

**NORTH MARIN WATER DISTRICT
REGULATION 1
NEW OR UPGRADED WATER SERVICE CONNECTIONS**

a. Application for Service and Processing

Application for service must be made to the District in writing on the District's form by the property owner or his/hers/its authorized agent. An online application process is available on the District's website at: <http://nmwd.com>. Applications must be supported by data as required by the District, including but not limited to, a map and/or legal description of the property to be served, the name of the property owner, a description or plan showing intended water fixtures, a plan showing lawn and garden areas, a fire sprinkler plan and design, if applicable, documentation for the fire agency having jurisdiction, if applicable, and an estimate of amount of water to be used. The size of the meter and service connection will be determined by the District at its sole discretion based on the information supplied and other pertinent information in the District's possession.

Applications requiring a single service having a meter size equal to or less than one and one-half inch will be processed in the order of the date the application is received provided all requirements of the District are met. All other applications will be processed in the order of the date the application is received provided the Applicant meets all District requirements within 30 days of said date. If District requirements are not met within said 30 days, the application shall be null and void and must be resubmitted to the District. The General Manager may extend the 30-day compliance period by no more than an additional 30-days, if the General Manager determines, in their sole discretion, that the failure to meet this requirement is due to workload limits of the District

District receipt of an application shall in no way represent a commitment or agreement by the District to serve water. Said commitment will be made only at the time service actually commences or when a water service agreement is fully executed, whichever shall first occur. Notwithstanding the foregoing, prior to commencement of service, should the District be limited in serving new connections by local ordinance or resolution, or by any action of any State regulatory agency or department, service to the applicant may be delayed or denied. In the case of a water service agreement, the commitment of the District to supply water shall be limited to the number of connections to be installed pursuant thereto and in accordance with the terms thereof. Additional requirements for recycled water service are included in Regulation 18.

b. Conditions Precedent to Service

Water service will be provided subject to:

- (1) The existence of a main of adequate capacity and pressure abutting the property to be served, or the construction of adequate mains, pumps and storage facilities under the provisions of Part B of these Regulations;
- (2) The advance payment of the District's initial charge for service as provided in Regulation 1 c.; and
- (3) Compliance with the other applicable provisions of these regulations.

c. Initial Charges for Service

Prior to commencement of service the Applicant shall pay an initial charge for service which shall be the total of the Meter Charge, the Service Line Charge, the Reimbursement Fund

Charge and the Facilities Reserve Charge computed as set forth below. In accordance with Regulation 30, the Reimbursement Fund Charge is used to fund the District's Reimbursement Program which transfers these funds to subdividers and individuals who have built extensions of water distribution systems that benefit others ("Extenders"). A Facilities Reserve Charge includes the costs to provide capacity through existing and future water facilities in order to serve new and upgraded connections. "Est." shown in the tables below, means the cost of the meter and/or the service line as estimated by the District; "d.u." means dwelling unit. The Reimbursement Fund Charge shall not apply to recycled water service. Applications for a single service connection having a meter size equal to or less than one and one-half-inch shall pay a Meter Charge and a Service Line Charge as set forth below, which comprise the estimated costs of providing those respective services. Applications requiring more than one meter or requiring a meter size greater than one and one-half-inch shall pay a Meter Charge and a Service Line Charge based on the actual cost of said meter and service line installation(s) incurred by the District.

The Facilities Reserve Charge will depend on the type of use as shown in the table below and shall be based on the District's estimate of the quantity of water that will be used on the average day of the maximum month expressed in "equivalent single-family dwelling units" (EDUs) of 385 gallons each for Novato and Recycled Water, and 210 gallons each for West Marin. The District shall determine Facilities Reserve Charges for those consumers served prior to May 1, 1973 by its estimate of gallons per day of water use on the average day of the maximum month divided by 385 for Novato, or 210 for West Marin, over the first ten years of service or less as applicable. If at any time a consumer's use exceeds the estimate used in fixing the charge the District may require the consumer to either reduce its maximum usage to the appropriate EDU amount, or to pay an additional Facilities Reserve Charge at the rate then in effect for each EDU of such excess. Once Facilities Reserve Charges are paid and service actually commences or when a water service agreement is fully executed, a water entitlement is established for the property. The entitlement stays with the property and cannot be reassigned or transferred to another property even if there is common ownership.

