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WHEREAS, the Armona Community Services District (“District”) is a California community services district formed and existing under and by virtue of the provisions of the Community Services District Law, codified at California Government Code §§ 61000-61800, inclusive, possessing all of the powers of said Law, and all such other acts, laws, and decisions of courts as are amendatory thereof or supplementary thereto, together with all powers, necessary and implied, to give meaning and effect to said Law; and

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1 NOW, THEREFORE, the Board of Directors of the Armona Community Services District does
2 hereby enact as follows:

3 **Section 1: Residential Water Service Rates**

4 A. Metered Rates for Meters 1" and Less in Size. The basic monthly water rate for residential
5 water users within the District shall be a \$20.75 minimum charge which shall cover the first 800 ft³ of
6 water delivered, plus an additional \$1.55 for each 100 ft³ of water in excess of 800 ft³ delivered in any
7 one month.

8 B. Metered Rates for Meters Larger than 1" in Size. The basic monthly water rates for single
9 family dwellings with meters larger than 1" in size shall be as defined in Table 1. These minimum
10 charges shall cover the first 800 ft³ of water delivered, plus an additional \$1.55 for each 100 ft³ of water
11 in excess of 800 ft³ delivered in any one month.

12 **TABLE 1**

| Meter Size | Basic Monthly Water Rate |
|------------|--------------------------|
| 1 ¼" | \$25.94 |
| 1 ½" | \$31.13 |
| 2" | \$41.50 |

13 C. Multiple Service Connection. In cases of multi-family and single family residential units
14 where more than one unit is served from one service connection to the District water main, but the units
15 served are under one ownership, the owner of the property shall be charged the basic monthly water rate,
16 described in Subsection A. above, per unit regardless of occupancy. The charges shall be applied to and
17 collected from the owner of the multiple unit property. The procedures for the collection of unpaid bills
18 shall be directed to the owner and may include suspension of service to the entire multiple occupancy
19 property.

20 D. Water Service Outside District Boundaries. All of the aforesaid water service charges
21 shall apply only to patrons whose properties are located entirely within the boundaries of the Armona
22 Community Services District. Water service provided to patrons whose properties are located entirely
23 or partially outside of the boundaries of the Armona Community Services District shall be subject to a
24 50% surcharge of the foregoing basic rates, added to the foregoing basic rates.

25 **Section 2: Commercial Water Service Rates**

26 A. Commercial Water Rates. The following rates for commercial water users shall apply only
to retail, professional and service oriented businesses, including but not limited to, a retail store, barber
shop, beauty parlor, professional business establishment, commercial laundry, service station, butcher
shop, bar, restaurant, or other consumer-oriented business.

B. Metered Rates for Meters 1" and Less in Size. The basic monthly water rate for
commercial water users within the District shall be a \$36.00 minimum charge which shall cover the first

1 1000 ft³ of water delivered, plus an additional \$1.55 for each 100 ft³ of water in excess of 1000 ft³
2 delivered in any one month.

3 C. Metered Rates for Meters Larger than 1" in Size. The basic monthly water rates for
4 commercial water users served by meters larger than 1" in size shall be as defined in Table 2. These
5 minimum charges shall cover the first 1000 ft³ of water delivered, plus an additional \$1.55 for each 100
6 ft³ of water in excess of 1000 ft³ delivered in any one month.

7 **TABLE 2**

| Meter Size | Basic Monthly Water Rate |
|------------|--------------------------|
| 1 ¼" | \$ 45.00 |
| 1 ½" | \$ 54.00 |
| 2" | \$ 72.00 |
| 3" | \$ 108.00 |
| 4" | \$ 144.00 |
| 6" | \$ 216.00 |
| 8" | \$ 288.00 |

11 D. Multiple Service Connection. In cases of commercial developments where more than one
12 unit is served from one service connection to the District water main, but the units served are under one
13 ownership, the owner of the property shall be charged the basic monthly water rate, described in
14 Subsection B. above, per unit regardless of occupancy. The charges shall be applied to and collected
15 from the owner of the multiple unit property. The procedures for the collection of unpaid bills shall be
16 directed to the owner and may include suspension of service to the entire multiple occupancy property.

17 E. Water Service Outside District Boundaries. All of the aforesaid water service charges
18 shall apply only to patrons whose properties are located entirely within the boundaries of the Armona
19 Community Services District. Water service provided to patrons whose properties are located entirely
20 or partially outside of the boundaries of the Armona Community Services District shall be subject to a
21 50% surcharge of the foregoing basic rates, added to the foregoing basic rates.

