

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 as indicated, including the definitions set forth in Rules 23.5 and 42. The definition of a word applies to any of its variants (i.e. singular, plural, abbreviated, etc.).

ABANDONED WELL - An “Abandoned Well” is a Well that has produced no (zero) water for one year or more, unless the owner demonstrates the intent to use the Well again for supplying water by meeting the requirements to be considered an “Inactive Well” in compliance with Monterey County regulations, and California state law (California Well Standards).

Added by Ordinance No. 122 (8/15/2005); amended by Ordinance No. 145 (9/20/2010)

ABATEMENT ORDER - “Abatement Order” shall mean an order issued by a Hearing Officer at the conclusion of a hearing on a cease & desist or public nuisance violation. An Abatement Order may be issued in conjunction with an Administrative Compliance Order.

Added by Ordinance No. 133 (5/19/2008)

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 and constructed (or a Well that was completed prior to year 1973), and has produced any quantity of water within a Water Year (October 1 through September 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); amended by Ordinance No. 122 (8/15/2005); Ordinance No. 125 (9/18/2006)

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)

ADJUSTED WATER USE CAPACITY – “Adjusted Water Use Capacity” shall mean a Project’s anticipated maximum annual water demand in Acre-Feet including any reductions caused by Water Use Credits or other On-Site credits.

Added by Ordinance No. 125 (9/18/2006)

ADMINISTRATIVE CITATION – “Administrative Citation” shall mean a written notice of violation of District Rules and Regulations which are minor or transient in nature. Examples of violations may include water waste, water rationing, permit condition and minor or non-recurring violations. Administrative Citations are in addition to all other legal remedies, criminal or civil, which may be pursued by the Water Management District.

Added by Ordinance No. 133 (5/19/2008)

ADMINISTRATIVE COMPLIANCE ORDER – “Administrative Compliance Order” shall mean a written order issued by the General Manager directing any Person responsible for serious, continuing or recurring violations to take affirmative action to remedy consequences of those violations. Administrative Compliance Orders are in addition to all other legal remedies, criminal or civil, which may be pursued by the Water Management District. An Administrative Compliance Order may be issued in conjunction with a Cease & Desist Order.

Added by Ordinance No. 133 (5/19/2008)

ADMINISTRATIVE ORDER – “Administrative Order” shall mean an order issued by a Hearing Officer at the conclusion of a hearing on a violation.

Added by Ordinance No. 133 (5/19/2008)

AF – “AF” shall be the abbreviation for the term “Acre-Foot.”

Added by Ordinance No. 125 (9/18/2006)

AFA – “AFA” shall be the abbreviation of “Acre-Feet Annually”, a measurement of average annual water use in Acre-Feet.

Added by Ordinance No. 125 (9/18/2006)

AFFORDABLE HOUSING - “Affordable Housing” shall mean and refer to housing that is affordable to Low or Moderate Income Households. Affordable Housing is housing that can be rented or purchased by persons in the following income ranges, utilizing not more than 30% of their total income for housing:

Low Income – Individuals or families who earn up to 80% of the median income of individuals or families living in Monterey County.

Moderate Income – Individuals or families who earn more than 80% and up to 120% of the median income of individuals or families living in Monterey County.

Added by Ordinance No. 25 (7/14/86); amended by Ordinance No. 72 (03/21/94); Ordinance No. 128 (6/18/2007)

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)

ALTERNATIVE WATER SOURCES -- “Alternative Water Sources” shall mean sources of Subpotable Water (e.g., Recycled Water, rainwater, stormwater, Graywater, process water, condensate water, blow-down water, Groundwater, etc.).

Added by Ordinance No. 151 (11/19/2012)

AMEND A WATER DISTRIBUTION SYSTEM - “Amend a Water Distribution System” means altering the components, boundary, System Limits or other characteristics of a Water Distribution System pursuant to Rule 22.

Added by Ordinance No. 122 (8/15/2005)

APN - “APN” shall mean the Monterey County Assessor’s identification number for a specific property. The term “APN” shall have the same meaning as “Assessor’s Parcel Number.”

Added by Ordinance No. 128 (6/18/2007)

APPLICANT – “Applicant” shall mean the Person or Persons responsible for completing the requirements of an application. The “Applicant” is usually the property or business owner.

Added by Ordinance No. 125 (9/18/2006)

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)

ARCHITECTURAL DRAWINGS – “Architectural Drawings” shall mean a graphic representation of what is being built and shall include specifications to provide details not shown on the plans. Architectural Drawings shall be on paper, linen, or other accepted medium. “Architectural Drawings” shall have the same meaning as “Construction Plans.”

Added by Ordinance No. 125 (9/18/2006)

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)

ASSESSOR'S PARCEL NUMBER - "Assessor's Parcel Number" shall mean the Monterey County Assessor's identification number for a specific property. The term "Assessor's Parcel Number" shall have the same meaning as "APN".

