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	Latest Revision Date March 28, 2012	Ordinance No. 394

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- Sec. 8.1 revised by Ordinance No. 395 / March 28, 2012*
- Sec. 8.1 revised by Ordinance No. 386 / March 9, 2011*
- Sec. 8.1 revised by Ordinance No. 377 / April 21, 2010*
- Sec. 8.1 revised by Ordinance No. 372 / October 28, 2009*
- Sec. 8.1. revised by Ordinance No. 369 / January 28, 2009*
- Sec. 8.1. revised by Ordinance No. 358 / February 13, 2008*
- Sec. 8.1. revised by Ordinance No. 345 / February 9, 2007*
- Sec. 8.1.F. added by Ordinance No. 331 / June 9, 2006*
- Sec. 8.1. revised by Ordinance No. 326 / January 13, 2006*
- Sec. 8.1. revised by Ordinance No. 316 / February 23, 2005*
- Sec. 8.1. revised by Ordinance No. 297 / August 21, 2002*

Sec. 8.1. Filtered Water Rates:

A. Domestic Rates

The rates to be charged and collected for water supplied to Domestic users as defined in Section 9.1.1. of the District's Administrative Code shall be charged a 3 step increasing block rate structure as follows:

Non- Shortage Rates effective April 1, 2012:

<u>No. of Units</u>	<u>Rate</u>
0 – 6	\$2.10
7 – 43	3.21
Over 43	3.74

Level 1 Supply Shortage Rates as a % of Non-Shortage Rates effective April 1, 2012:

<u>No. of Units</u>	<u>Percent</u>
0 – 6	100%
7 – 43	105%
Over 43	115%

Level 2 Supply Shortage Rates as a % of Non-Shortage Rates effective April 1, 2012:

<u>No. of Units</u>	<u>Percent</u>
0 – 6	110%
7 – 43	125%
Over 43	140%

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Level 3 Supply Shortage Rates as a % of Non-Shortage Rates effective April 1, 2012:

<u>No. of Units</u>	<u>Percent</u>
0 – 6	120%
7 – 43	155%
Over 43	165%

Level 4 Supply Shortage Rates as a % of Non-Shortage Rates effective April 1, 2012:

<u>No. of Units</u>	<u>Percent</u>
0 – 6	135%
7 – 43	165%
Over 43	175%

1 Unit = 748 gallons

Sec. 8.1.B. revised by Ordinance No. 395/ March 28, 2012

Sec. 8.1.B. revised by Ordinance No. 386 / March 9, 2011

Sec. 8.1.B. revised by Ordinance No. 377 / April 21, 2010

Sec. 8.1.B. revised by Ordinance No. 372 / October 28, 2009

Sec. 8.1.B. revised by Ordinance No. 369 / January 28, 2009

Sec. 8.1.B. revised by Ordinance No. 358 / February 13, 2008

Sec. 8.1.B. revised by Ordinance No. 357 / January 23, 2008

B. Agricultural Filtered Water Rate

Agricultural service shall be defined as water delivered through a single meter for use upon tracts or parcels of land within the boundaries of the Olivenhain Municipal Water District, utilized for agricultural purposes as defined by the Metropolitan Water District (MWD). Water received by the user for agricultural purposes shall be charged as follows:

Non-Shortage Rates effective April 1, 2012:

Agricultural Customers:

Base rate

\$3.20 per 100 CFT

Level 1 Supply Shortage Rate as a % of Non-Shortage Rate effective April 1, 2012:
105%

Level 2 Supply Shortage Rate as a % of Non-Shortage Rate effective April 1, 2012:
125%

Level 3 Supply Shortage Rate as a % of Non-Shortage Rate effective April 1, 2012:
155%

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Level 4 Supply Shortage Rate as a % of Non-Shortage Rate effective April 1, 2012:
165%

The Metropolitan Water District and the San Diego County Water Authority offer an agricultural water rate reduction program "Interim Agricultural Water Program (IAWP)" if a contract is signed between the District and the property owner providing that the owner will take a mandatory water supply reduction. When such a contract is approved by OMWD, a credit of \$0.23 per 100 CFT of agricultural water used shall be applied to each qualified customer's bill. Customers participating in this program are subject to unannounced inspection by the Olivenhain Municipal Water District to ensure they continue to meet the requirements of the program.

