

EXHIBIT 2-B

RULE 11 - DEFINITIONS

Except as otherwise specified in the Monterey Peninsula Water Management District Law, and except where the context otherwise indicates, the following words shall be defined below as indicated, including the definitions set forth in Rules 23.5 (F), 24.5 (A), 42, and 141.

ACRE FOOT – “Acre-Foot” shall mean an amount of water equal to 325,851 gallons. One fixture unit shall be deemed to have an annual water use capacity equivalent to 0.01 acre-foot.

Added by Ordinance No. 60 (6/15/92)

ACTIVE WELL - An “active well” is a well that has been permitted by the Monterey County Health Department (or a well that was completed prior to year 1973) and constructed, and has produced any quantity of water within a Reporting Year (July 1 through June 30). All active wells must be registered, and must report water use annually to the District. All new wells must be metered, inspected and approved by the District, and must report annual production using the Water Meter Method, regardless of the amount of production. Refer to MPWMD Rules 52 through 59 for more information.

Added by Ordinance No. 96 (3/19/2001)

ADDITION – “Addition” shall mean an expansion of usable square-footage in a building, or in a non-residential use the use of new area, which causes an intensification of use as defined in Rule 11 (Definitions).

Added by Ordinance No. 90 (6/29/98), amended by Ordinance No. 92 (1/28/99)

AFFORDABLE HOUSING - “Affordable Housing” shall mean and refer to housing that is affordable to moderate-income households. Such housing is affordable if the sales price is equal to or less than three times the maximum annual moderate-income household income; or if rented, if the annual rent is equal to or less than 25% of the maximum annual moderate-income household income. “Moderate Income” shall include all salaries, rents and similar sources of income as well as the economic value of property, savings, stocks, bonds, and other assets.

The term “Affordable Housing” shall only apply to a “Dwelling Unit” which is available for private occupancy, but for which ownership and/or occupancy is restricted by recorded covenant or other deed restriction. This covenant or restriction shall be enforceable by either the District or the public and shall limit use of all “Affordable Housing” so that only households of “Moderate Income” or less shall qualify to occupy these units by purchase, by rent, or by lease. This covenant or restriction shall comply with the standards set by the California Department of Housing and Community Development (HCD) and the Monterey County Housing Authority for resale and occupancy of “Low Income” and “Moderate Income” housing, and shall require that the District receive notice prior to the removal or modification of that deed restriction. The recorded covenant shall further provide notice to each subsequent owner that any change of water use from an affordable housing use to any other residential or non-

residential use shall constitute an intensification of use which shall require payment at the then-present value of connection charges to the District both for the intensification of water use capacity and for the increment of water use which had originally been exempted from the full fee. The recorded covenant shall be in a form approved by the District General Manager. This covenant shall also require the use and maintenance of water conservation measures as determined by the District General Manager which shall, among other things, maximize the use of low-flow fixtures and drought resistant landscaping.

Added by Ordinance No. 25 (7/14/86); amended by Ordinance No. 72 (03/21/94)

ALLOCATION – “Allocation” shall mean a discrete quantity of water which has been set aside by the District for new or Intensified Water Use that shall occur within a Jurisdiction.

Added by Ordinance No. 60 (6/15/92)

AQUIFER - “Aquifer” means a geologic formation that stores, transmits, and yields significant quantities to wells and springs.

Added by Ordinance No. 1 (2/11/80)

AREA OF REDUCED BENEFIT - This term shall mean those parcels of real property which front the Carmel River within Zone No. 3, and which lie between Carmel Bay and the southerly extension of Val Verde Drive. The Area of Reduced Benefit of Zone No. 3 shall be described as follows:

All of Parcel A of Zone No. 3 of the Monterey Peninsula Water Management District, as described in the Engineer’s Report, together with:

That part of Parcel B of said Zone No. 3 lying to the west of a line running approximately north-south across said Zone No. 3, along the easterly boundaries of Parcels 14 and 23 as such parcels are shown on sheet 2 of map of said Zone No. 3, more particularly described as follows:

Beginning at a point on the northerly boundary of said Zone No. 3 at the most westerly points of the common boundary of Parcel 2 described on Reel 1058, Page 116, recorded June 12, 1976, and the 25.086 acre parcel shown on the Record of Survey Map recorded March 29, 1965 in Book 7 of Surveys at Page 73, Official Records of Monterey County, CA;

Then running southeasterly, turning back northwesterly, and then southwesterly around the easterly side of said Parcel 2 to the common boundary of said Parcel 2 and that parcel of land described on Reel 873, Page 443, recorded on October 1, 1973;

Then running southerly along the easterly boundary of the parcel described on Reel 873, Page 443, to the southerly boundary of said Zone No. 3.

Added by Ordinance No. 10 (7/26/83)

BANKWORKS – “Bankworks” shall mean gabions, riprap, revetments or other structural erosion control devices recommended in the Carmel River structural master plan.

Added by Ordinance No. 10 (7/26/83)

BAR SINK - “Bar Sink” shall mean a secondary water basin, 15” x 13” or smaller. The term “bar sink” shall have the same meaning as “entertainment sink” and “vegetable sink.”

Added by Ordinance No. 111 (1/29/2004)

BASE USE – “Base Use” shall mean a reasonable amount of water anticipated to be used by a Cal-Am water user during Stages 1 through 3 Water Conservation. Base Use correlates to the base block rate established by Cal-Am for the individual customer.

Added by Ordinance No. 92 (1/28/99)

BED AND BANKS – “Bed and Banks” shall mean all that area between the right riverbank assessment line and the left riverbank assessment line, which term shall include within it the definitions of “riverbed” and “riverbank” as defined by these Rules and Regulations.

Added by Ordinance No. 10 (7/26/83)

BEST MANAGEMENT PRACTICES (BMP) – “Best Management Practices” or “BMP” shall mean industry-specific water conservation practices, retrofits, equipment and facilities recognized by the District and approved by the Board of Directors.

Added by Ordinance No. 92 (1/28/99)

BIDET - “Bidet” shall mean a bathroom fixture designed for bathing the external genitals and the posterior parts of the body and may include horizontal and vertical sprays.

Added by Ordinance No. 111 (1/29/2004)

BOARD - “Board” and “Board of Directors” means the governing Board of Directors of the Monterey Peninsula Water Management District.

Added by Ordinance No. 1 (2/11/80)

BODY SPRAY NOZZLE - “Body Spray Nozzle” shall mean an individual water nozzle designed to emit water at various levels within a shower. A body spray nozzle shall have the same fixture unit count as a showerhead.

Amended by Ordinance No. 111 (1/29/2004)

CAL-AM UNACCOUNTED FOR WATER USES – “Cal-Am Unaccounted For Water Uses” shall mean the difference between what is recorded at the production meters and the consumption recorded through system meters or reported as estimates of reasonable uses. Unaccounted For Water Uses shall include system leakage.

Unaccounted for water is made up of the following: Unknown leakage, stolen water, unreported fire department usage, unreported street sweeping (and other municipal uses),

unrecorded construction water, customer meters registering slow.

Added by Ordinance No. 92 (1/28/99)

CAPACITY – “Capacity” shall mean the maximum potential water use which theoretically may occur on a specific Site, based on average water use data for similar structures and uses in the Monterey Peninsula region, as shown by projected water use tables set forth in Rule 24.

Added by Ordinance No. 71 (12/20/93)

CARMEL RIVER BASIN— “Carmel River Basin” means the area that drains the Carmel River and its tributaries. The Carmel River Basin is located between 36 and 37 degrees latitude and between 121 and 122 degrees longitude and encompasses approximately 250 square miles. The basin has its headwaters in the Sierra de Salinas Range and the Santa Lucia Range with a maximum elevation of 5,060 feet above mean sea level. The Carmel River has a length of about 36 miles from its headwaters to its mouth at the Pacific Ocean. The Carmel River Basin boundary is shown on a map maintained at the offices of the Water Management District, as that map may be amended from time to time.

Added by Ordinance No.105 (12/16/2002)

CARMEL VALLEY ALLUVIAL AQUIFER - The “Carmel Valley alluvial aquifer” is the water-bearing strata directly associated with the Carmel River. It was originally mapped by the U.S. Geological survey in 1984 and was adopted as the area within the jurisdiction of the SWRCB as described in Order WR 95-10 and large-scale maps available at the District office. The map of the alluvial aquifer is subject to refinement over time based on updated hydrologic information. For applications that are located near the SWRCB jurisdiction boundary, where the nature of the water source is unclear, the MPWMD General Manager will determine whether the water source is within the alluvial aquifer based on well drilling logs and other available hydrologic data pertinent to the application.

Added by Ordinance No. 96 (3/19/2001)

CAWD/PBCSD WASTEWATER RECLAMATION PROJECT – “CAWD/PBCSD Wastewater Reclamation Project” shall mean the wastewater reclamation project undertaken by the Carmel Area Wastewater District and the Pebble Beach Community Services District that supplies reclaimed water to the golf courses and certain open space areas within Pebble Beach.

Added by Ordinance No. 92 (1/28/99)

CHANGE OF OWNERSHIP - “Change of Ownership” means a transfer of a present interest in real property, and a transfer of the right to beneficial use thereof, the value of which is substantially equal to the proportion of the ownership interest transferred. Every transfer of property shall qualify as a “change of ownership,” except transfers of title which are exempt from property tax re-assessment in accord with criteria used by the Monterey County Tax Assessor’s Office in the implementation of California Constitution, Article XIII A, (i.e., transfers of title from one spouse to another) whether the transfer is

voluntary, involuntary, by operation of law, by grant, gift, devise, inheritance, trust, contract of sale, addition or deletion of an owner, property settlement, or any other means. "Change of Ownership" affected other than by a contract of sale shall be deemed to occur at the time of actual transfer of title. A "Change of Ownership" resulting from a contract of sale or similar instrument shall be so regarded only if escrow is opened or a contract of sale is executed, whichever occurs last, on or after the effective date of this ordinance.

Added by Ordinance No. 30 (7/13/87); Amended by Ordinance No. 71 (12/20/93)

CHANGE OF USE - "Change of Use" means, in the case of commercial, industrial or public authority structures, a change in the use to which the structure was previously devoted, to a substantially different use, as uses are categorized by Table No. 2 of Rule 24 D.

Added by Ordinance No. 30 (7/13/87); Amended by Ordinance No. 71 (12/20/93)

CISTERN SYSTEM - "Cistern System" shall mean one or more water tanks that are integrated into an irrigation system and connected to a rainwater collection system.

Added by Ordinance No. 110 (9/30/2003); Amended by Ordinance No. 111 (1/29/2004)

COMMERCIAL USE - "Commercial Use" shall mean water used in connection with commercial premises devoted primarily to, but not limited to offices, stores, markets, hotels, motels, and restaurants.

Added by Ordinance No. 92 (1/28/99)

COMPLETION - "Completion" shall mean the creation, establishment, extension, or expansion of a water distribution system so that the system or expansion is capable of delivering water for consumption through permitted fixtures. This shall include the acquisition of all required permits, installation of any required water meter, and approval of construction, when required by law or ordinance.

Added by Ordinance No. 71 (12/20/93)

COMPLETION OF A WELL - "Completion of a Well" means the completion of all physical tasks necessary, so that the well is producing or is capable of producing ground water, including an operable pumping facility.

Added by Ordinance No. 3 (7/11/80)

CONDITIONAL WATER PERMIT - "Conditional Water Permit" shall be a document with specific stipulations, which must be met before a final water permit is signed and issued. Conditional water permits are permits, which do not fully comply with the prerequisites to issue a water permit under District Rule 23. Conditional water permits shall be designated with a "C-" followed by a three-digit number.

"Large Project" - shall be a commercial project with a projected water demand of over one acre-foot annually.

“Government Project” - shall be a project owned and operated, or financed by a governmental agency.

“Complex Financial Underwriting” - shall be determined at the discretion of the Board of Directors.

Added by Ordinance No. 77 (8/21/95)

CONNECTION - “Connection” means the point of intersection where a user gains access to the water distribution system. Where a water measuring device is installed, the water distribution system shall include the water measuring device and the connection shall be the nearest point of user access beyond the water-measuring device. Where a water measuring device is removed for a period exceeding 36 months, or is relocated or resized, the former connection shall cease to exist. Where any permit is transferred in contravention of Rule 28, the connection(s) affected by said permit shall cease to exist. For the purpose of these Rules and Regulations, access for fire protection and/or access for short-term use through a hydrant meter installed with the consent of the water distribution system, shall not be deemed a connection. Each new connection, based upon projected quantity of water use, shall be categorized as either “Residential”, “Commercial/Governmental”, or “Industrial” as follows:

Residential Connection: Unless otherwise determined by the General Manager, on a case-by-case determination, any house, apartment or other living quarters intended for residential use.