(1) Novato Service Area – Effective December 6, 2022

Meter Size	<u>Meter Charge</u>	Service Line	Reimbursement Fund
<u>Inches</u>	<u>Meter Charge</u>	<u>Charge</u>	<u>Charge</u>
5/8	\$610	\$4,760	\$ 420
1	710	4,760	1,055
1-1/2	980	7,560	1,540
2	Est.	Est.	3,140
3	Est.	Est.	4,680
4	Est.	Est.	7,310
6	Est.	Est.	14,360
8	Est.	Est.	31,250
10	Est.	Est.	41,610
			Effective 12/6/2022
			Facilities Reserve Charge
Single family detached residences and duplexes (each d.u)			\$28,310
Townhouses and condominiums (3 units or more) (each d.u)			19,250
Mobile home (each d.u.)			11,040
Apartment houses - 5 units or more, (each d.u.)			13,870

Second d.u. or Accessory Dwelling Unit (ADU), including manufactured ADUs, up to 1,200 square feet in size and not exceeding 50 percent of the size of the existing primary dwelling on a parcel in undivided ownership	7,640
Non-residential uses and master metered residential uses with a history of water consumption: the District shall determine EDU's by its estimate of gallons per day of potential water use on the average day of the maximum month divided by 385 (each EDU).....	28,310

Also see Regulation 29 regarding extension of District facilities.

(2) West Marin Service Area – Effective December 6, 2022

<u>Meter Size</u> <u>(Inches)</u>	<u>Meter Charge</u>	<u>Service Line</u> <u>Charge</u>	<u>Reimbursement Fund</u> <u>Charge</u>
5/8	\$610	\$4,760	\$1,950
1	710	4,760	4,950
1-1/2	980	7,560	7,200
2	Est.	Est.	14,700
3	Est.	Est.	21,900
4 (and greater)	Est.	Est.	34,200

Effective 12/6/2022
Facilities Reserve Charge

Single family detached residences and duplexes (each d.u)	\$20,660
Townhouses and condominiums (3 units or more) (each d.u)	14,050
Mobile home (each d.u.)	8,060
Apartment houses - 5 units or more, (each d.u.)	10,120
Second d.u. or Accessory Dwelling Unit (ADU), including manufactured ADUs, up to 1,200 square feet in size and not exceeding 50 percent of the size of the existing primary dwelling on a parcel in undivided ownership	5,580
Non-residential uses and master metered residential uses with a history of water consumption: the District shall determine EDU's by its estimate of gallons per day of potential water use on the average day of the maximum month divided by 210 (each EDU).....	20,660

Also see Regulation 29 regarding extension of District facilities.

(3) Recycled Water Service Areas – Effective December 6, 2022

<u>Meter Size (Inches)</u>	<u>Meter Charge</u>	<u>Service Line Charge</u>
5/8	\$610	\$4,760
1	710	4,760
1-1/2	980	7,560
2	Est.	Est.
3	Est.	Est.
4	Est.	Est.

Effective 12/06/22
Facilities Reserve
Charge

Recycled water for commercial or multi-unit residential common area irrigation or other approved uses: District shall determine EDU's by its estimate of gallons per day of potential water use on the average day of the maximum month divided by 385 (each EDU) \$28,310

Also see Regulation 18 regarding recycled water service.

(4) Charge for Annexation - All Service Areas

In addition to the other charges specified, no property shall be annexed to an improvement district unless an annexation fee is paid. The annexation fee shall be equal to the following:

- (a) an annexation recovery fee of \$1,000 representing the approximate revenue from tax on land (not improvements), including interest on that tax, that the District would have received had the property to be annexed been within the improvement district from the date of its formation, and;
- (b) any applicable current Local Agency Formation Commission and/or State Board of Equalization fees for annexation, and;
- (c) estimated cost of District staff time and expenses incurred to process the annexation application. The full cost of any annexation feasibility studies including preparation of environmental documents, shall be borne by the person or entity requesting water service. Before commencing such studies said person or entity shall advance the District's estimated cost of such studies. If, after pursuing such studies, the District determines additional funds are needed to cover estimated costs, said person or entity shall advance said additional estimated required funds. Upon completing said studies any costs incurred by the District which were not covered by an advance(s) shall be paid by said person or entity upon presentation of an invoice therefore. Any unexpended funds held by the District resulting from an advance(s) shall be refunded to said person or entity.