IAWP penalty rate is a pass-through penalty for customers who participate in the Interim Agricultural Water Program. The IAWP penalty rate is subject to change by the Metropolitan Water District and the San Diego County Water Authority.

C. Combination Agricultural/Domestic Accounts Water Rate

The rates to be charged and collected for water supplied to accounts where a portion of water is used for agricultural purposes and a portion of water is used for domestic purposes shall be as follows:

RATES PER 100 CUBIC FEET

- a. Same rates as Domestic for first 2600 cubic feet of water consumed.
- b. Same rates as Agricultural for consumption greater than 2600 cubic feet.

Sec. 8.1.D. revised by Ordinance No. 395/ March 28, 2012

Sec. 8.1.D. revised by Ordinance No. 386 / March 9, 2011

Sec. 8.1.D. revised by Ordinance No. 377 / April 21, 2010

Sec. 8.1.D. revised by Ordinance No. 372 / October 28, 2009

Sec. 8.1.D. revised by Ordinance No. 369 / January 28, 2009

D. Commercial, Industrial and Irrigation Water Rates

The rates to be charged and collected for water supplied to commercial, industrial and irrigation users, as defined in Sections 9.1.2 and 9.1.3 of the District's Administrative Code, shall be as follows:

Non-Shortage Rates effective April 1, 2012:

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<u>Base Rate</u>	<u>Over Base</u>	<u>Meter Size</u>	<u>Winter (Dec - May)</u>	<u>Summer (June - Nov)</u>
\$3.35 per 100 CFT	\$3.91	5/8"	Allotment 12 CCF	Allotment 22 CCF
		3/4"	23 "	47 "
		1"	78 "	140 "
		1½"	170 "	360 "
		2"	240 "	550 "
		3"	750 "	1,600 "
		4"	1,475 "	5,600 "
		6"	3,100 "	11,800 "
		8"	5,600 "	21,300 "

Level 1 Supply Shortage Rates as a % of Non-Shortage Rates effective April 1, 2012:

Base rate	105%
Over base	115%

Level 2 Supply Shortage Rates as a % of Non-Shortage Rates effective April 1, 2012:

Base rate	125%
Over base	140%

Level 3 Supply Shortage Rates as a % of Non-Shortage Rates effective April 1, 2012:

Base rate	155%
Over base	165%

Level 4 Supply Shortage Rates as a % of Non-Shortage Rates effective April 1, 2012:

Base rate	165%
Over base	175%

- Sec. 8.1.E. revised by Ordinance No. 395/ March 28, 2012*
- Sec. 8.1.E. revised by Ordinance No. 386 / March 9, 2011*
- Sec. 8.1.E. revised by Ordinance No. 377 / April 21, 2010*
- Sec. 8.1.E. revised by Ordinance No. 372 / October 28, 2009*
- Sec. 8.1.E. revised by Ordinance No. 369 / January 28, 2009*

E. Construction Water Rates

The rates to be charged and collected for water supplied to construction users, as defined in Section 9.1.5 of the District's Administrative Code, shall be charged as follows:

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Non-Shortage Rates effective April 1, 2012:

Base rate

\$4.34 per 100 CFT

Level 1 Supply Shortage Rate as a % of Non-Shortage Rate effective April 1, 2012:
115%

Level 2 Supply Shortage Rate as a % of Non-Shortage Rate effective April 1, 2012:
140%

Level 3 Supply Shortage Rate as a % of Non-Shortage Rate effective April 1, 2012:
165%

Level 4 Supply Shortage Rate as a % of Non-Shortage Rate effective April 1, 2012:
175%

Sec. 8.1.F. ~~deleted~~ by Ordinance No. 384 / October 27, 2010

Sec. 8.1.1. revised by Ordinance No. 386 / March 9, 2011

Sec. 8.1.1. revised by Ordinance No. 377 / April 21, 2010

Sec. 8.1.1. revised by Ordinance No. 369 / January 28, 2009

Sec. 8.1.1. revised by Ordinance No. 358 / February 13, 2008

Sec. 8.1.1. revised by Ordinance No. 345 / February 9, 2007

Sec. 8.1.1. revised by Ordinance No. 326 / January 13, 2006

Sec. 8.1.1. revised by Ordinance No. 316 / February 23, 2005

Sec. 8.1.1. revised by Ordinance No. 297 / August 21, 2002

Sec. 8.1.1 Unfiltered Water Rates

The rates to be charged and collected for raw water supplied for agricultural, commercial, construction and industrial users. Water received by the user shall be charged as follows:

RATES PER 100 CUBIC FEET

Non-Shortage Rates Effective March 1, 2009:

Base rate

\$2.17 per 100 CFT

Level 1 Supply Shortage Rate as a % of Non-Shortage Rate effective March 1, 2009: 115%

Level 2 Supply Shortage Rate as a % of Non-Shortage Rate effective March 1, 2009: 140%

Level 3 Supply Shortage Rate as a % of Non-Shortage Rate effective March 1, 2009: 165%

Level 4 Supply Shortage Rate as a % of Non-Shortage Rate effective March 1, 2009: 175%

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- Sec. 8.1.2. revised by Ordinance No. 386 / March 9, 2011*
- Sec. 8.1.2. revised by Ordinance No. 377 / April 21, 2010*
- Sec. 8.1.2. revised by Ordinance No. 372 / October 28, 2009*
- Sec. 8.1.2. revised by Ordinance No. 369 /January 28, 2009*
- Sec. 8.1.2. revised by Ordinance No. 358 / February 13, 2008*
- Sec. 8.1.2. revised by Ordinance No. 316 / February 23, 2005*

Sec. 8.1.2 Reclaimed and Non-imported Water Rates

The water rates to be charged and collected for reclaimed water or non-imported sources supplied for agricultural, commercial, construction, industrial and irrigation purposes:

RATES PER 100 CUBIC FEET

Rates Effective with April 1, 2012 water bills:

Base rate

\$2.74 per 100 CFT

- Sec. 8.2. revised by Ordinance No. 395/ March 28, 2012*
- Sec. 8.2. revised by Ordinance No. 386 / March 9, 2011*
- Sec. 8.2. revised by Ordinance No. 377 / April 21, 2010*
- Sec. 8.2. revised by Ordinance No. 372 / October 28, 2009*
- Sec. 8.2. revised by Ordinance No. 369 /January 28, 2009*
- Sec. 8.2. revised by Ordinance No. 358 / February 13, 2008*
- Sec. 8.2. revised by Ordinance No. 345 / February 9, 2007*
- Sec. 8.2. revised by Ordinance No. 326 / January 13, 2006*
- Sec. 8.2. revised by Ordinance No. 316 / February 23, 2005*
- Sec. 8.2. revised by Ordinance No. 297 / August 21, 2002*

Sec. 8.2. System Access Charges.

- A. The minimum monthly System Access Charge for each meter shall be as follows, and shall apply to all meters regardless of use:

Rates effective April 1, 2012:

5/8"	\$21.12	2½"	\$ 166.63
¾"	\$27.79	3"	\$ 231.21
1"	\$47.71	4"	\$ 383.75
1½"	\$74.22	6"	\$ 801.62
2"	\$116.24	8"	\$1,442.82

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B. Meters installed solely for automatic fire sprinkler service shall be charged a monthly System Access Charge as follows:

Rates effective March 1, 2005:

5/8" ...\$1.50	1½" ...\$3.50	4" ...\$16.00
3/4" ...\$1.50	2"\$6.00	6" ...\$34.00
1"\$2.50	3"\$10.00	8" ...\$70.00

- Sec. 8.3. revised by Ordinance No. 395/ March 28, 2012*
- Sec. 8.3 revised by Ordinance No. 386 / March 9, 2011*
- Sec. 8.3. revised by Ordinance No. 377 / April 21, 2010*
- Sec. 8.3. revised by Ordinance No. 369 /January 28, 2009*
- Sec. 8.3. revised by Ordinance No. 358 / February 13, 2008*
- Sec. 8.3. revised by Ordinance No. 345 / February 9, 2007*
- Sec. 8.3. revised by Ordinance No. 326 / January 13, 2006*
- Sec. 8.3. revised via Ordinance No. 316 / February 23, 2005*
- Sec. 8.3. revised via Ordinance No. 297 / August 21, 2002*

Sec. 8.3. San Diego County Water Authority (CWA) Infrastructure Access Charge

The minimum monthly CWA Infrastructure Access Charge shall be as follows and shall apply to all meters other than temporary construction, temporary irrigation or fire meters, regardless of use:

Rates effective April 1, 2012:

5/8"	\$ 2.60
3/4"	2.60
1"	4.94
1 ½"	8.07
2"	13.01
2 ½"	24.19
3"	26.53
4"	44.50
6"	93.66
8"	169.02

Sec. 8.4 ADDED by Ordinance No. 371 / August 26, 2009

Sec. 8.4. Pass-Through Charges and Other Adjustments

A. Pass-Through Charges

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All rate increases for fees and charges for wholesale water and water-related services (the “Pass-Through Charges”) levied by the San Diego County Water Authority (“CWA”), by itself or on behalf of the Metropolitan Water District of Southern California (“MWD”) shall be passed through to customers of the District. The Pass-Through Charges shall be calculated by dividing the total billings from CWA for usage charges by the quantity of budgeted water sales of the District. The District will determine whether it is appropriate to increase the Commodity Charge component, the CWA Infrastructure Access Charge (“CWA IAC”) component, and/or the Olivenhain Municipal Water District System Access Charge (“OMWD SAC”) component of the District’s water service fees as a result of such Pass-Through Charges. Commencing with the November 1, 2009 bills, the District will impose a nine percent (9%) rate increase on the Commodity Charge and the OMWD SAC components of its water service fees as a result of the Pass-Through Charges. The District may impose future rate increases for Pass-Through Charges for a five-year period through November 1, 2014. Provided, however, that (1) any increase to the rates for the Commodity Charge component, the CWA IAC component, or OMWD SAC component as a result of Pass-Through Charges may not exceed 12% per year for any single component; and (2) in no event shall such rates be increased by more than the cost of providing water service.

B. Cost of Living Adjustments

The rates for the Commodity Charge component and the OMWD SAC component of the District’s water service fees may be adjusted annually for inflation (“COL Adjustments”) by an amount not to exceed the greater of: (1) the annual percentage increase, if any, in the San Diego Consumer Price Index, All Items, 1092-1984=100 for All Urban Consumers (“CPI-U”), Over-The Year Change for the previous calendar year as determined by the United States Department of Labor Statistics, or its successor; or (2) 5%. Provided, however, that in no event shall such rates for the Commodity Charge component and the OMWD SAC component increase as a result of an annual COL Adjustment by more than the cost of providing water service. Such rate increases may be imposed for a five-year period, commencing on April 1, 2010, and each April 1 thereafter through April 1, 2015.

C. Proposition 1A Adjustments

The District may annually impose increases to the rates for the OMWD SAC component of the District’s water service fees in the event the State exercises its rights under Proposition 1A and borrows the District’s real property tax revenue allocation (“Prop 1A Adjustments”). Such rates may be increased by an amount not to exceed 10%. Provided, however, in no event shall a Prop 1A Adjustment rate increase be made unless the State of California exercises its rights under Proposition 1A and

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borrowes the District's real property tax revenue allocation. Provided further, in no event shall such rates increase by more than the cost of providing water service. Such rate increases may be imposed for a five-year period commencing on September 1, 2009, through September 1, 2014. If the State repays the moneys it borrows from the District pursuant to Proposition 1A, the District will discontinue imposing any rate increases imposed as a result of a Prop 1A Adjustment and may reduce the rates for its water service fees by an amount commensurate with any moneys repaid to the District.

D. Notice

Except for the rate increases authorized for Pass-Through Charges commencing with the November 1, 2009 bills, as set forth in Section 8.4.A. hereof, notice of any rate increases to the District water service fees as a result of Pass-Through Charges, COL Adjustments, or Prop 1A Adjustments will be provided to District customers as required by California Government Code Sections 53755 and 53756.

E. Duration

No additional Pass-Through Payments, COL Adjustments, or Prop 1A Adjustments shall be levied after the dates set forth herein.

Sec. 8.5. Jumpers. "Jumpers" which are used in lieu of meters while houses are being constructed, when authorized for use by this Code, shall be charged on a monthly basis as follows:

Rates effective July 1, 2001:

1" and Smaller

\$50.00 per month or portion thereof

1-1/2" and Larger

\$85.00 per month or portion thereof

Sec. 8.6 revised via Ordinance 381 / August 11, 2010

Sec. 8.6 revised via Ordinance 371-A / June 24, 2009

Sec. 8.6 revised via Ordinance 331 / June 9, 2006

Sec. 8.6 deleted by Ordinance No. 304 / June 25, 2003 (Renumbered accordingly)

Sec. 8.6. Fire Flow Tests. A fee of \$500.00 shall be charged and collected when a customer requests the District to perform fire flow pressure testing to determine residual fire flow pressure data. The fee shall be deposited prior to the actual testing being performed. Fire flow testing requested by other public agencies or the Insurance Services Office (ISO) shall be performed by the District at no charge.