Commercial/Governmental Connection: Unless otherwise determined by the General Manager, on a case-by-case determination, any public use, business or manufacturing company that requires a separate water service where the water is not used principally in the manufacturing or processing function including, but not limited to, offices, retail stores, hospitals, churches, gas stations and service businesses.

Industrial Connection: Unless otherwise determined by the General Manager, on a case-by-case determination, any manufacturing or processing function, including but not limited to factories, refineries, bottling plants, nurseries, laundries and golf courses.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 2 (3/11/80); amended by Ordinance No. 3 (7/11/80); amended by Ordinance No. 5 (4/13/81), and Ordinance No. 8 (1/14/81); amended by Ordinance No. 24 (11/11/84); amended by Ordinance No. 26 (9/8/86)

CONTINUE - “Continue” means to postpone action on an item to a specific date.

Added by Ordinance No. 1 (2/11/80)

CONTROVERSY - A “controversy” exists when (1) at least four Board members (or the hearing officer) at the public hearing on an application determine that additional water rights or other technical information is needed, based on the Board’s own motion or in response to public agency concerns or to a request by any member of the public; or (2) a person or entity notifies the Board (or hearing officer) in writing, prior to or at the public hearing on the application, of concerns about the proposed system potentially harming use of

his/her water rights and/or impairing his/her ability to supply water from an existing water system. Concerns must be based on factual evidence already in the record or introduced into the hearing record. The Board (or hearing officer) shall define what additional information is needed and will continue the public hearing until adequate information is received. An applicant, or any other hearing participant or any Board member, may appeal the decision of the hearing officer to the full Board pursuant to MPWMD Rule 70.

Added by Ordinance No. 96 (3/19/2001)

CREATE - "Create" means the construction and operation of a water distribution system including the addition of new water-gathering facilities or the annexation of new service area after June 11, 1981 to existing water distribution systems.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 3 (7/11/80), and Ordinance No. 6 (5/11/81)

CUSTOM SHOWER - "Custom Shower" shall mean a system consisting of valves, water outlets, volume controls, showerheads, hand showers and/or body sprays used in a bathtub or shower. The term "custom shower" shall have the same meaning as "shower system."

Added by Ordinance No. 111 (1/29/2004)

DEDICATED IRRIGATION METER - "Dedicated Irrigation Meter" shall mean a water meter exclusively used to measure outdoor water consumption.

Added by Ordinance No. 92 (1/28/99)

DISCRETIONARY APPROVAL - "Discretionary Approval" shall mean each land use planning and zoning approval required for a project, and a use permit if one is required for a project, and design review or Jurisdiction approval which may apply to a project.

Added by Ordinance No. 60 (6/15/92)

DISHWASHER - "Dishwasher" shall mean a permanently installed appliance with a water connection used to wash dishes.

Added by Ordinance No. 111 (1/29/2004)

DISTRICT - "District" means the Monterey Peninsula Water Management District.

Added by Ordinance No. 1 (2/11/80)

DISTRICT RESERVE ALLOCATION

Added by Ordinance No. 60 (6/15/92); deleted by Ordinance No. 73 (2/23/95)

DRIP IRRIGATION - "Drip Irrigation" shall mean a low pressure, low volume watering system that applies water slowly to plants, near or at ground level, to minimize runoff and loss to evaporation. The term "drip irrigation" shall have the same meaning as "micro irrigation" and "trickle irrigation."

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 111 (1/29/2004)

DUAL FLUSH ULTRA-LOW FLUSH TOILET - "Dual Flush Ultra-Low Flush Toilet" shall mean a toilet designed to allow the user to choose between a light flush (usually 0.8 gallon) and a longer 1.6-gallon flush.

Added by Ordinance No. 110 (9/30/2003)

DWELLING UNIT - "Dwelling Unit" shall mean single or multiple residences suitable for single household occupancy but shall not refer to non-permanent student or transient housing, the occupancy of which is projected to average 24 months or less.

Added by Ordinance No. 25 (7/14/86)

ENTERTAINMENT SINK - "Entertainment Sink" shall mean a secondary water basin, 15" x 13" or smaller. The term "entertainment sink" shall have the same meaning as "bar sink" and "vegetable sink."

Added by Ordinance No. 111 (1/29/2004)

ENVIRONMENTAL REVIEW - "Environmental Review" means the consideration of environmental impacts of a project pursuant to the California Environmental Quality Act (CEQA) and the Monterey Peninsula Water Management District Environmental Guidelines.

Added by Ordinance No. 1 (2/11/80)

EQUIVALENT CONSUMPTION UNIT - "Equivalent Consumption Unit" or "ECU" shall mean a base water use multiplication factor assigned to every Cal-Am customer to provide a fair weighting of all customers as compared to the lowest level of water use by any customer. Each customer's ECU factor shall be assigned by Cal-Am.

Added by Ordinance No. 92 (1/28/99)

ESTABLISH - "Establish" means the construction and operation of a water distribution system including the addition of new water-gathering facilities or the annexation of new service area after June 11, 1981 to existing water distribution systems.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 3 (7/11/80), and Ordinance No. 6 (5/11/81)

EVAPOTRANSPIRATION - "Evapotranspiration" or "ET" shall mean the loss of water from a vegetative surface through the combined processes of plant transpiration and soil evaporation. ET is equivalent to and frequently referred to as consumptive use.

Added by Ordinance No. 92 (1/28/99)

EVEN NUMBERED PROPERTY - "Even Numbered Property" shall mean all property with an official address ending in an even number. This definition shall also apply to properties located on the North or East side of the street in cities or other areas where no numbered street address is available. Landscaped areas associated with a building will use the number of that building as the address. Only one address shall be used for

a landscaped area associated with one building or activity, even if the landscaped area is broken into many separate subareas.

Added by Ordinance No. 92 (1/28/99)

EXCESSIVE USE RATES – “Excessive Use Rates” shall mean a higher block water rate used by Cal-Am during Stage 3 Water Conservation as a mechanism to discourage excessive water use.

Added by Ordinance No. 92 (1/28/99)

EXISTING STRUCTURE - “Existing Structure” means any structure built and available for use or occupancy within one hundred and twenty (120) days of the effective date of this ordinance.

Added by Ordinance No. 30 (7/13/87); Amended by Ordinance No. 71 (12/20/93)

EXPAND or EXTEND - “Expand or Extend” means the addition and/or enlargements of connections or water works to a water distribution system, including but not limited to the addition of all meters, conduits, mains, pipes, pipelines, reservoirs, and other facilities used in the storage, transmission, or distribution of water from the source of supply to the connection excluding the replacement of existing water works for purposes of maintenance. Any change in size, location, or relocation of a connection or a water-measuring device which may allow increased water consumption, or any permit transfer pursuant to Rule 28 which may allow increased water consumption shall be deemed an expansion or extension of water distribution system.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No 3 (7/11/80), and Ordinance No. 8 (1/14/81)

EXPANSION CAPACITY LIMIT - “Expansion Capacity Limit” means the maximum number of connections beyond which a water distribution system is not authorized to expand.

Added by Ordinance No. 1 (2/11/80)

EXPANSION OF USE - “Expansion of Use” shall mean the addition of any water fixture and/or increase to existing floor area.

Added by Ordinance No. 111 (1/29/2004)

EXTRACTOR - “Extractor” means a user, or consumer of water delivered by a water well or water-gathering facility, which is not a part of any water distribution system.

Added by Ordinance No. 7 (7/13/81)

FLAGRANT VIOLATION - “Flagrant Violation” means any willful or wanton disregard of the water conservation and/or rationing Rules and Regulations of the District which results in unreasonable waste, contamination, or pollution of District waters by any extractor, user, or by the owner/operator of a well, water-gathering facility or water distribution system.

Added by Ordinance No. 7 (7/13/81)

FLOW RESTRICTOR – “Flow Restrictor” shall mean a device placed into the water distribution system by the distribution system operator, or put into the output of a private well, that restricts the volume of flow to the user.

Added by Ordinance No. 92 (1/28/99)

GENERAL MANAGER - shall mean the General Manager of the District who serves as the chief (non-elected) executive officer of the District. References to the General Manager shall also refer to any designated representative of the General Manager, an individual holding authority delegated by the General Manager, including the Acting General Manager.

Added by Ordinance No. 71 (12/20/93)

GOLF COURSE - “Golf Course” shall mean an area of land designed for public or private recreational golf activities and which is zoned and approved by the local planning jurisdiction for that use.

Added by Ordinance No. 92 (1/28/99)

GREENBELT - “Greenbelt” means cemeteries, golf courses, parks, highway landscaping and shall include other broad expanses of landscape area including housing and other projects with common landscape uses.

Added by Ordinance No. 11 (11/14/83)

GROUND WATER - “Ground water” means nonsaline and saline water beneath the natural surface of the ground, whether or not flowing through known and definite channels.

Added by Ordinance No. 1 (2/11/80)

HAND WATERING – “Hand Watering” shall mean the application of water for irrigation purposes through a hand-held hose and through a positive-action shut-off nozzle.

Added by Ordinance No. 92 (1/28/99)

HARVESTED WATER – “Harvested Water” shall mean precipitation or irrigation runoff collected, stored and available for reuse for irrigation purposes.

Added by Ordinance No. 92 (1/28/99)

HOT WATER DEMAND PUMPING SYSTEM - “Hot water demand pumping system” shall mean electric water pumping systems that quickly (typically within 30 seconds) bring hot water to the fixture by drawing water from the hot water tank and returning ambient house temperature water back to the hot water tank where it is heated. When a predetermined set point temperature (usually 5°F above room temperature) in the line near the fixture is reached, the pump stops automatically and hot water is thereby available at the faucet. The pump may be operated by a switch placed next to the fixture or by a remote control. Hot water demand pumping systems shall have the U.S. Environmental Protection Agency Energy Star rating to qualify for a rebate.

Added by Ordinance No. 110 (9/30/2003); amended by Ordinance No. 111 (1/29/2004)

HYDROLOGICAL MANAGEMENT UNIT - "Hydrological Management Unit" means any source of water supply, which has been identified by the General Manager pursuant to these Rules and Regulations, for the purposes of water management to be a distinct source of water. The General Manager shall annually promulgate or update a hydrological management unit reference source to identify each source of water supply within the District. Initially, this reference shall include any stream shown as a solid blue line on the most recent USGS 7 1/2 minute series topographical map, the Carmel Valley aquifer above the Narrows, the Carmel Valley aquifer below the Narrows, the Seaside aquifer, and sources of reclaimed water.

Added by Ordinance No. 19 (12/10/84)

INDUSTRIAL USE - "Industrial Use" shall mean water used at an industrial site where the water is used primarily in manufacturing or processing activities.

Added by Ordinance No. 92 (1/28/99)

INSTANT-ACCESS HOT WATER SYSTEM - "Instant-Access Hot Water System" shall mean any device or system, which is capable of supplying hot water at each hot water access point in the structure within ten (10) seconds of demand.

Added by Ordinance No. 71 (12/20/93); amended by Ordinance No. 111 (1/29/2004)

INTENSIFICATION OF USE - "Intensification of Use" shall mean an increase either in the number of fixture units served or an increase in the projected capacity for water use per annum, which may occur through an existing connection.

Added by Ordinance No. 26 (9/8/86)

INTENSIFIED WATER USE - "Intensified Water Use" shall mean any change in water use occurring on a Parcel which, in a residential use, is evidenced by an increase in the number of fixture units serving that Parcel; or, in any commercial, industrial, public authority, or other use, is evidence by the incremental change in the project's capacity for annual water use based upon one or more of the factors set forth in Rule 24 of the existing Rules and Regulations. The term "intensification of use" shall also refer to an Intensified Water Use. Use of any quantity of water reserved by an unexpired Water Use Credit shall not cause an Intensified Water Use. The term "capacity" refers to the maximum long term water use which theoretically may occur on that Site, based on average water use data for similar projects in the Monterey Peninsula region, as shown by the projected water use tables set forth in Rule 24.

A change in use from a commercial category in one group to another category in a higher water use group, or from any commercial category in Group III to another category in Group III, as shown on Table No. 2 of Rule 24, shall be deemed an intensification of use requiring an expansion/extension permit, or an amended permit pursuant to these Rules and Regulations. Where there is no increase in the size of a commercial structure, a change in use from one commercial category in Group I to another category within

Group I, or a change of use from one commercial category in Group II to another in Group II, however, shall not cause an intensification of water use.