(5) Single Service Connection Requests - Deposit Requirement for Water-Saving Devices and Restrictions

A \$1,000 deposit must be paid to the District before a single water service connection is provided to assure compliance with all Water-Saving Devices and Restrictions for New Development pursuant to Regulation 15.e and 17.e. Upon inspection that requirements

for all Water-Saving Devices and Restrictions have been met, the \$1,000 deposit will be refunded to the applicant.

(6) Initial charges for Affordable Housing

Payment of Initial Charges for water service to Applicant projects that include housing units affordable to lower income households, as defined in Government code Section 65589.7(d)(1), may be deferred for affordable units only until such time as a certificate of occupancy is issued by the city or county and meters thereto are authorized to be set or a period of two years from the date of the Applicant's Water Service Agreement, whichever duration is less. Said deferred payment shall include interest calculated at the rate earned on the District investment portfolio over the deferral period as determined solely by the District.

(7) Excavation Prohibitions, Street Moratoriums and Pavement Restoration

If installation of a new service connection requires excavation within a City of Novato street that is under a Prohibition of Excavation, as defined by the City of Novato Municipal Code or in a street that is listed in the County of Marin's Street Moratorium, then the District will levy a charge for the cost of pavement restoration (as will be determined by the District). In addition, the District reserves the right to levy a charge for the cost of pavement restoration in certain other circumstances where the District determines, in its sole discretion, that the charge is warranted, in addition to the fixed charges listed in (1), (2), and (3) above.

d. (This section left intentionally blank)

e. Location of Service Connection

Service will be provided at a meter abutting a major frontage of the consumer's property at a point determined by the District. The consumer may indicate the point on his/hers/its property where they desire the service. However, the final location will be determined solely by the District.

f. Facilities Reserve Charge for Public Parks - All Service Areas

The Facilities Reserve Charge for public parks shall be the amount charged for a 5/8-inch meter serving a single dwelling unit irrespective of the actual size of the meter provided each and all of the following conditions are met:

- (1) The public park is owned, operated, maintained, and managed by a public agency and is open and accessible to the public for active recreational uses. For the purposes of this regulation landscaped areas along roadways and surrounding public buildings and landscaped areas in privately owned recreational areas or in areas where use is limited to a select group, such as a homeowners association are not public parks. Golf courses, whether privately or publicly owned or any other enterprise which charges a use fee, are not public parks. A community recreation facility that is not developed, constructed, operated, or maintained with public funds is not a public park.
- (2) The public agency owning the park enters into a service agreement with the District providing:

- (a) Water shall be used only during such off-peak hours as shall be therein specified by the District with the exception that water can be used during peak periods for special limited and unusual circumstances such as system testing, germination of newly seeded turf, major turf renovation projects, irrigation following fertilization or herbicide applications, irrigation required prior to aeration and minor hand irrigation required for plant establishment, and
- (b) Water use shall be discontinued or reduced as directed by the District at any time it determines that a threatened water shortage exists and so notifies the consumer.
- (c) Water applied to turf and other landscape areas shall be through an irrigation system that complies with all applicable requirements of Regulation 15f or Regulation 17f as demonstrated by design drawings and specifications and which contain the following features:
 - (i) Use of sprinkler heads, sprinkler head components and/or control schedules which achieve precipitation rates which match the water absorption capacity of the sod/soil column.
 - (ii) Sprinkler head spacing that is not greater than 50% of the diameter of the precipitation pattern thrown by the sprinkler head (i.e., head-to-head spacing) at the minimum delivery pressure available at the site based on field measurements or pressure data supplied by the District. This 50% diameter spacing requirement can be varied provided the requirements of Section 1(f)(2)(c)(ix) are met.
 - (iii) Sizing and layout of pipe laterals and selection and grouping of sprinkler heads and nozzles in a manner which assures that the pressure requirement of each sprinkler head is achieved.
 - (iv) Separation of valves such that valves serving turf sprinklers do not include sprinklers irrigating non-turf landscape which has a different water requirement.
 - (v) A valve in every head may be required by the District to control drain down and optimize distribution control.
 - (vi) Control of all turf valves by a District approved weather-based irrigation controller with remote ability to shut off the controller and capable of programming each valve for the following variables:
 - (1) Irrigation days,
 - (2) Minimum of three independently scheduled start times per irrigation day.
 - (3) Minutes of run time per start time cycle.
 - (vii) . This section left intentionally blank.
 - (viii) Controller shall accommodate a rain shut-off feature which automatically shuts down irrigation when it is raining.