22 **Section 3: Industrial, School, and Church Water Service Rates**

23 A. Metered Rates. Water service rates for these types of patrons shall be determined by the
24 Board on a case-by-case basis. The Board shall determine the fee to be charged to such users on the basis
25 of the type of use, the anticipated water usage, the peak demand times and rates, the sizing and location
26 of District facilities necessary to serve the needs of the user, and any other information deemed by the
Board to be appropriate for consideration.

B. Water Service Outside District Boundaries. All of the aforesaid water service charges
shall apply only to patrons whose properties are located entirely within the boundaries of the Armona
Community Services District. Water service provided to patrons whose properties are located entirely
or partially outside of the boundaries of the Armona Community Services District shall be subject to a
50% surcharge of the foregoing basic rates, added to the foregoing basic rates.

1 **Section 4: Fire Protection Water Service Rates**

2 A. **Definition.** For the purposes of this section, Fire Protection Water Service shall be any
3 connection to a District water main whose exclusive function is to supply water to a fire suppression
4 system, including but not limited to, automatic fire sprinkler systems, standpipes, on-site fire hydrants,
etc., whether privately or publicly owned and not under the direct control of the District.

5 B. **Flat Rate.** The flat monthly rate for these types of services shall be as defined in Table 3,
6 provided that the service is in compliance with Ordinance No. 2003-1 (Rules and Regulations for
7 Backflow Prevention and Cross-Connection Control). Those services not in compliance with Ordinance
No. 2003-1, shall be charged a fee to be determined by the Board.

8 **TABLE 3**

| Service Size | Basic Monthly Water Rate |
|--------------|--------------------------|
| Less than 4" | \$ 10.00 |
| 4" | \$ 15.00 |
| 6" | \$ 20.00 |
| 8" | \$ 25.00 |
| 10" | \$ 30.00 |

13 C. **Testing Fire Protection Systems.** Periodic testing of fire protection systems shall be done
14 only with the written approval of the District. The property owner shall be required to file an approved
15 application form with the District and pay a \$25.00 non-refundable processing fee. All testing shall be
16 conducted during the District's normal business hours Monday through Friday. The property owner shall
be responsible and held liable for any damage to the District's water system, or any other additional costs
17 incurred by the District caused by the testing. The District shall estimate the amount of water used for
testing purposes and bill the property owner for said usage at the rate of \$1.55 per 100 ft³.

18 D. **In Addition to Other Service Rates.** These charges shall be in addition to any other water
service rate charged to the patron and shall be added to the monthly billing statement.

19 E. **Water Service Outside District Boundaries.** All of the aforesaid water service charges
20 shall apply only to patrons whose properties are located entirely within the boundaries of the Armona
Community Services District. Water service provided to patrons whose properties are located entirely
21 or partially outside of the boundaries of the Armona Community Services District shall be subject to a
22 50% surcharge of the foregoing basic rates, added to the foregoing basic rates.

23 **Section 5: Construction Water Service Rates**

24 A. **Meter Required; Deposit.** All water used for construction purposes shall be metered
25 through fire hydrant meters supplied by the District. Use of a fire hydrant meter shall require a deposit
26 of \$700.00 paid to the District prior to obtaining the meter. The meter bailee is responsible for any loss
of or damage to such fire hydrant meter and the District may apply all, or a portion of, the subject deposit
to account for any loss or damage to such rented fire hydrant meter to the extent of such loss or damage,

1 but such remedy shall not be the District's exclusive remedy and the District is not foreclosed from any
2 seeking any other relief or remedy needed to make the District whole.

3 B. Availability. The availability of water for construction purposes shall be determined by
4 the District on a case-by-case basis.

5 C. Service Location. The location of service for construction water shall be determined by
6 the District. This location shall not be changed without the approval of the District.

7 D. Metered Rates. The minimum monthly water rates for construction water shall be as
8 defined in Table 4. These minimum charges shall be in addition to \$2.50 for each 100 ft³ of water
9 delivered in any one month.

10 **TABLE 4**

| Meter Size | Basic Monthly Water Rate |
|-------------|--------------------------|
| 1" and less | \$ 21.00 |
| 1 ¼" | \$ 26.00 |
| 1 ½" | \$ 31.00 |
| 2" | \$ 42.00 |
| 3" | \$ 63.00 |
| 4" | \$ 84.00 |
| 6" | \$ 126.00 |
| 8" | \$ 168.00 |

15 E. Water Service Outside District Boundaries. All of the aforesaid water service charges
16 shall apply only to patrons whose properties are located entirely within the boundaries of the Armona
17 Community Services District. Water service provided to patrons whose properties are located entirely
18 or partially outside of the boundaries of the Armona Community Services District shall be subject to a
19 50% surcharge of the foregoing basic rates, added to the foregoing basic rates.

20 **Section 6: Non-Metered Water Rates**

21 A. Non-Metered Uses. The Board shall determine appropriate charges for all non-metered
22 uses of water on a case-by-case basis.