Added by Ordinance No. 60 (6/15/92); amended by Ordinance No. 71 (12/20/93); added by Ordinance No. 80 (11/20/95)

IRRIGATION SYSTEM - "Irrigation System" shall mean a device or combination of devices having a hose, pipe or other type of conduit installed in the landscape which transmits water, and through which device or combination of devices, water is drawn and applied to residential, industrial or commercial lawns, landscapes or green space.

Added by Ordinance No. 111 (1/29/2004)

JURISDICTION - "Jurisdiction" shall mean one of the following: (1) Carmel-by-the-Sea, (2) Del Rey Oaks, (3) Monterey City, (4) Monterey County, (5) Monterey Peninsula Airport District, (6) Pacific Grove, (7) Sand City, or (8) Seaside.

Added by Ordinance No. 60 (6/15/92)

KITCHEN SINK - "Kitchen Sink" shall mean a single large water basin or multiple interconnected basins located in a kitchen.

Added by Ordinance No. 111 (1/29/2004)

LAGUNA SECA SUBAREA— "Laguna Seca Subarea" means one of the subdivisions of the Southern Seaside Subbasin. Its boundary is shown on a map maintained at the offices of the Water Management District, as that map may be amended from time to time.

Added by Ordinance No. 105 (12/16/2002)

LANDSCAPE AUDIT - "Landscape Audit" shall mean an action taken by a District-approved landscape irrigation auditor to determine reasonable outdoor water use.

Added by Ordinance No. 92 (1/28/99)

LANDSCAPE IRRIGATION AUDITOR - "Landscape Irrigation Auditor" shall mean a person approved by the Monterey Peninsula Water Management District to perform landscape water audits and assign water budgets.

Added by Ordinance No. 92 (1/28/99)

LANDSCAPE WATER BUDGET - "Landscape Water Budget" shall mean a maximum annual water allowance in gallons per year, determined upon completion of a landscape water audit by a District-approved Landscape Irrigation Auditor. The Landscape Water Budget shall take into consideration the types of plants, soil condition, evapotranspiration rates and irrigation system.

Added by Ordinance No. 92 (1/28/99)

LARGE BATHTUB - "Large Bathtub" shall be any bathtub or jacuzzi bathtub with a capacity of greater than 55 gallons to overflow as indicated in the manufacturer's product specifications or as detailed by the custom designer.

Added by Ordinance No. 80 (11/20/95)

LARGE LIVESTOCK – “Large Livestock” shall mean animals such as cattle, horses, llamas, pack animals and other similar animals.

Added by Ordinance No. 92 (1/28/99)

LARGE RESIDENTIAL WATER USER – “Large Residential Water User” shall mean any residential user consuming an average of 32 units or more each month (23,936 gallons) or at least 384 units (287,232 gallons) in the year prior to establishment of a landscape water budget.

Added by Ordinance No. 92 (1/28/99)

LAUNDRY SINK - “Laundry Sink” shall mean a water basin with a utilitarian use that is approximately 18” deep. A water basin connected to a dishwasher or containing a garbage disposal shall not be a “utility sink,” but instead shall be a “kitchen sink.” The term “laundry sink” shall have the same meaning as “utility sink.”

Added by Ordinance No. 111 (1/29/2004)

LAVATORY SINK – “Lavatory Sink” shall mean a single plumbed washbowl or sink intended for hand or face washing. The term “lavatory sink” shall be given the same meaning as the term “washbasin.”

Added by Ordinance No. 111 (1/29/2004)

LEGAL LOT OF RECORD – “Legal Lot of Record” shall mean a lot resulting from a subdivision of property in which the final map has been recorded in Cities and Towns, or in which the parcel map has been recorded in Parcels and Maps or Records of Surveys. The following exemptions to this definition are determined to be legal lots: (1) Subdivision maps filed prior to March 4, 1972 and subsequently approved by the local agency, or (2) subdivisions exempted from map requirements by a Certificate of Exemption, or the equivalent, applied for prior to March 4, 1972, and subsequently issued by a local agency pursuant to local ordinance, or (3) lots for which a Certificate of Compliance has been issued by the local agency that indicates the local agency has determined that the property complies with the Subdivision Map Act and local ordinances enacted pursuant to the Subdivision Map Act, or (4) lots declared legal by local ordinance shall be deemed established on the date the map or certificate was filed with the local agency.

Added by Ordinance No. 111 (1/29/2004)

LEGAL PARCEL— The term “legal parcel” or “parcel” shall refer to the recorded legal description of a property that qualifies as a buildable legal lot of record under current rules of the applicable land use planning jurisdiction.

Added by Ordinance No.105 (12/16/2002)

LOW-INCOME HOUSEHOLD - “Very Low-Income Household” and “Low-Income Household” shall mean those individuals or group of individuals living together as one household, whose combined gross annual income for each such group does not exceed

the limits established under the United States Housing Act of 1937, as determined from time to time by the U.S. Department of Housing and Urban Development (HUD) in its annual transmittal of income eligibility data. Permissible income limits shall not exceed the primary criteria to determine applicant eligibility for Section 8 HUD Public Housing programs. The terms "Very Low-Income" and "Low-Income" shall include all salaries, rents and similar sources of income as well as the economic value of property, savings, stocks, bonds, and other assets.

Added by Ordinance No. 72 (03/21/94)

LOW-INCOME HOUSING - "Low-Income Housing" shall mean and refer to housing that is affordable to low-income and very low-income households. Such housing is affordable if the sales price is equal to or less than three times the maximum annual very low-income household income; or if rented, if the annual rent is equal to or less than 25% of the maximum annual very low-income household income.

The term "Low-Income Housing" shall only apply to a "Dwelling Unit" which is available for private occupancy, but for which ownership and/or occupancy is restricted by recorded covenant or other deed restriction. This covenant or restriction shall be enforceable by either the District or the public and shall limit use of all "Low-Income Housing" so that only households of "Low-Income" or less shall qualify to occupy these units by purchase, by rent, or by lease. This covenant or restriction shall comply with the standards set by the California Department of Housing and Community Development (HCD) and the Monterey County Housing Authority for resale and occupancy of "Low Income" housing, and shall require that the District receive notice prior to the removal or modification of that deed restriction. The recorded covenant shall further provide notice to each subsequent owner that any change of water use from a low-income housing use to any other residential or non-residential use shall constitute an intensification of use which shall require payment at the then-present value of connection charges to the District both for the intensification of water use capacity and for the increment of water use which had originally been exempted from the full fee. The recorded covenant shall be in a form approved by the District General Manager. This covenant shall also require the use and maintenance of water conservation measures as determined by the District General Manager, which shall, among other things, maximize the use of low-flow fixtures and drought resistant landscaping.

Added by Ordinance No. 72 (03/21/94)

LOW WATER USE PLUMBING FIXTURES - "Low Water-Use Plumbing Fixtures" shall mean toilets using a maximum of 1.6 gallons per flush; showerheads, rain bars, or body sprays designed to emit a maximum of 2.5 gallons per minute of water; faucet aerators designed to emit a maximum of 2.2 gallons per minute; ultra-low consumption dishwashers; ultra-low consumption washing machines; and instantaccess hot water systems.

Added by Ordinance No. 30 (7/13/87); amended by Ordinance No. 71 (12/20/94); amended by Ordinance No. 111 (1/29/2004)

MANDATED - "Mandated" shall mean a requirement of the District (e.g. ultra-low flush toilets are mandated for new construction) adopted by ordinance.

Added by Ordinance No. 110 (9/30/2003)

MASTER BATHROOM - "Master Bathroom" shall mean one bathroom, usually located adjacent to the master bedroom. A home shall not have more than one Master Bathroom.

Added by Ordinance No. 80 (11/20/95)

MAY - "May" is permissive.

Added by Ordinance No. 1 (2/11/80)

MICRO IRRIGATION - "Micro Irrigation" shall mean a low pressure, low volume watering system that applies water slowly to plants, near or at ground level, to minimize runoff and loss to evaporation. The term "micro irrigation" shall have the same meaning as "drip irrigation" and "trickle irrigation."

Added by Ordinance No. 111 (1/29/2004)

MIXED USE WATER USER - "Mixed Use Water User" shall mean users of water for domestic or other uses from any water distribution system or private well where one water meter or connection or well provides both residential and nonresidential use.

Added by Ordinance No. 92 (1/28/99)

MOBILE WATER DISTRIBUTION SYSTEM - "Mobile Water Distribution System" means any mobile water supply process, including but not limited to trucked water, used for distribution of water from a source of supply to a user for utilization upon the user's property. This definition shall not apply to deliveries of water by commercial companies in volumes less than or equal to 55 gallons per container.

Added by Ordinance No. 7 (7/13/81); Amended by Ordinance No. 96 (3/19/2000)

MODERATE INCOME HOUSEHOLD - "Moderate Income Household" shall mean those individuals or group of individuals living together as one household, whose combined gross annual income does not exceed the limits established under the United States Housing Act of 1937, as determined from time to time by the U.S. Department of Housing and Urban Development (HUD) in its annual transmittal of income eligibility data for a "Moderate Income Household" in the Seaside, Monterey, Salinas Standard Metropolitan Statistical Area Median Family Income as specified in the latest United States Census and projected to a year of sale by the United States Department of Housing and Urban Development. "Moderate Income" shall include all salaries, rents and similar sources of income as well as the economic value of property, savings, stocks, bonds, and other assets.

Added by Ordinance No. 24.5 (7/14/86); amended by Ordinance No. 72 (12/20/93)

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT LAW - "Monterey Peninsula Water Management District Law" means Statutes of 1977, Chapter 527, found in West's California Water Code Appendix, Section 118-1 et. seq., as amended.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 8 (1/14/81)

MONTEREY PENINSULA WATER RESOURCE SYSTEM - "Monterey Peninsula Water Resource System":

1. shall refer to lands which overlie or are contiguous to (in whole or in part) water in the Carmel River (mainstem and tributaries), ground water within the alluvial aquifer, and ground water within the Seaside Coastal Ground water Subbasin, as identified on MPWMD Boundary Map #1, as that may be amended from time to time; or
2. shall mean the ground water and surface water supplies which serve Cal-Am, other water distribution systems, and private well owners within the District, including the surface water and groundwater resources of the Carmel Valley (both the Carmel River and the Carmel Valley aquifer) and the resources of the Seaside Coastal groundwater subbasin. The Monterey Peninsula Water Resource System
3. shall exclude resources of the Seaside Inland groundwater subbasin, and the Carmel Valley upland formation.
4. The District shall maintain a current list of Water Distribution Systems within the Monterey Peninsula Water Resources System.

Amended by Ordinance No. 80 (11/20/95); amended by Ordinance No. 92 (1/28/99)

MPWRS - "MPWRS" shall refer to the phrase "Monterey Peninsula Water Resource System".

Added by Ordinance No. 56 (11/25/92); amended by Ordinance No. 60 (6/15/92)

MULCH - "Mulch" shall mean any material such as leaves, bark, straw or other materials left loose and applied to the soil to reduce evaporation. Organic mulches include pine bark, compost, and wood chips. Inorganic mulches include rock, cobble, gravel, and synthetic water-holding soil additives.

Added by Ordinance No. 92 (1/28/99)

MULTI-FAMILY DWELLING - "Multi-Family Dwelling" shall mean a building designed for occupancy by two or more families living independently of each other.

Added by Ordinance No. 92 (6/29/98)

MULTI-FAMILY RESIDENTIAL SITE - "Multi-Family Residential Site" shall mean a property with one or more multi-family dwellings, or a property containing more than one single-family dwelling.

Added by Ordinance No. 92 (6/29/98)

MULTI-SOURCE WATER DISTRIBUTION SYSTEM - "Multi-Source Water Distribution System" means a water distribution system, which derives its source of supply from more than one hydrological management unit.

Added by Ordinance No. 19 (12/10/84)

MULTIPLE-PARCEL CONNECTION SYSTEM - A “multiple-parcel connection system” is a water distribution system providing water to two or more connections on two or more legal parcels, regardless of parcel location or ownership.

Added by Ordinance No. 96 (3/19/2001); amended by Ordinance No. 105 (12/16/2002)

MUNICIPAL UNIT - “Municipal Unit” means the Cities of Carmel, Del Rey Oaks, Monterey, Pacific Grove, Sand City and Seaside and the portion of the County of Monterey and the City of Marina inside the District.