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Sec. 8.7. Transfer Fee. A fee of \$20.00 shall be charged and collected from each new customer at the time an existing meter account is transferred into a new ownership.

Sec. 8.8. revised by Ordinance No. 389 / July 27, 2011

Sec. 8.8. revised by Ordinance No. 319 / June 22, 2005

Sec. 8.8. Monitoring Backflow Prevention Devices. A monthly charge of \$4.50 per month, per device will be billed to customers required to have backflow prevention devices to cover the monitoring of such devices as determined to be necessary by the District.

Sec. 8.9. revised via Ordinance No. 320 / July 27, 2005

Sec. 8.9. Delinquent Payment Charge. Payment of water bills not received by the 7th of the subsequent month, following the payment due date, shall be subject to a 5% delinquent charge (See Sec. 9.13.C.). This charge shall be in addition to any applicable insufficient funds check return charge (See Sec. 8. 11.).

Sec. 8.10. 48 Hour Shut-off Notice Posting Fee. Customers will incur a posting fee of \$10.00, whenever the District is required to post a 48-hour notice to discontinue water service due to non-payment of a water bill.

Sec. 8.11. revised via Ordinance No. 334 / August 11, 2006

Sec. 8.11. revised via Ordinance No. 331 / June 9, 2006

Sec. 8.11. Fees for Discontinued or Re-establishment of Service. The following standard fees shall be charged accordingly each time service has to be discontinued or re-established:

Fees for Discontinued or Re-establishment of Service:

First Time:

During normal work hours	\$30.00
Outside normal work hours	\$65.00

Second Time:

During normal work hours	<u>\$45.00</u>
Outside normal work hours	<u>\$75.00</u>

Third Time:

During normal work hours	<u>\$65.00</u>
Outside normal work hours	<u>\$85.00</u>

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receipt of 36 consecutive months of timely payments. If the tenant or owner discontinues water service prior to application of deposit to their water bill, the deposit will be applied against his/her closing bill. Resulting overpayments greater than \$2.00 will be refunded to the person who made the deposit.

Sec. 8.14. Service Outside District Boundaries. The District has no obligation to provide potable, raw, or recycled water to any property outside the boundaries of the District and may elect to do so in the District's sole discretion. Where the District is requested to supply potable, recycled or raw water to property not located within the District's boundaries and the District is willing to do so, the District will determine a charge for such service in the District's sole discretion. The charge will be calculated so that these customers will pay total amounts for water service at least equal to amounts (including, but not limited to, property tax amounts) received by the District from similar customers who are located within the District's boundaries. This charge will be prorated and included on bills for water usage.

Sec. 8.15 ADDED by Ordinance No. 346 / March 9, 2007

Sec. 8.15. Fines for Unauthorized Water Use. Each person who performs any of the actions identified in the table below shall be subject to the associated fine or charge per incident.

OMWD Fines And Penalties	
Action	Fine or Charge Per Incident
Cutting District lock or straight-lining across meter. (Penal Code 498 & 625)	\$200.00
Cutting angle meter (AM) stop from the meter. (Penal Code Section 498 & 625)	\$200.00 fee & angle stop replacement cost.
Replacement of meter which has been pulled because of customer's second cutting of District Lock. (Penal Code Section 498 & 625)	\$250.00
Illegal Hydrant Use (Penal Code 498)	\$1,000.00

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Sec. 8.16 ADDED by Ordinance No. 371-A / June 24, 2009

Sec. 8.16. Meter Test Fee. A fee of \$125.00 shall be charged to customer's account when a customer requests the District to perform a meter test to determine if a meter is accurate. The fee shall be charged to the customer account prior to the actual testing being performed. If the meter is tested and the test result shows that the meter register is within the accuracy requirements as specified in the American Water Work Association Test Requirements, a \$125.00 meter testing fee per meter will be paid by the customer requesting the meter testing. If the meter is tested and found to be inaccurate, the District will refund the meter testing fee to the customer and a new meter will be installed at no cost to the customer.