- (ix) The irrigation distribution system shall be designed to achieve a lower quartile distribution uniformity of at least 80%. This distribution uniformity shall be verified after installation by field precipitation tests performed by a competent expert selected by the District and paid for by the applicant public agency. In the event said uniformity is not achieved, the applicant public agency shall make changes to the system until subsequent tests by said expert, and also paid for by the applicant agency, demonstrate achievement of said distribution uniformity. The lower-quartile uniformity coefficient, an approximation of overall irrigation system uniformity, shall be determined by sampling the precipitation pattern or "footprint" of the irrigation system with catch cans. The coefficient is determined by arraying the resulting data expressed as inches per catch can (or volume of water in can if cans are of uniform size) in descending order of magnitude, determining the mean of the lower one fourth of the catch-can data, and dividing it by the mean value for all of the cans.
- (d) In designing the irrigation system, the applicant agency shall conduct field tests to determine typical infiltration rates for the sub-turf soil. Design precipitation rates shall, as near as practicable, be matched to or not exceed said infiltration rates
- (e) Consumer or consumer's operator of the turf irrigation system shall apply water pursuant to an irrigation schedule developed for the site and based on applied water advice made available by the District or said turf irrigation system shall be controlled by moisture sensing devices which are operated to achieve efficient irrigation.
- (f) In the case of recycled water service, exceptions to this section may be made or additional requirements imposed as determined by the District to assure optimum soil moisture conditions are maintained and slime growth in the private distribution system is minimized.

g. Land Use Approval Established

An application for service to unimproved land shall not be processed to completion by the District unless the Applicant presents to the District a document from the city or county entity having jurisdiction verifying that a:

- (1) Valid Building Permit has been issued; or
- (2) Preliminary Division of Land has been approved; or
- (3) Tentative Subdivision Map has been approved; or
- (4) Planned Unit Development Precise Development Plan has been approved; or
- (5) Conditional Use Permit has been approved.

The word unimproved as used herein means land on which no improvements exist or land which although improved to a degree is being further improved and said further improvement is the cause for augmented water service and requires one or more of the above listed land use approvals. The District may process an application for service to unimproved land prior to obtaining the land use approvals stated above for non-residential uses such as irrigation, at the sole discretion of the General Manager. Water service approval is also subject to the District's review and confirmation that planned or future land use is consistent with local zoning requirements. In these cases, the service may require future additional water facility

construction or other modifications at the sole cost of the applicant to satisfy fire department requirements once land use approval is obtained.

h. Wastewater Disposal Established

Water service will not be furnished to any building unless it is connected to a public sewer system or to a wastewater disposal system approved by all governmental entities having regulatory jurisdiction. This subsection shall not apply to service during construction or service provided under Regulation 5.

i. Initial Charges for Service to Residential Connections with Fire Fighting Equipment

- (1) Where a meter larger than is otherwise necessary for consumption needs is installed solely to provide capacity for private fire sprinklers, fire hydrants or other fire fighting equipment in residential connections, the applicable Reimbursement Fund Charge shown in Column (3) of subsections c. (1) and c. (2) that shall apply shall be the corresponding charge for the next smaller size meter in accordance with Regulation 54 regarding minimum service charges.
- (2) Where new fire fighting equipment such as private fire sprinklers are required for a residential structure where the existing service is part of a dual service, a new separate service line will be required as determined by the District.

j. Landscape Plans

If the city or county requires an approvable landscape plan as part of its land use approval process said plan must be submitted to the District before an application shall be processed to completion.

k. Private Domestic Water Supply Wells

The District does not have jurisdiction for approval of a private domestic water supply well. However, if the property upon which a new private well is being proposed has an existing water service from the District, then the District reserves the right to review the well installation and improvement plans for cross-connection and backflow requirements.

l. Temporary Water Service

The District will consider an application for temporary water service to improved or unimproved land. The District may process an application for temporary water service for irrigation or construction purposes, or in other cases, at the sole discretion of the General Manager. Water service approval is also subject to the District's review and confirmation that planned or future land use is consistent with local zoning requirements. The applicant must sign an Agreement for Temporary Water Service before service may commence. Temporary water service, if approved by the District, will expire after the period stated in the Agreement, or upon issuance of a permanent water service agreement. See District Regulation 5 for more details on Temporary Service.