Added by Ordinance No. 1 (2/11/80)

MUNICIPAL UNIT ALLOTMENTS - “Municipal Unit Allotment” means the maximum quantity of water that can be delivered by a particular water distribution system within a municipal unit in one water year beyond which permits for creation or establishment and permits for expansion of a water distribution system are not authorized for approval in that municipal unit.

Added by Ordinance No. 1 (2/11/80)

NATIVE VEGETATION - “Native Vegetation” shall mean those plants defined as native vegetation in B.E. Howitt and J.R. Howell (1964) *The Vascular Plants of Monterey County, California*, Wasmann Journal of Biology, Vol. 22, No. 4, or its current supplement a copy of which is available at the District office and is incorporated herein by this reference.

Added by Ordinance No. 10 (7/26/83)

NEW CONSTRUCTION - “New Construction” means any construction of a previously non-existent structure requiring a discretionary or ministerial permit issued after the effective date of this ordinance. “New Construction” shall include additions, modifications, or structural improvements, which add, square footage to floor space of existing structures.

Added by Ordinance No. 30 (7/13/87)

NON-ESSENTIAL WATER USE - “Non-Essential Water Use” shall mean the indiscriminate or excessive dissipation of water which is unproductive, or does not reasonably sustain life or economic benefits. Non-essential water use includes but is not limited to the following:

1. Serving drinking water to any customer, unless expressly requested, by a restaurant, hotel, café, cafeteria or other public place where food is sold, served or offered for sale.
2. Operation of fountains, ponds, lakes or other ornamental use of potable water without recycling.
3. Unreasonable or excessive use of potable water for dust control or earth compaction without prior written approval of General Manager where non-potable water or other alternatives are available or satisfactory.

4. Use of unmetered fire hydrant water by individuals other than for fire suppression or utility system maintenance purposes, except upon prior approval of the General Manager.
5. Failure to meet MPWMD Regulation XIII, retrofit requirements for an existing business after having been given a reasonable amount of time to comply.
6. Draining and refilling of swimming pools or spas except (a) to prevent or correct structural damage or to comply with public health regulations, or (b) upon prior approval of the General Manager.

Added by Ordinance No. 61 (7/20/92); amended by Ordinance No. 89 (7/21/97); amended by Ordinance No. 92 (1/28/99)

NON-REVENUE METERED AND UNMETERED USE – “Non-Revenue Metered and Unmetered Use” shall include water used for water distribution system-owned and leased facilities, flushing when necessary for health or safety purposes, use for production including filter back-washing at two filter plants, rights-of-way, river bank irrigation, and Cal-Am well property irrigation. This definition shall also apply to estimated beneficial water use by fire departments and other municipal uses not prohibited under the definition of Water Waste or Non-Essential Water Use.

Added by Ordinance No. 92 (1/28/99)

NONSALINE WATER - “Nonsaline Water” means water having chemical properties meeting the drinking water standards of Chapter 15, Division 4, Title 22 of the California Administrative Code, including the maximum contaminant levels specified in Table 7 of said chapter.

Added by Ordinance No. 1 (2/11/80)

NORTHERN COASTAL SUBAREA— “Northern Coastal Subarea” means one of the subdivisions of the Northern Seaside Subbasin. Its boundary is shown on a map maintained at the offices of the Water Management District, as that map may be amended from time to time.

Added by Ordinance No. 105 (12/16/2002)

NORTHERN INLAND SUBAREA— “Northern Inland Subarea” means one of the subdivisions of the Northern Seaside Subbasin. Its boundary is shown on a map maintained at the offices of the Water Management District, as that map may be amended from time to time.

Added by Ordinance No. 105 (12/16/2002)

NORTHERN SEASIDE SUBBASIN— “Northern Seaside Subbasin” means one of the major divisions of the Seaside Ground Water Basin. This is a set of geologic formations that stores, transmits, and yields water in the Seaside area. This subbasin is comprised of the Northern Coastal Subarea and the Northern Inland Subarea.

Added by Ordinance No. 105 (12/16/2002)

ODD NUMBERED PROPERTY – “Odd Numbered Property” shall mean a property with an official address ending in an odd number. This definition shall also apply to properties located on the South or West side of the street in cities or other areas where no numbered street address is available. Landscaped areas associated with a building will use the number of that building as the address. Only one address shall be used for a landscaped area associated with one building or activity, even if the landscaped area is broken into many separate subareas.

Added by Ordinance No. 92 (1/28/99)

OPERATIONAL WATER SUPPLY BUDGET - “Operational Water Supply Budget” means a specific plan for implementing a water supply management strategy.

Added by Ordinance No. 19 (12/10/84)

“OTHER” USE – “Other’ Use” shall mean water used for road sprinkling and temporary hydrant use as reported by Cal-Am as a customer classification.

Added by Ordinance No. 92 (1/28/99)

OVERDRAFT - “Overdraft” means the condition of a ground water basin where the amount of water withdrawn by pumping exceeds the amount of water replenishing the basin over a period of time, or where the amount of water withdrawn by pumping results in an unacceptable degradation of water quality of the ground water within the basin.

Added by Ordinance No. 1 (2/11/80)

OWNER or OPERATOR - “Owner or Operator” means the person to whom a water-gathering facility is assessed by the County Assessor, or, if not separately assessed, the person who owns the land upon which a water-gathering facility is located.

Added by Ordinance No. 1 (2/11/80)

PAC – “PAC” shall mean the Policy Advisory Committee, a committee, which meets at the call of the District Board of Directors.

Added by Ordinance No. 60 (6/15/92)

PARCEL – “Parcel” shall mean any unit of land which qualifies as a parcel or lot under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other parcel (or are separated only by a road or easement), and (2) for which their is unity of ownership, and (3) which have an identical present use. The term “Parcel” shall be given the same meaning as the term “Site”.

Added by Ordinance No. 60 (6/15/92)

PERMANENT RESIDENT – “Permanent Resident” shall mean a person who resides continuously in a dwelling unit for more than 30 days or a resident that can submit such other evidence to clearly and convincingly demonstrate permanent residency. Part-time

residents (those individuals who periodically reside in a dwelling unit on a regular basis) shall be counted as a fractional permanent resident.

Added by Ordinance No. 92 (1/28/99)

PERMIT – “Permit” shall mean any written approval by the staff or Board of the Monterey Peninsula Water Management District, based on an application, request, or appeal. This term shall include, but shall not be limited to, approvals referenced in Regulation II, “Permits”, Regulation VI, “Fees”, Regulation VII, “Appeals”, and/or Regulation IX, “Variances”.

PERSON - “Person” shall mean:

- a. public entities, public utilities, private corporations, firms, partnerships, individuals or groups of individuals, whether organized or not, or
- b. Any individual, firm, company, partnership, association, any private, public, or municipal corporation (including each Jurisdiction), any public utility, the United States of America, the State of California, special districts, and all political subdivisions, governmental agencies and subdivisions thereof.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 3 (7/11/80); amended by Ordinance No. 60 (6/15/92)

PORTABLE WATER FIXTURE - “Portable Water Fixture” shall be any portable interior or exterior fixture not intended for permanent use. Examples include portable hot tubs/spas, portable fountains, water tanks, etc.

Added by Ordinance No. 80 (11/20/95)

POSITIVE ACTION SHUT-OFF NOZZLE – “Positive Action Shut-Off Nozzle” shall mean a device that completely shuts off the flow of water from a hose when released.

Added by Ordinance No. 92 (1/28/99)

PRIMARY RESIDENCE – “Primary Residence” shall mean the main or principal dwelling unit inhabited by one or more persons.

Added by Ordinance No. 92 (1/28/99)

PRO RATA EXPANSION CAPACITY - “Pro Rata Expansion Capacity” means the projected water use anticipated to meet the needs of each connection as determined by the system capacity. For example, if the system capacity (annual production) limit is 10 acre feet and the expansion capacity is 20 connections, the pro rata expansion capacity shall be 0.50 acre-feet per connection.

Added by Ordinance No. 118 (12/13/04)

PUBLIC - “Public” shall mean a facility owned and operated by a public agency.

Added by Ordinance No. 75 (4/17/95)

PUBLIC AUTHORITY USE – “Public Authority Use” shall mean water used by a public entity.

Added by Ordinance No. 92 (1/28/99)

PUBLIC UTILITY - “Public Utility” means a water distribution system subject to regulation by the state Public Utilities Commission (PUC).

Added by Ordinance No. 6 (5/11/81)

PUBLIC WATER CREDIT - “Public Water Credit” shall mean an amount of water saved by permanent quantified reduction in water use at a publicly owned and operated facility. Public Water Credits shall include toilet retrofits and any other means of permanently reducing water demand at a public facility, providing that there has not been a previous requirement by the District to retrofit the facility.

Added by Ordinance No. 75 (4/17/95); amended by Ordinance No. 91 (6/15/98)

PUBLIC WATER CREDIT ACCOUNT – “Public Water Credit Account” shall mean a separate account maintained by the District to track the amount of Public Water Credits available to a jurisdiction. The Public Water Credit account shall also include commercial water credits that have been transferred to a jurisdiction. Water used from this account shall not be assessed a connection charge by the District. Processing fees shall apply to permits issued using a Public Water Credit.

Added by Ordinance No. 91 (6/15/98)

PUMP TEST - “Pump Test” means an experimental pumping of a well to determine yield of that well.

Added by Ordinance No. 1 (2/11/80)

QUALIFYING DEVICES - “Qualifying Devices” shall mean fixtures and/or appliances that meet the criteria for a rebate.

Added by Ordinance No. 110 (9/30/2003)

QUALIFYING PROPERTY - “Qualifying Property” shall mean a property where there has been no requirement to install the qualifying devices for which the rebate is requested. Properties that do not meet this definition include: (1) properties subject to Rule 144, (2) properties for which a water permit was issued between 1985 and 1987, and/or (3) properties required to retrofit as a condition of a water rationing variance.

Added by Ordinance No. 110 (9/30/2003)

QUASI-PUBLIC FACILITIES – “Quasi-public Facilities” shall include educational institutions, libraries, churches, community centers, parks, picnic grounds, recreation centers, public swimming pools and tennis courts, and other such entities as designated by the General Manager.

Added by Ordinance No. 89 (7/21/97)

RAIN BAR - "Rain Bar" shall mean a length of pipe with multiple water emitters installed in a shower or above a bathtub to bathe various areas of the body.

Added by Ordinance No. 111 (1/29/2004)

RAIN SENSOR - "Rain Sensor" shall mean a device that measures rainfall and overrides the irrigation cycle of an irrigation system, thus turning the irrigation system off, when a predetermined amount of rain has fallen.

Added by Ordinance No. 111 (1/29/2004)

REACTIVATE A WELL - A reactivated well is an inactive well (defined as a well that has not used water for 364 days or more) for which a proper amended well registration form has been filed with the District.

Added by Ordinance No. 96 (3/19/2001)

REBATE - "Rebate" shall mean a payment to an applicant for the purchase and installation of qualifying devices on a qualifying property.

Added by Ordinance No. 85 (12/12/96); amended by Ordinance No. 110 (9/30/2003)

REBATE ACCOUNT - "Rebate Account" shall be an internal account of the District specifically set up to supply funds for rebates. Creation of this account does not provide any assurance that the District shall budget funds for this account. The account will be debited for each rebate issued until no funds remain. At such time as funds are exhausted, no further rebates shall be issued. This account may be augmented from time to time by action of the Board.

Added by Ordinance No. 85 (12/12/96); amended by Ordinance No. 110 (9/30/2003)

RECLAIMED WATER - "Reclaimed Water" shall mean wastewater effluent that has been treated to the tertiary level, including disinfection. Reclaimed water is a form of recycled water.

Added by Ordinance No. 92 (1/28/99)

RECYCLED WATER - "Recycled Water" shall mean water that originates from a subpotable source of supply such as wastewater treated to the tertiary level or captured rainwater.

Added by Ordinance No. 92 (1/28/99)

REFURBISH A WELL - An active or inactive well is considered to be refurbished when the well casing, pump, motor or discharge pipes are repaired or replaced.

Added by Ordinance No. 96 (3/19/2001)

REGIONAL PROJECT - "Regional Project" shall mean a non-profit endeavor which provides for the health, safety and/or welfare of the community, and provides regional non-denominational benefit to residents of the greater Monterey Peninsula area.

Added by Ordinance No. 60 (6/15/92)

REMODEL – “Remodel” shall mean the rebuilding or rearrangement of an existing area that alters the water use capacity or modifies the water fixtures in a structure.

