below unless otherwise apparent in the context in which they are used:

“Access” means the ability to clearly and easily see and enter a District facility, such as a meter box, without removing branches, roots, landscaping, soil, etc. from the facility.

“Apartment Building” means a building containing separate residential apartments.

“Applicant” means any prospective Customer applying for water service.

“Application for Single Service - Connection” means a District form completed by the Customer with sufficient information to enable the District to establish a water account and document fees paid.

“Application for Single Service – Initial Review” means a District form completed by the Customer with sufficient information to enable the District to determine the appropriate meter size for the requested water service.

“Auxiliary Water Supply” means a water supply not supplied by San Juan Water District.

“Board of Directors” or “Board” means the Board of Directors of the District.

“Board Member” or “Member” means a Director of the Board of Directors.

“Capital Facility Fee” means the portion of the Connection Fee paid to fund the capital facilities.

“Commercial Service” means the furnishing of metered water for use by a Customer in a multi-family residence of more than 4 units or in a non-residential account, including but not limited to restaurants, retail stores, residential care facilities, golf courses, schools, homeowner associations with common landscaped areas, mobile home parks, or irrigation of agricultural or non-agricultural land.

“Condominium” means a unit owned individually in a multi-unit structure or on land owned in common.

“Connection Fee” includes the: (1) capital facilities fee and (2) the District meter installation inspection fee, and (3) a fee for installing a service tap (tapping fee) based on the cost of the time and materials to complete the work.

“Construction Water” means water used in construction activities such as compaction and dust control that is obtained through District hydrants with valid permit.

“Conveyance Agreement” means an agreement with the District to construct and quit claim facilities to the District.

“Customer” means any Person that owns real property that is supplied or entitled to be supplied with water service by the District.

“Date of Presentation” means the date a bill or notice is mailed or delivered personally to the Customer.

“Developer” means any Person, firm, association, partnership, joint venture or corporation who applies for acceptance by the District of an addition to the District’s water distribution system.

“Development Project” means any project with more than one lot.

“District” means the San Juan Water District, a community services District organized and existing under the laws of the State of California.

“Domestic Service” means the services, facilities and water furnished or available to residential Premises by the District water system.

“Easement” means the District’s right in, across, over, and under another Person’s property to access, construct, install, operate, maintain, repair, remove, and replace District facilities, regardless of whether or not the District’s right has been memorialized in a written document recorded in the Official Record of the county where the Easement is located.

“Funding Agreement” means an agreement requiring a developer to pay for all required and requested assistance from District staff and consultants during the planning, design and permitting process for a development.

“General Manager” means the General Manager of the District or other staff member designated by the General Manager or the Board of Directors to perform the services or make the determinations permitted or required under this code.

“Mainline Extension” means the extension of District’s water distribution pipelines, exclusive of service connections, beyond existing facilities.

“May” is permissive and “shall” or “will” is mandatory.

“Metered-Rate Service” means the furnishing of water by measured quantities using a mechanical device manufactured and installed on a water line.

“Off-Site Facilities” means facilities that must be constructed outside the boundaries of a development to bring utility service from the nearest District facility to the boundary of the land being developed.

“Person” means any individual, firm, partnership, joint venture, association, corporation, county, city, municipal corporation or other political subdivision, or any other group or combination acting as a unit.

“Premises” means any lot, piece or parcel of land, or any building or other structure or any part of any building or structure having a connection with the District water system.

“Right-of-way” means an Easement in a road or other area that has been dedicated to public use and in which the District may install and operate facilities without permission from the owner of any underlying private property.

“Service Area” means the area within the San Juan retail boundaries.

“Service Lateral” means the portion of pipe between the District water main and the water meter box location.

“Staff” means the General Manager and the personnel of the District under the General Manager’s supervision.

“Standards, specifications, and requirements” means the District’s standards, specifications, and requirements.

“Subdivision” means a real estate development resulting in a division of land into two or more lots or parcels.

“Tapping Fee” means a fee to install a water service tap.

“Temporary Water” means temporary water service through a District-provided meter for a period not to exceed 120 days and which is permitted without requiring the payment of capital facilities fees.

“Townhome or townhouse” means a usually single-family house of two or sometimes three stories that is usually connected to a similar house by a common sidewall.

“Unit of water” means 100 cubic feet or 748 gallons of water.

“Water Meter” means a mechanical device used for measuring and recording the quantity of water delivered to a Customer, and all fittings, valves, and equipment required to attach and operate the water meter.

“Water Service” means the water system services, facilities and water furnished or available to a Premise by the District.

“Water Service Fee” means that fee paid by a Customer to establish a new water account.

“Will Serve Letter” means a letter signed by the Board or General Manager and issued to a Developer or Applicant for a development project making a conditional statement that, as of the date of the letter,

treated water supply and facilities are available to serve the proposed development project inside the District.

“Wholesale Service” means the furnishing of water by the District to another public agency or private water company for retail distribution to that entity’s customers through the agency’s or company’s water system for any beneficial use.

**1000.03 Effect of Heading**

The title, division or section headings contained in this Code shall not be deemed to govern, limit or modify in any manner the scope, meaning or intent of the provisions of any section or subsection of this Code.

**1000.04 Notices**

A. Whenever a notice is required to be given by the District under this Code, unless otherwise provided herein, such notice may be made either by personal delivery thereof to the Person to be notified or by deposit in the U.S. Mail in a sealed envelope, postage prepaid, addressed to such Person at the last known business or residence address as the name appears in the District’s or other public records. Service by mail shall be deemed to have been completed at the time of deposit in the Post Office.

B. Proof of giving any notice may be made by the certificate of any officer or employee of the District or by affidavit of any Person over the age of eighteen years that shows service in conformity with this Code or other provisions of law applicable to the subject matter concerned.

**1000.05 Validity of Code**

If any section, subsection, sentence, clause, phrase or portion of this Code is for any reason held to be invalid or unconstitutional by the decision of any court, such decision shall not invalidate or otherwise affect the remaining portions of this Code. The Board of Directors hereby declares that it would have adopted this Code and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of whether any one or more sections, subsections, clauses, phrases or portions are declared invalid or unconstitutional.

**Revision History:**

Revision Date	Description of Changes	Requested By
6/25/08	Ord. 08-001 repealed all prior ordinances	
2/23/2022	See 1/28/2022 Board staff report	Legal Affairs Committee