23 B. Availability. The availability of water for all planned non-metered uses of water shall be
24 determined on a case-by-case basis.

25 C. Notification of Request for Planned Non-Metered Use of Water. The District shall be
26 notified in writing a minimum of seven days in advance prior to any requested non-metered use of water.

D. Incidental Uses of Water; Discretionary Waiver of Charges. For the purposes of this
section, "incidental uses" of water shall include, but not be limited to, road maintenance activities
performed by Kings County Public Works personnel within the District, fire suppression activities

1 conducted by the Kings County Fire Department within the District, firemen's musters, and fireground
2 training activities conducted by the Kings County Fire Department while training personnel assigned to
3 the Armona Fire Station. Charges for incidental use of water may, in the discretion of the Board, be
waived.

4 **Section 7: Residential Sewer Service Rates**

5 A. **Residential Sewage Service.** Residential properties within the District shall be subject to
6 a flat sewage service rate of \$12.90 per month per dwelling unit. Residential properties served by a sewer
7 lift station owned and operated by the District, shall be charged an appropriate surcharge to pay for the
8 additional cost of operation, maintenance, repair and replacement of said sewer lift station. The Board,
at its sole discretion, shall determine the amount of any surcharge and may from time to time review and
revise said surcharge to reflect current conditions.

9 B. **Multiple Service Connection.** In cases of multi-family and single family residential units
10 where more than one unit is served from one service connection to the District sewer main, but the units
11 served are under one ownership, the owner of the property shall be charged the basic monthly sewer rate,
12 described in Subsection A. above, per unit regardless of occupancy. The charges shall be applied to and
13 collected from the owner of the multiple unit property. The procedures for the collection of unpaid bills
shall be directed to the owner and may include suspension of service to the entire multiple occupancy
property.

14 C. **Sewage Service Outside District Boundaries.** All of the aforesaid sewer service charges
15 shall apply only to patrons whose properties are located entirely within the boundaries of the Armona
16 Community Services District. Sewer service provided to patrons whose properties are located entirely
or partially outside of the boundaries of the Armona Community Services District shall be subject to a
50% surcharge of the foregoing basic rates, added to the foregoing basic rates.

17 **Section 8: Commercial Sewer Service Rates**

18 A. **Commercial Sewer Service.** The following rates for commercial properties shall apply
19 only to retail, professional and service oriented businesses, including but not limited to, a retail store,
20 barber shop, beauty parlor, professional business establishment, commercial laundry, service station,
21 butcher shop, bar, restaurant, or other consumer-oriented business.

22 B. **Commercial Sewage Rates.** Commercial properties that are receiving metered water
service shall be charged on the basis of water usage during the preceding month at the following rates:

- | | | | |
|----|----|-------------------------------|---|
| 23 | 1. | Restaurants: | \$5.25 per 100 ft ³ of water used with a \$12.90 per |
| 24 | | | month minimum charge; |
| 25 | 2. | Food processing plants, incl. | |
| 26 | | butcher shops and lockers: | \$4.05 per 100 ft ³ of water used with a \$12.90 per |
| | | | month minimum charge; |

1 **Section 10: Repeal of Prior Rate Ordinances**

2 The following Ordinances are hereby repealed: (i) No. 1986-4, other than Section 1 thereof
3 repealing prior rate Ordinances; (ii) No. 1991-1; (iii) No. 1996-3; (iv) No. 1998-1; (v) No. 2000-1; and
4 (vi) No. 2001-2.

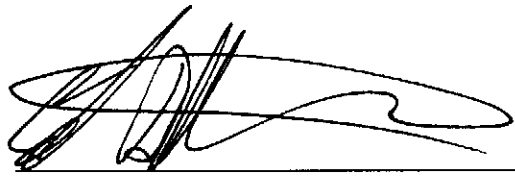
5 WHEREFORE, this Ordinance was passed and adopted by the Board of Directors of the Armona
6 Community Services District on October 13 2004, to be effective thirty days hence, by the following
7 vote:

8 AYES: Plooy, Maciel, Bittner, Franco, Danielson

9 NOES: None

10 ABSENT: None

11 ABSTAIN: None



12 ED BITTNER, PRESIDENT

13
14 ATTEST:

15 
16 JAMES MACIEL, SECRETARY

17
18 **CERTIFICATE OF SECRETARY**

19 I, James Maciel, the duly appointed and acting Secretary of the Board of Directors of the Armona
20 Community Services District, do hereby certify that the foregoing Ordinance was passed and adopted at
21 a Regular Meeting of the Board of Directors of the Armona Community Services District, duly held at
22 Armona, California, on October 13, 2004.

23 DATED: October 13, 2004.

24 [DISTRICT SEAL]

25 
26 JAMES MACIEL, SECRETARY

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