Added by Ordinance No. 90 (6/29/98), amended by Ordinance 92 (1/28/99)

REPLACE A WELL - An active or inactive well is considered to be replaced when a new well is completed in a separate borehole, or when the same borehole is modified, such as by deepening. A replacement well must be located on the same legal parcel as the original well, and may not be located in the riparian zone, as defined by District Rule 11, unless a river works permit has been applied for and issued by the District. The well that is being replaced must be abandoned and destroyed in conformance with local and state well regulations unless it serves as a properly constructed, maintained and registered monitor well.

Added by Ordinance No. 96 (3/19/2001)

REQUIRED CONSERVATION MEASURES - “Required Conservation Measures”

1. Flush sewers with sub-potable or reclaimed water except in cases of emergency.
2. New Construction: Plumbing fixtures must meet or exceed the following water conservation requirements: toilets shall not use more than 1.6 gallons per flush maximum; urinals shall use no more than 1.0 gallons per flush; showerheads shall use no more than 2.5 gallons per minute without a separate restriction device and faucets shall have aerators that use no more than 2.2 gallons per minute maximum irrespective of the pressure in the water supply line; hot water systems must be instant access; drip irrigation must be installed for all shrub or tree areas rather than spray heads, unless plant material or site conditions preclude drip as the most appropriate choice. Hand-held watering may also be used. Instant access shall be defined as providing hot water at the point of service within five (5) seconds.
3. Additions and remodels must meet the following conservation requirements: If you are adding plumbing fixtures, and/or expanding more than 25% of the existing square-footage, new construction requirements must be met throughout the structure with the exception of retrofitting to drip irrigation and instant-access hot water systems.

Added by Ordinance No. 61 (7/20/92)

RESIDENTIAL – “Residential” shall mean water used for household purposes, including water used on the premises for irrigating lawns, gardens and shrubbery, washing vehicles, and other similar and customary purposes pertaining to single and multi-family dwellings.

Added by Ordinance No. 92 (1/28/99)

RESPONSIBLE PARTY – “Responsible Party” means the person or persons who assume through the District permit process legal responsibility for the proper performance of

the requirements of a permit holder as defined in the Rules and Regulations and/or in conditions attached to a permit. "Responsible Party," when used in the context of the Expanded Water Conservation and Standby Rationing Plan, shall mean the person who is responsible for paying the water bill. When a property is served by a private well or a small water distribution system, the "Responsible Party" shall be the water users of the well and the small distribution system operator.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 92 (1/28/99)

RETROFIT CREDIT - "Retrofit Credit" shall mean an amount of water saved by replacing existing high flow toilets (those designed to use greater than 1.6 gallons-per-flush) with ultra-low flush toilets designed to use a maximum of 1.6 gallons-per-flush. For the purposes of this Ordinance, a credit in the amount of 2.35 fixture units shall be applied to a permit application for each qualifying toilet on a single-family residential site.

Added by Ordinance No. 74 (2/23/95); Amended by Ordinance No. 90 (June 29, 1998)

REVOKE - "Revoke" means to permanently withdraw authority to act as previously provided by a valid permit.

Added by Ordinance No. 1 (2/11/80)

RIPARIAN CORRIDOR - shall mean:

- a. All that area which comprises the riverbed and riverbanks of the Carmel River which lies within the boundaries of the Carmel River Management Zone (Zone No. 3), and
- b. All those areas which lie within 25 lineal feet of the riverbank assessment line, excepting however, all lands which lie outside of the Zone No. 3 boundary, and exempting lawns, landscaping and cultivated areas as shown on the spring 1983 aerial photographs taken by the California- American Water Company pursuant to the agreement with the District in accord with Rule 123 A of this regulation.

Added by Ordinance No. 10 (7/26/83)

RIVERBANK ASSESSMENT LINE - "Riverbank Assessment Line" shall mean the waterline of the Carmel River during the flow with a recurrence interval of ten (10) years (ten-year flood), as determined for the Federal Insurance Administration by Nolte and Associates; the waterline shall be determined by the step-backwater method described in the United States Geologic Survey Water Supply Paper 1968-A, 1966, "Definition of Stage-Discharge Relationship in Natural Channels by Step- backwater Analysis", by J.F. Bailey and H.A. Ray. In those areas where the riverbank assessment line cannot be determined through use of the foregoing criteria, a constructive riverbank assessment line shall be determined by the General Manager based upon interpreting the spring 1983 aerial photographs.

Added by Ordinance No. 10 (7/26/83)

RIVERBED - "Riverbed" shall mean the more or less permanent and natural hollow, path or channel over which the regular or usual waters of the Carmel River flow with a recurring or annual interval. The term "channel" shall be synonymous with the term "riverbed".

Added by Ordinance No. 10 (7/26/83)

RIVER WORK - shall mean:

- a. Grading: Excavation or filling or a combination thereof; dredging or disposal of dredge material; mining; installation of riprap and bank protection materials.
- b. Vegetation Clearing: The removal, topping or felling of any riparian vegetation and any parts thereof.
- c. Building and Paving: The construction or alteration of any structure or part thereof, including access across the river, parking areas, bank protection structures, fencing, or any other such activity.
- d. Disposal of Refuse Material: The deposition of refuse or debris.
- e. Use of Chemicals: The use and application of herbicides, or any synthetic chemical substances.
- f. Other Activities: Any other activities determined by the District Engineer to have significant impacts on the riparian corridor.

Added by Ordinance No. 69 (6/29/93)

SALT WATER INTRUSION - "Salt Water Intrusion" means the movement of saline water into nonsaline water aquifers.

Added by Ordinance No. 1 (2/11/80)

SEASIDE COASTAL SUBAREAS - The "Seaside coastal subareas" is a term that collectively refers to the mapped hydrologic units known as the Southern Coastal Subarea and the Northern Coastal Subarea of the Seaside Groundwater Basin. These subareas are shown on maps available at the MPWMD office, and are based on professional hydrogeologic studies. The mapped boundaries of the subareas are subject to refinement pending updated hydrogeologic information. For applications that are located near the mapped subarea boundary, where the nature of the water source is unclear, the MPWMD General Manager will determine whether the water source is within the subarea based on well drilling logs and other available hydrologic data pertinent to the application.

Added by Ordinance No. 96 (3/19/2001); amended by Ordinance No. 105 (12/16/2002)

SEASIDE GROUNDWATER BASIN— "Seaside Ground Water Basin" means the set of geologic formations that stores, transmits, and yields water in the Seaside area, comprising of the Northern Seaside Subbasin and the Southern Seaside Subbasin. The

“Seaside GroundWater Basin” also includes those areas known as the Northern Coastal Subarea, the Northern Inland Subarea, the Southern Coastal Subarea and the Laguna Seca Subarea.

Added by Ordinance No. 105 (12/16/2002)

SERVICE AREA - “Service Area”:

- a. For public utilities, means the area served by a privately owned public utility in which the facilities have been dedicated to public use and in which territory the utility is required to render service to the public as further defined by the service area map maintained by the utility;
- b. For water distribution systems other than public utilities, means the area or properties for which approvals have been secured for service from Monterey County and the Monterey Peninsula Water Management District.

Added by Ordinance No. 6 (5/11/81)

SHALL - “Shall” is mandatory.

Added by Ordinance No. 1 (2/11/80)

SHORT TERM RESIDENTIAL HOUSING – “Short Term Residential Housing” shall mean one or more residential dwelling units on a property that are occupied by visitors, are operated as a business and for which a fee is charged to occupy the premises.

Added by Ordinance No. 92 (1/28/99)

SHOWER, EACH ADDITIONAL FIXTURE - “Shower, Each Additional Fixture” shall mean the second and any additional showerhead, rain bar, or body spray nozzles, installed above a bathtub or in a separate stall shower.

Added by Ordinance No. 111 (1/29/2004)

SHOWER, SEPARATE STALL - “Shower, Separate Stall” shall mean an enclosure that contains one showerhead and is neither a standard bathtub nor a large bathtub.

Added by Ordinance No. 111 (1/29/2004)

SHOWER SYSTEM - “Shower System” shall mean a system consisting of valves, water outlets, volume controls, showerheads, hand showers and/or body sprays used in a bathtub or shower. The term “shower system” shall have the same meaning as “custom shower.”

Added by Ordinance No. 111 (1/29/2004)

SHOWERHEAD - “Showerhead” shall mean a fixture in which water is sprayed on the bather in fine streams from a showerhead, usually secured overhead.

Added by Ordinance No. 111 (1/29/2004)

SINGLE-FAMILY DWELLING – “Single-family Dwelling” shall mean a building designed for occupancy by one family.

Added by Ordinance No. 92 (6/29/98)

SINGLE-FAMILY RESIDENTIAL SITE – “Single-Family Residential Site” shall mean a property with one single-family dwelling. A separate guesthouse or auxiliary unit without a kitchen shall be included by this definition.

Added by Ordinance No. 90 (6/29/98), amended by Ordinance No. 92 (1/28/99)

SINGLE-PARCEL CONNECTION SYSTEM – A “single-parcel connection system” refers to a water distribution system providing water to one or more buildings or structures on one individual legal parcel. If the single parcel is subdivided into two or more separate parcels, the water distribution system is considered to be a multiple-connection system, regardless of parcel ownership, unless the newly formed legal parcels each are served by a separate well that has received a well construction permit from the Monterey County Health Department, registered, metered, inspected and been approved by the District within 180 days of the date of the final approval of the subdivision.

Added by Ordinance No. 96 (3/19/2001); amended by Ordinance No. 105 (12/16/2002)

SITE - shall mean any unit of land which qualifies as a parcel or lot under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other parcel (or are separated only by a road or easement), and (2) for which there is unity of ownership, and (3) which have an identical present use. The term “Site” shall be given the same meaning as the term “Parcel”.

Added by Ordinance No. 60 (6/15/92)

SMALL WATER DISTRIBUTION SYSTEM – “Small Water Distribution System” shall mean a water distribution system with less than 50 connections.

Added by Ordinance No. 92 (1/28/99)

SOURCE OF SUPPLY - “Source of Supply” means the ground water, surface water, reclaimed water sources, or any other water resource where a person, owner or operator gains access by a water-gathering facility.

Added by Ordinance No. 3 (7/11/80); Amended by Ordinance No. 96 (3/19/2001)

SOUTHERN COASTAL SUBAREA— “Southern Coastal Subarea” means one of the subdivisions of the Southern Seaside Subbasin. Its boundary is shown on a map maintained at the offices of the Water Management District, as that map may be amended from time to time.

Added by Ordinance No. 105 (12/16/2002)

SOUTHERN SEASIDE SUBBASIN— “Southern Seaside Subbasin” means one of the major divisions of the Seaside Ground Water Basin. This is a set of geologic formations that

stores, transmits, and yields water in the Seaside area. This subbasin is comprised of the Southern Coastal Subarea and the Laguna Seca Subarea.

Added by Ordinance No. 105 (12/16/2002)

STAGE 1 WATER CONSERVATION – “Stage 1 Water Conservation” shall mean the first stage in the District’s Expanded Water Conservation and Standby Rationing Plan that takes action to maintain Cal-Am water use in the MPWRS below regulatory constraints by increasing conservation activities and preparing for further stages of conservation and rationing.

Added by Ordinance No. 92 (1/28/99)

STAGE 2 WATER CONSERVATION – “Stage 2 Water Conservation” shall mean the second stage in the District’s Expanded Water Conservation and Standby Rationing Plan that takes action to maintain Cal-Am water use in the MPWRS below regulatory constraints by requiring landscape water budgets for large irrigators of over three acres, large residential users and users with dedicated landscape water meters.

Added by Ordinance No. 92 (1/28/99)

STAGE 3 WATER CONSERVATION – “Stage 3 Water Conservation” shall mean the third stage in the District’s Expanded Water Conservation and Standby Rationing Plan that takes action to maintain Cal-Am water use in the MPWRS below regulatory constraints and to respond to potential drought or emergencies by imposing higher water charges for excessive water use.

Added by Ordinance No. 92 (1/28/99)

STAGE 4 WATER RATIONING – “Stage 4 Water Rationing” is defined as the fourth stage in the District’s Expanded Water Conservation and Standby Rationing Plan that responds to a drought situation or emergency water supply shortage with a 15 percent reduction goal from system production limits for non-Cal-Am water users. Reductions are achieved by voluntary water use cutbacks in addition to excessive use rates imposed during Stage 3 Water Conservation.

Added by Ordinance No. 92 (1/28/99)

STAGE 5 WATER RATIONING – “Stage 5 Water Rationing” shall mean the fifth stage in the District’s Expanded Water Conservation and Standby Rationing Plan that responds to a drought situation with a 20 percent mandatory reduction achieved by requiring water use cutbacks by user category and by per-capita water rations and by enacting a moratorium on water permits that intensify water use.

Added by Ordinance No. 92 (1/28/99)

STAGE 6 WATER RATIONING – “Stage 6 Water Rationing” shall mean the sixth stage in the District’s Expanded Water Conservation and Standby Rationing Plan that responds to a severe drought situation with a 35 percent mandatory reduction achieved by requiring water use cutbacks by user category and by per-capita water rations and by enacting a

moratorium on water permits that utilize public or private Water Use Credits and by restricting outdoor water use.

Added by Ordinance No. 92 (1/28/99)

STAGE 7 WATER RATIONING – “Stage 7 Water Rationing” shall mean the seventh stage in the District’s Expanded Water Conservation and Standby Rationing Plan that responds to a critical drought situation with a 50 percent mandatory reduction achieved by requiring water use cutbacks by user category and by per-capita water rations and by prohibiting all nonessential outdoor water use.

Added by Ordinance No. 92 (1/28/99)

STANDARD BATHTUB - “Standard Bathtub” shall mean a tub for bathing that holds no more than 55 gallons of water to the overflow drain. Manufacturer’s specifications shall be acceptable evidence of the water capacity of the tub for the purpose of this definition. (See Large Bathtub for bathtubs holding more than 55 gallons of water).

Added by Ordinance No. 111 (1/29/2004)

SUB-POTABLE WATER - “Sub-potable Water” shall mean water, which is not fit for human consumption without treatment, and shall include reclaimed water as that term is used in the Water Reclamation Law, and particularly in Section 13550 of the Water Code.

Added by Ordinance No. 11 (11/14/83)

SUSPEND - “Suspend” means to temporarily withdraw authority to act as previously provided by a valid permit.

Added by Ordinance No. 1 (2/11/80)

SUSTAINED YIELD OF WELL - “Sustained Yield of a Well” means the continuous production capacity of a well as determined from a pump test.

Added by Ordinance No. 1 (2/11/80)

SWIMMING POOL - “Swimming Pool” shall mean a permanent fixture filled with water and used for swimming.

Added by Ordinance No. 111 (1/29/2004)

SYSTEM CAPACITY - “System Capacity” is the amount of water in gallons, cubic feet or acre-feet that can be produced for annual delivery to a water distribution system based on the cumulative sustained yield of wells adjusted for periodic lowering of the water table and the projected yield of other sources of supply.

Added by Ordinance No. 1 (2/11/80)

SYSTEM LIMITS – “System Limits” means the system (production) and expansion (connection) capacity of a water distribution system.

Added by Ordinance No. 118 (12/13/04)

TAC – “TAC” shall mean the Technical Advisory Committee, a committee, which convenes at the call of the District Board of Directors.

Added by Ordinance No. 60 (6/15/92)

TRICKLE IRRIGATION - “Trickle Irrigation” shall mean a low pressure, low volume watering system that applies water slowly to plants, near or at ground level, to minimize runoff and loss to evaporation. The term “trickle irrigation” shall have the same meaning as “drip irrigation” and “micro irrigation.”

Added by Ordinance No 111 (1/29/2004)

ULTRA-LOW CONSUMPTION DISHWASHER - “Ultra-Low Consumption Dishwasher” shall mean a dishwasher designed to use a maximum of 7.66 gallons during every complete cycle.

Added by Ordinance No. 110 (9/30/2003)

ULTRA-LOW CONSUMPTION WASHING MACHINE - “Ultra-Low Consumption Washing Machine” shall mean a washing machine designed to use a maximum of 28 gallons during every complete cycle.

Added by Ordinance No. 110 (9/30/2003)

ULTRA-LOW FLUSH (ULF) TOILET - “Ultra-Low Flush Toilet” or “ULF Toilet” shall mean a toilet that is designed to flush with no more than 1.6 gallons-per-flush.

Added by Ordinance No. 85 (12/12/96); amended by Ordinance No. 110 (9/30/2003)

UNMETERED WATER USE – “Unmetered Water Use” shall mean water use that is not measured through a mechanical device.

Added by Ordinance No. 92 (1/28/99)

UNRATIONED – “Unrationed” shall mean a time when there are no mandatory reductions in water use that apply to all water users within a distribution system.

Added by Ordinance No. 92 (1/28/99)

URBAN WATER MANAGEMENT PLAN - “Urban Water Management Plan” shall mean a plan prepared pursuant to Division 6, Part 2.6, and Chapter 3, of the California Water Code.

Added by Ordinance No. 92 (1/28/99)

URINAL - “Urinal” shall mean a fixture, typically attached upright to a wall, used by men for urinating.

Added by Ordinance No. 111 (1/29/2004)

USER - "User" means a customer or consumer of water delivered by a water distribution system. User does not include any owner or operator of a water distribution system. Each residence, commercial enterprise, or industrial enterprise shall be deemed a separate and distinct user, except that a user may extend incidental water use (e.g. a single bar sink) to another for convenience.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 5 (4/13/81); amended by Ordinance No. 44 (10/9/89)

USER CATEGORY - "User Category" shall mean the classification of a water use in one of the following categories: Residential (single-family and multi-family), Commercial and Industrial, Public Authority, Golf Course, Other Use, Non-Revenue Metered Use, and Reclaimed Water Users.

Added by Ordinance No. 92 (1/28/99)

UTILITY SINK - "Utility Sink" shall mean a water basin with a utilitarian use that is approximately 18" deep. A water basin connected to a dishwasher or containing a garbage disposal shall not be a "utility sink," but instead shall be a "kitchen sink." The term "utility sink" shall have the same meaning as "laundry sink."

Added by Ordinance No. 111 (1/29/2004)

VEGETABLE SINK - "Vegetable Sink" shall mean a secondary water basin, 15" x 13" or smaller. The term "vegetable sink" shall have the same meaning as "bar sink" and "entertainment sink."

Added by Ordinance No. 111 (1/29/2004)

VERY LOW-INCOME HOUSEHOLD - "Very Low-Income Household" and "Low-Income Household" shall mean those individuals or group of individuals living together as one household, whose combined gross annual income for each such group does not exceed the limits established under the United States Housing Act of 1937, as determined from time to time by the U.S. Department of Housing and Urban Development (HUD) in its annual transmittal of income eligibility data. Permissible income limits shall not exceed the primary criteria to determine applicant eligibility for Section 8 HUD Public Housing programs. The terms "Very Low-Income" and "Low-Income" shall include all salaries, rents and similar sources of income as well as the economic value of property, savings, stocks, bonds, and other assets.

Added by Ordinance No. 72 (03/21/94)

VISITOR - "Visitor" shall mean an occasional occupant who resides in a dwelling unit for less than 30 days, but who is not a part-time resident according to the "permanent resident" definition.

Added by Ordinance No. 92 (1/28/99)

VISITOR-SERVING FACILITY - "Visitor-Serving Facility" shall include all hotels, motels, restaurants, convention/meeting facilities, and service stations within the Monterey Peninsula Water Management District. Other facilities may be designated as a visitor

serving facility by the General Manager upon finding that such facility exists primarily for the use of tourists and the traveling public. Short term rentals of private property are not included under this definition.

Added by Ordinance No. 89 (7/21/97)

WASHBASIN - "Washbasin" shall mean a single plumbed washbowl or sink intended for hand or face washing. The term "washbasin" shall be given the same meaning as the term "lavatory sink."

Added by Ordinance No. 111 (1/29/2004)

WASHING MACHINE - "Washing Machine" shall mean an appliance for washing clothing or linens.

Added by Ordinance No. 111 (1/29/2004)

WATER-GATHERING FACILITY - "Water-Gathering Facility" means any device or method, mechanical or otherwise, for the production of water from dams, ground water, surface water, water courses, reclaimed water sources, or any other source of supply within the Monterey Peninsula Water Management District or a zone thereof. Water-gathering facilities shall include any water-production facility as defined in the Monterey Peninsula Water Management District Law. This definition shall not apply to on-site cisterns that serve existing single-connection, residential situations where rainwater is captured for on-site landscape irrigation use.

Added by Ordinance No. 1 (2/11/80); Amended by Ordinance No. 96 (3/19/2001)

WATER-MEASURING DEVICE - "Water-Measuring Device" means any water meter or other measuring device intended to measure water usage by a user of the water distribution system.

Added by Ordinance No. 1 (2/11/80)

WATERLESS URINAL - "Waterless Urinal" shall mean a fixture, typically attached upright to a wall, used by men for urinating, that uses no water by replacing the water flush with a specially designed trap that contains a layer of immiscible liquid that floats above a urine layer, blocking sewer gas and urine odors from the room.

Added by Ordinance No. 111 (1/29/2004)

WATER ALLOCATION EIR - "Water Allocation EIR" shall mean the Final Environmental Impact Report on the Water Allocation Program (SCH 87030309) and the findings approving that document as certified by the District.

Added by Ordinance No. 60 (6/15/92)

WATER BANK - "Water Bank" shall mean an account managed by the District or its agent that tracks the difference in the amount of water used and the amount of each user's water ration during a calendar year.

Added by Ordinance No. 92 (1/28/99)

WATER DISTRIBUTION SYSTEM - "Water Distribution System" means all works within the District used for the collection, storage, transmission or distribution of water from the source of supply to the connection of a system providing water service to any connection including all water-gathering facilities and water-measuring devices. In systems where there is a water meter at the point of connection, the term "Water Distribution System" shall not refer to the user's piping; in systems where there is no water meter at the point of connection, the term "Water Distribution System" shall refer to the user's piping.

Added by Ordinance No. 1 (2/11/80); Amended by Ordinance No. 96 (3/19/2001)

WATER DISTRIBUTION SYSTEM OPERATOR - "Water Distribution System Operator" shall mean the person or persons who assume through the District permit process legal responsibility for the proper performance of the requirements of a water distribution system permit holder as defined in the Rules and Regulations and/or in conditions attached to a permit.

Added by Ordinance No. 92 (1/28/99)

WATER RATIONING CONTINGENCY - "Water Rationing Contingency" shall mean a percentage of water production not allocated for rations.

Added by Ordinance No. 92 (1/28/99)

WATER RELEASE FORM - "Water Release Form" shall have the same meaning as the term "Water Release Request".

Added by Ordinance No. 71 (12/20/93)

WATER RELEASE REQUEST - "Water Release Request" shall mean a written release from a Jurisdiction, which signifies the consent of that Jurisdiction to the issuance of a permit by the District for new or Intensified Water Use.

Added by Ordinance No. 60 (6/15/92)

WATER SUPPLY EMERGENCY - "Water Supply Emergency" shall mean a declaration that a water shortage emergency condition prevails within the area.

Added by Ordinance No. 92 (1/28/99)

WATER SUPPLY MANAGEMENT STRATEGY - "Water Supply Management Strategy" means a general plan for operating a multi-source water supply system to provide integrated management of ground and surface water supplies.

Added by Ordinance No. 19 (12/10/84)

WATER UNIT - "Water Unit" shall mean an increment of water equal to 748 gallons.

Added by Ordinance No. 92 (1/28/99)

WATER USE CREDIT - "Water Use Credit" shall mean a limited entitlement by a Person to use a specific quantity of water upon a specific Site. Water Use Credits shall be limited

by time, and by other conditions as set forth in the District's Rules and Regulations.

Added by Ordinance No. 60 (6/15/92)

WATER USER – "Water User" shall mean users of water for domestic or other uses from any water distribution system or private well.

Added by Ordinance No. 92 (1/28/99)

WATER WASTE - "Water Waste" shall mean the indiscriminate, unreasonable, or excessive running or dissipation of water. Water Waste shall include, but not be limited, to the following:

1. Waste caused by correctable leaks, breaks or malfunctions. This loss of potable water may be cited as water waste after a reasonable period of time has passed in which the leak or malfunction could have been corrected. Exceptions may be granted by the General Manager for corrections, which are not feasible or practical.
2. Use of potable water for washing buildings, structures, driveways, patios, parking lots, tennis courts, or other hard surfaced areas, except in cases where health or safety are at risk.
3. Indiscriminate or excessive water use which allows excess to run to waste.
4. Use of potable water to irrigate turf, lawns, gardens or ornamental landscaping between 9:00 a.m. and 5:00 p.m. by means other than drip irrigation, or hand watering without quick acting positive shut-off nozzles. (Exceptions shall be made by the General Manager for professional gardeners where there is no ability to not water between 9:00 a.m. to 5:00 p.m.).
5. Individual private washing of cars with a hose except with the use of a positive action shut-off nozzle. Use of water for washing commercial aircraft, cars, buses, boats, trailers or other commercial vehicles at any time, except at commercial or fleet vehicle or boat washing facilities operated at a fixed location where equipment-using water is properly maintained to avoid wasteful use.
6. Transportation of water from the Monterey Peninsula Water Resources System without prior written authorization from the MPWMD shall be deemed water waste. Emergency or health related situations are exempt from this provision in accordance with Rule 168 (Water Rationing Variance).
7. Operation of a commercial car wash without recycling at least 50 percent of the potable water used per cycle.
8. Use of water for more than minimal landscaping, as defined in the landscaping regulations of the jurisdiction or as described in Article 10.8 of the California Government Code.

9. Use of potable water for street cleaning.
10. Outdoor watering in violation of landscape irrigation restrictions required by Stage 1 Water Conservation.
11. Failure to maintain water use within a mandatory landscape water budget.
12. Misrepresentation of the number of persons permanently residing on a property where water is supplied by a water distribution system or by a private well.

The following activities shall not be cited as Water Waste:

1. Flow resulting from fire fighting or essential inspection of fire hydrants;
2. Water applied to abate spills of flammable or otherwise hazardous materials, where water application is the appropriate methodology;
3. Water applied to prevent or abate health, safety, or accident hazards when alternate methods are not available;
4. Storm run-off;
5. Flow from fire training activities during Stage 1 Water Conservation through Stage 3 Water Conservation;
6. Reasonable quantities of water applied as dust control as required by the Monterey Bay Unified Air Pollution Control Agency, except when prohibited by Regulation XV.

Added by Ordinance No. 61 (7/20/92); amended by Ordinance No. 92 (1/28/99)

WATER YEAR - "Water Year" means the period from July 1 of one year to June 30 of the succeeding year.

Added by Ordinance No. 1 (2/11/80)

WELL - "Well" means any device or method, mechanical or otherwise, for the production of water from ground water supplies within the District excluding seepage pits and natural springs. "Existing Well" means a completed well which is producing or capable of producing ground water on July 9, 1980, or a well which is completed subsequent to such date pursuant to an unexpired well construction permit which had been issued prior to such date. The term "existing well" shall not apply to any well which ceases to produce water for 364 days or to any facility for which a Notice of Abandonment has been filed. "New Well" means a well for which a construction permit is issued (or is required to be issued) by the Monterey County Department of Health after July 9, 1980, and shall also mean the reactivation of any existing well which ceased water production of 364 days or more, or which was abandoned.

Added by Ordinance No. 3 (7/11/80)

WELL CAPACITY TEST (AQUIFER PUMPING TEST) - A “well capacity (aquifer pumping) test” is a continuous pumping test of a well to determine the expected reliable yield of the well. The test shall be conducted in the manner and form appropriate to the hydrogeologic setting of the well, as described in the Implementation Guidelines that accompany this ordinance.

Added by Ordinance No. 96 (3/19/2001)

WORK OR WORKS - “Work or Works” includes, but is not limited to, dams and dam sites, reservoirs and reservoir sites, and all conduits and other facilities useful in the control, collection, conservation, storage, reclamation, treatment, or disposal of sewage, waste, or storm waters, and all land, property, franchises, easements, rights-of-way, and privileges necessary or useful to operate, maintain, repair, or replace any of the foregoing.

Added by Ordinance No. 1 (2/11/80)

XERISCAPE – “Xeriscape” shall mean the practice of conserving water and energy through creative landscaping using good landscape design, limiting lawn areas, irrigating efficiently, improving soils, using mulches, choosing low water use plants and employing other good landscape maintenance practices.

Added by Ordinance No. 92 (1/28/99)

The following additions and amendments to Rule 11 relate to the definitions above, in addition to the specific annotations following each definition: Ordinance No. 1 (2/11/80); Amended by Ordinance No. 2 (3/11/80), Ordinance No. 3 (7/11/80), Ordinance No. 5 (4/13/81), Ordinance No. 6 (5/11/81), Ordinance No. 7 (7/13/81), Ordinance No. 8 (1/14/82), Ordinance No. 10 (7/26/83), Ordinance 11 (11/14/82), Ordinance No. 19 (12/10/84); Ordinance No. 24 formerly Rule 101, renumbered by Ordinance No. 6 (5/11/81); Ordinance No. 96 (3/19/2001).

RULE 21 - APPLICATIONS

A. APPLICATION FOR PERMIT TO CREATE/ESTABLISH A WATER DISTRIBUTION SYSTEM

The applicant for a Permit to Create/Establish a Water Distribution System shall submit the following:

1. A completed written application, signed by the system owner, in the manner and form prescribed by the Implementation Guidelines; and
2. Environmental information as required by the California Environmental Quality Act (CEQA); and
3. Zoning and land use designations for the property; identify land use approvals which may be required for the proposed project by the municipal unit in which proposed system would be located (i.e., tentative map, use permit, etc.), or by other governmental agencies, consistent with state and local regulations that require proof of available water supply; and
4. Identify type of water right claimed to exist with each water-gathering facility and each source of supply for the system (e.g., riparian, pre-1914, appropriative, overlying or other). Provide written verification of legal water rights applicable to type of right claimed. The verification shall include, but shall not be limited to the following forms of documentation: (a) Condition of Title Report, prepared by a Title Company at the applicant's expense, and any and all supporting documentation to indicate whether legal water rights have been subordinated or severed; this documentation may include a judicial declaration of right or a full title opinion prepared by an attorney with expertise in water law; (b) information that describes the legal basis or authority for diversion and extraction of water; (c) if groundwater is being pumped from a groundwater basin that has not been adjudicated, a statement to that effect in addition to a copy of the current deed to the property is sufficient documentation to satisfy this requirement; or (d) if the source of the water is subject to permit requirements under the State Water Resources Control Board, a copy of the SWRCB water rights permit or domestic registration must be included; and
5. A copy of the application submitted to the Monterey County Environmental Health Department for Creation of a Water Distribution System for multiple-connection systems only; and
6. The name and address of each responsible party; and
7. The results of well capacity (aquifer pumping) tests for the duration specified by the Implementation Guidelines, the cost of which tests shall be borne by the applicant, and which shall be observed by a District representative or agent; and

8. The results of water quality tests as specified by the Implementation Guidelines, the cost of which tests shall be borne by the applicant; and
9. An evaluation of the hydrogeologic information in the manner and form required in the Implementation Guidelines. This evaluation shall be prepared by a qualified individual or firm as determined by the District. Qualified consultants shall include a certified hydrogeologist, a registered geologist with a specialty in hydrogeology, a certified engineering geologist with a specialty in hydrogeology, or a registered civil engineer with a specialty in hydrogeology; these specialists shall be certified in or registered by the State of California. The costs of this evaluation shall be borne by the applicant; and
10. The applicable fees prescribed in Rule 60.

B. APPLICATION FOR PERMIT TO EXPAND/EXTEND A WATER DISTRIBUTION SYSTEM

The applicant for a Permit to Expand/Extend a Water Distribution System shall submit the following:

1. A completed written application in the manner and form prescribed by the Implementation Guidelines; and
2. For those potable system applications for which a building permit is pending, complete architectural drawings that reflect water use pursuant to Tables 1 or 2 of Rule 24, together with any amendment, addition, or modification of those drawings which may be made prior to use or occupancy of the project, and any drawings which may be submitted to the municipal unit for land use or building approvals, and a statement of near-term need for the proposed expansion/extension; and
3. For subpotable systems, and for exterior use for all systems, an itemized estimate of water use in the form of a landscape budget or other alternate water demand estimate as approved by the General Manager; and
4. Architectural drawings for each change in the project made prior to use or occupancy which may affect the project's capacity to use water; and
5. The applicable fees prescribed in Rule 60; and
6. The connection charge prescribed in Rule 24.

C. APPLICATION FOR AMENDMENT TO PERMIT

The applicant shall submit the following:

1. A completed written application in the manner and form prescribed by the General Manager, under Rule 22 or Rule 23 as appropriate to the proposed amendment. An amendment to a water distribution system permit under Rule

22 E shall require the signature of the system owner. When the application involves the expansion or annexation to an existing water distribution system service area the application shall be processed as an amendment of the Permit to Create/Establish a Water Distribution System. When the application involves expansion of the water distribution system beyond its prior authorized system capacity (annual production) limit or its prior authorized expansion capacity (connection) limit, the application shall be processed as an amendment of the Permit to Create/Establish a Water Distribution System.

2. No owner or operator of a water distribution system shall modify, add to or change his/her source of supply, location of uses, change annual production or connection limits, or expand the service area unless that person first files an application to do so with the District and receives an amended creation/establishment permit.
3. The fee prescribed in Rule 60.
4. The applicable connection charge prescribed in Rule 24, Connection Charges.

D. APPLICATION FOR APPEAL

1. A complete written application in the manner and form prescribed by the General Manager.
2. The fee prescribed in Rule 63.

E. APPLICATION FOR VARIANCE

1. A complete written application in the manner and form prescribed by the General Manager.
2. The fee prescribed in Rule 63.
3. Applicable fees prescribed in Rule 60.

F. NAME CHANGES

An applicant or permit holder's name or identifying information may be changed without charge, and in such circumstances a revised permit may be issued.

Rule amended by Ordinance No. 1 (2/11/80); Ordinance No. 3 (7/11/80); Ordinance No. 5 (4/13/81); Ordinance No. 8 (1/14/82); Ordinance No. 6 (5/11/81); Ordinance No. 26 (9/8/86); Ordinance No. 71 (12/20/93); Ordinance No. 96 (3/19/2001); Ordinance No. 118 (12/13/2004)

RULE 23 - ACTION ON APPLICATION FOR PERMIT TO EXPAND OR EXTEND A WATER DISTRIBUTION SYSTEM

A. APPLICATIONS TO INTENSIFY WATER USE

An expansion/extension permit shall be required from the District for each Intensified Water Use (defined by Rule 11). Intensification of Water Use without a permit shall provide cause for revocation by the District of all water use by any person on that Site. Each application for a permit to expand or extend a water distribution system and each application for an amended expansion/extension permit shall follow the process set forth in Rule 23. The District may issue the permit when the following applies:

1. The District shall issue an expansion/extension permit for a project when:
 - a. the District has first received and approved a complete application which includes evidence of each Discretionary Approval required for the proposed use, a complete and final set of construction drawings, and (if required by the Jurisdiction) a final landscape plan, and
 - b. the District has first received payment in full for all applicable District fees and charges based upon the incremental increase in the potential water use capacity for that individual project.
 - c. the District has first received a Water Release Request from the applicable Jurisdiction (the city, county or the airport district) pertaining to the Parcel on which the water use shall occur, and
 - d. the total quantity of water reserved for all projects within a Jurisdiction does not exceed that Jurisdiction's total water allocation.
 - e. the District has not determined to temporarily delay the issuance of permits by reason of a declared Water Supply Emergency.
2. As an alternate to the process set forth in (1) above, the District may issue an expansion/extension permit for an application without a Water Release Request because of one of the following reasons:
 - a. the proposed Intensified Water Use has been authorized by the District to derive some or all of its capacity for water use from the District Reserve allocation, or
 - b. the application requests a permit to Intensify Water Use which derives from a water supply other than the Monterey Peninsula Water Resource System, or
 - c. the application has been determined to not cause an Intensified Water Use, or causes an increase as specified pursuant to subparagraph (6) below (Rule 23 A (6)).

- d. the application requests a permit based on a prior Water Use Credit, which applies to that Site.
 - e. the application requests a permit to use water for a project which shall not permanently Intensify Water Use as it requires only a short term need for water and the application shall be processed pursuant to Rule 23 B.
3. In the absence of special circumstances or undue hardship, the District shall not issue an expansion/extension permit, which results in the installation of a new water meter, which shall serve water to more than one user. Multiple users shall apply for separate permits pursuant to this rule. This provision, however, shall not prevent the issuance of a permit, which shall allow a single user to extend incidental water use (e.g. a single bar sink).

This provision shall be construed to enable the issuance of permits for Intensified Water Use which are required by reason of a change in occupancy or use of an existing structure without a requirement to install separate water meters for each separate use or user provided no substantial structural modifications are necessary to facilitate the changed use. Any such extension shall nonetheless be processed in accord with Rule 24 (Connection Charges).

4. The District shall not issue an expansion/extension permit if the District Board has determined that the water distribution system affected by that permit has exceeded its expansion capacity limit.
5. The District shall not issue an expansion/extension permit when any portion of the expansion or extension lies outside of the affected water distribution system service area.
6. The District shall not issue an expansion/extension permit until all fees and connection charges are paid in full by, or on behalf of, the applicant. At the time of first use or occupancy of the project, the General Manager may adjust the charge and the water debited from the Jurisdiction's Allocation, and cause a partial refund or the imposition and collection of an additional connection charge in accord with the provisions of Rule 24. In the event the adjusted connection charge is not paid in full within a reasonable period, the water use permit shall be revoked.
7. The District shall not issue an expansion/extension permit which allows the use of potable water for green-belt irrigation when alternate sub-potable water is reasonably available to the Site (see Rules 23 C, 131 and 132).
8. Staff determinations under this rule, either issuing or refusing to issue a permit, may be appealed to the Board pursuant to Rule 70.

B. TEMPORARY EXPANSION/EXTENSION PERMITS

Notwithstanding any provision of Rule 23 (A), the General Manager may issue a tempo-

rary expansion/ extension permit to applicants who do not possess a valid municipal or county building permit as provided in Rule 23 (A), provided the applicant has demonstrated that the expansion is reasonably necessary to satisfy the near-term water needs of the applicant. Each temporary expansion/extension permit issued by the General Manager shall be subject to the following conditions:

1. The temporary permit shall not confer a property interest upon the grantee to obtain or use water after expiration and/or revocation of the permit.
2. The temporary permit is subject to revocation during its term without cause, without hearing, upon thirty (30) days notice.
3. The temporary permit shall terminate on the date specified on the permit, and if no date is specified, shall terminate one (1) year after the temporary permit is issued.
4. Any use of water through the connection or water meter installed pursuant to the temporary permit following expiration and/or revocation of that permit shall be unauthorized.
5. The applicant for the temporary permit shall acknowledge in writing that the temporary permit does not confer a right to obtain or use water upon expiration and/or revocation of the temporary permit.
6. The applicant for the temporary permit shall consent to the physical removal of the connection and/or water meter upon the expiration and/or revocation of the temporary permit.
7. The terms and conditions of the temporary permit shall be recorded in the office of the Monterey County Recorder against the real property which is by the connections, and shall operate as a covenant running with the land.
8. The applicant shall pay any applicable fee pursuant to Rule 24 and Rule 60.

The General Manager may place further conditions upon the grant of the temporary permit, as he/she deems proper. Determinations of the General Manager under this Rule, either issuing, conditioning, or refusing to issue a temporary permit, may be appealed to the Board pursuant to Rule 70.

C. CRITERIA TO PROCESS APPLICATIONS TO INTENSIFY WATER USE

The following procedure and criteria shall apply to any application for new or Intensified Water Use.

1. Water Release Request (Water From a Jurisdiction Allocation). Before a permit shall be issued by the District to allow new or Intensified Water Use (including applications for changed use through an existing water meter) the District shall first receive a Water Release Request from the Jurisdiction, which has land use

planning authority over the Parcel on which that water use shall occur. The District may nonetheless receive and process applications without a Water Release Request under the criteria set forth in Rule 23 A (2) -

- a. use authorized from the District Reserve allocation, or (b) use from a water supply other than the Monterey Peninsula Water Resource System, or (c) no intensification of water use in an existing connection, or (d) use based on a prior water use credit for that Site, or (e) use for a temporary purpose.
2. Water from the District Reserve Allocation. The District Reserve Allocation constitutes a special allocation, which may be used to make water available to Regional Projects of special benefit to avoid the individual drawdown of a Jurisdiction's allocation, which would otherwise occur, or for drought or other reserve purposes. Release and use of this water is at the sole and exclusive discretion of the District.

Regional Projects, which may qualify for water from the Reserve Allocation, shall be non-profit, provide for the health, safety and/or welfare of the community, and provide regional non-denominational benefit to residents of the greater Monterey Peninsula area. Examples of such Regional Projects include regional health care, homeless or transitional shelters, and protection from natural disasters (but not local police protection).

A project sponsor or a Jurisdiction seeking water from the District Reserve Allocation shall make a written request to the District. The District may refer that request to TAC or PAC for recommendation, or may act on the request directly. The District in its sole and exclusive discretion may deny, approve, or approve in part the request. Water use shall be debited from the District Reserve allocation in the same manner used for each Jurisdiction's Allocation.

3. Water Connection Permit. An expansion/extension permit from the District shall be required prior to any new or Intensified Water Use. To obtain that permit, a complete application shall be submitted to and approved by the District. A complete application must include the record of each Discretionary Approval required for the proposed use, a complete and final set of construction drawings, a complete landscape plan where such a plan is required by the Jurisdiction, and payment in full of all applicable District fees and charges based upon the potential water use capacity for that individual project. The term "Discretionary Approval" shall mean each land use planning and zoning approval required for the project, a use permit if one is required, and prior completion of all applicable design review or approval.
4. Quantity of Water Permitted for Use. Upon receipt of the complete application for the expansion/extension permit, District staff shall calculate the water use capacity for the project, verify release of water by the Jurisdiction, and based on water use capacity quantify the amount of water actually permitted. The District shall issue a permit, which allows installation of a new water meter

connection, only when the projected water use capacity equals or is less than the Water Release Request. If a new connection has capacity for water use in excess of the quantity in the Water Release Request, a permit for the new water meter connection will be issued by the District only upon receipt of an amended Water Release Request from the Jurisdiction.

5. Residential Water Demand. Each authorization for interior water demand for residential water connections shall be based on the fixture units planned for that Site. Water use capacity for remodeling or replacement of an existing residence, or for any new residence shall be based on the increase in fixture units on the Site. A single standard shall apply to the calculation of fixture units regardless of where the property is located. This method shall not include an increment of water for open space or landscape use. Instead, landscape water demand for each residential use shall be calculated by the District independent from the fixture unit criteria. The Board of Directors shall adopt guidelines to guide staff's implementation of the landscape water use criteria and calculation process provided by this Rule.
6. Adjustment of Allocation Upon Issuance of Permit. Water capacity allowed by each permit shall be deducted from that Jurisdiction's Allocation. Each project, which allows new water use capacity through an existing connection due to Intensified Water Use, shall require an expansion/extension permit and also have the quantity of water allowed by permit debited from that Jurisdiction's Allocation. A permit for water use, which derives wholly from the District Reserve Allocation, however, shall be deducted from the District Reserve allocation. A pro-rata split shall be made for those permits, which are based on water from both a Jurisdiction's Allocation and the District Reserve, or two or more Jurisdictions, which may participate, in a joint project.
7. Process. The General Manager shall review each application, and if he determines the application to be incomplete, he shall request the applicant to submit additional information. When the application is complete, the General Manager (or the Board of Directors for those applications not acted upon by the General Manager) shall:
 - a. Classify any proposed connection as "Residential, Commercial/ Governmental, or Industrial" as defined in these rules. If such proposed connection cannot be adequately categorized pursuant to existing data, the General Manager or the Board of Directors by exercise of discretion may require additional information, or define such connection as either residential, commercial/governmental, or industrial based upon connection. Determination of connection categorization by the General Manager may be appealed pursuant to Rule 70.
 - b. For each application, which proposes to use potable water the General Manager or the Board of Directors shall determine whether or not, an alternate supply of water, including sub-potable water, is reasonably

available to that applicant. Facts to support this decision may be derived from existing data, or from a scope of work required of the applicant. The decision regarding reasonable availability of sub-potable water shall conform to the findings set forth in Rule 131. The burden of establishing the non-availability of any alternate water supply, including sub-potable supplies, shall rest with the applicant.

- c. Each permit may have conditions placed upon the use of water allowed by that connection in accord with Subdivision C of this rule. Conditions may be devised to minimize non-essential uses of potable water.
- d. After each connection is categorized, the non-availability of alternate supplies has been determined, and appropriate conditions have been drafted, and when the General Manager is authorized to act on the application pursuant to Subdivision A of this rule, the General Manager shall issue the permit within thirty (30) days.
- e. When the General Manager is not authorized to act on an application, or when the General Manager does not act within thirty (30) days, action on the application shall be referred to the Board of Directors for action in accord with this subdivision.

D. CONDITIONS AND CONDITIONAL WATER PERMITS

The Board, or the General Manager on those applications acted upon by the General Manager, may place conditions upon the grant of any expansion/extension permit. For any permit, which would allow the use of potable water for greenbelt irrigation, the following condition shall be imposed:

1. The holder of this permit, or the holder's successor in interest, shall not use water derived from this connection to irrigate any greenbelt the Monterey Peninsula Water Management District has declared by resolution that sub-potable water as defined by the District's Rules and Regulations is reasonably available for such use.
2. A category of water permits known, as Conditional Water Permits shall be available to a limited group of water permit applicants under restricted circumstances and only with the jurisdiction's endorsement. A Conditional Water Permit creates a record that specifically quantifies the increment of water assigned for use at the location designated by the jurisdiction and debits the jurisdiction's water allocation. Conditional Water Permits are available to those projects that are unable to meet all of the criteria of Rule 23-A-1 (a) and meet the requirements of Rule 23-D-2.
 - A. The following categories of projects may obtain a Conditional Water Permit:

1. Large Projects - Commercial projects with a projected water demand of over one acre-foot annually.
 2. Government Projects - Projects owned and operated, or financed by a governmental agency.
 3. Projects with Complex Financial Underwriting - Determined at the discretion of the Board of Directors.
- B. The Conditional Water Permit may be issued when the following criteria have been met:
1. There is no water supply emergency;
 2. There is sufficient water supply in the jurisdiction's allocation;
 3. The governing body of a jurisdiction submits a written request that a Conditional Water Permit be issued to a project;
 4. A completed Water Release Form for the project is submitted which includes the authorizing signature of the jurisdiction to debit its water allocation;
 5. Payment of all connection charges and processing fees has been received by the District.
- C. A Conditional Water Permit must be finally approved by the General Manager, following review of the proposed conditions by the District's legal counsel. The notarized signature of the project applicant is required before the General Manager's signature is obtained.
- D. A Conditional Water Permit shall be numbered with the next sequential alpha and numeric number beginning with C-001, C-002, and etcetera. A final water permit bearing the final water permit number referenced in the conditional water permit shall be maintained, unsigned in the District's file. An amount of water approved for use by the jurisdiction for the project will be debited from the jurisdiction's water allocation at the time the conditional water permit is issued.
- E. A Conditional Water Permit does not allow the setting of any water meter or the start of any new or expanded water use until the conditions of the permit have been met.
- F. A condition shall be included in all Conditional Permits, which requires the adjustment of the connection charge to accurately reflect the cost-per-acre-foot at the time the final water permit is issued. Any difference in the connection charge between the time the Conditional Water Permit is

issued and the final Water Permit is issued must be paid in full.

- G. Each Conditional Water Permit is time limited. The Conditional Water Permit shall expire on December 31st of the year following issuance.
- H. A written request for extension of the Conditional Water Permit may be requested and shall require Board authorization for extension. Requests for extension must be received no later than forty-five (45) days prior to expiration and must include an explanation for the request and the jurisdiction's agreement that the Board should grant an extension.

E. VERIFICATION OF WATER USE CAPACITY

To implement Regulation II, the General Manager or his agent acting in accord with the provisions of Section 363 of the District Law may enter on to any property for purposes consistent with this Regulation II and for the purpose of making investigations relating to water use capacity at that site. For such purposes, the authorized representative of the District, upon presentation of credentials and with permission of the occupant, or if necessary under the circumstances, after obtaining an inspection warrant pursuant to Title 13 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure, shall have the right of entry to any premises to verify and inspect the water use capacity and type of water use fixtures within that structure.

If access is denied which prevents inspection of water fixtures or fixture retrofit construction required by a District permit, or if permit violations have been noted by have not been corrected within a reasonable period, the District may record a notice of violation against that property, impose a lien against that property for additional fees and charges which may be due, and/or may revoke (or suspend) the permit for that property until such time as the violation has been corrected.

Rule amended by Ordinance No. 1 (2/11/80); Ordinance No. 2 (3/11/80); Ordinance No. 3 (7/11/80); Ordinance No. 5 (4/13/81); Ordinance No. 6 (5/11/81); Ordinance No. 7 (7/13/81); Ordinance No. 8 (1/14/81); Ordinance No. 9 (2/14/83); Ordinance No. 11 (11/14/83); Ordinance No. 16 (8/13/84); Ordinance No. 26 (9/8/86); Ordinance No. 40 (4/10/89); Ordinance No. 44 (10/9/89); Ordinance No. 60 (6/15/92); Ordinance No. 64 (10/5/92); Ordinance No. 71 (12/20/93); Ordinance No. 77 (8/21/95); Ordinance No. 115 (05/17/2004)