Added by Ordinance No. 128 (6/18/2007)

ASSIGNMENT DOCUMENT - "Assignment Document" shall refer to a document recorded by a Water Entitlement Holder indicating the grant, assignment, and conveyance of a specific quantity of water from a Water Entitlement to a specific Site.

Added by Ordinance No. 128 (6/18/2007); amended by Ordinance No. 132 (1/24/2008); Ordinance No. 165 (8/17/2015)

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, not used as the primary Kitchen Sink. The term “Bar Sink” shall have the same meaning as “Entertainment Sink” and “Vegetable Sink.”

Added by Ordinance No. 111 (1/29/2004); amended by Ordinance No. 145 (9/20/2010)

BASE USE

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

BATHROOM – “Bathroom” shall mean a room containing a toilet and usually one or more sinks and a bathtub and/or shower.

Added by Ordinance No. 125 (9/18/2006)

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); amended by Ordinance No. 125 (9/18/2006)

BENEFITED PROPERTY – “Benefited Property” shall mean those properties eligible to receive a portion of a Water Entitlement.

Added by Ordinance No. 132 (1/24/2008); amended by Ordinance No. 165 (8/17/2015)

BEST MANAGEMENT PRACTICES (BMP) – “Best Management Practices (BMP)” or “BMP” shall mean a conservation measure or series of measures that is useful, proven, cost-effective, and generally accepted among conservation experts to reduce water consumption and protect water quality.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 141 (11/16/2009)

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)

BISHOP WATER DISTRIBUTION SYSTEM – “Bishop Water Distribution System” or “Bishop” shall mean the California American Water subsystem as described in the purchase agreement between Bishop Water Company and California American Water dated September 1, 1996.

Added by Ordinance No. 137 (12/8/2008)

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)

CALIFORNIA LANDSCAPE CONTRACTORS ASSOCIATION - “California Landscape Contractors Association” shall mean the California non-profit trade organization of licensed landscape and landscape-related contractors that was formally incorporated in 1952.

Added by Ordinance No. 156 (11/18/2013)

CAPACITY – “Capacity” shall mean the maximum potential water use which theoretically may occur, 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. “Capacity” shall have the same meaning as “Water Use Capacity.”

Added by Ordinance No. 71 (12/20/93); amended by Ordinance No. 125 (9/18/2006)

CAPACITY FEE – “Capacity Fee” shall mean a fee retained by the District in consideration of, and as reimbursement for the costs and expenses incurred by the District in planning for, acquiring, reserving, and maintaining capacity in the water distribution facilities existing or to be constructed within the District. The Capacity Fee is authorized by the District’s enabling legislation (West’s Water Code Appendix §118-308) and by California Government Code §66013(a) and was adopted and implemented by MPWMD Regulation II and validated by Monterey County Superior Court in Case No. M 15851. The term “Capacity Fee” shall have the same meaning as the term “Connection Charge.”

Added by Ordinance No. 157 (12/9/2013)

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 RIVER SYSTEM - “Carmel River System” shall mean water from the Carmel River and underlying alluvial aquifer.

Added by Ordinance No. 134 (8/18/2008)

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)

CARRYOVER STORAGE - “Carryover Storage” shall mean the volume of usable surface and Groundwater that is in storage at the end of the current Water Year and is projected to be available for use at the beginning of the following Water Year.

Added by Ordinance No. 169 (2/17/2016)

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)

CAWD/PBCSD WASTEWATER RECLAMATION PROJECT RECYCLED WATER USERS - “CAWD/PBCSD Wastewater Reclamation Project Water Users” shall mean those Users of the wastewater reclamation project undertaken by the Carmel Area Wastewater District and the Pebble Beach Community Services District that supplies Recycled Water to the Golf Courses and certain open space areas within Pebble Beach.

Added by Ordinance No. 169 (2/17/2016)

CCF - “CCF” (or one-hundred cubic feet) shall mean 748 gallons.

Added by Ordinance No. 169 (2/17/2016)

CEASE & DESIST ORDER – “Cease & Desist Order” shall mean an order issued by the General Manager prohibiting a Person from continuing a particular course of conduct. Cease & Desist Orders are in addition to all other legal remedies, criminal or civil, which may be pursued by the Water Management District. A Cease & Desist Order may be issued in conjunction with an Administrative Compliance Order.

Added by Ordinance No. 133 (5/19/2008)

CERTIFIED LANDSCAPE IRRIGATION AUDITOR - “Certified Landscape Irrigation Auditor” or “CLIA” shall mean an individual who has landscape Irrigation System audit training and experience; who has passed a certification examination administered by the Irrigation Association (IA); and who operates by the IA Code of Ethics.

Added by Ordinance No. 134 (8/18/2008)

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 August 13, 1987.

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

CHANGE OF USE - “Change of Use” means a Non-Residential change from one Group to another, as uses are categorized in Table No. 2 of Rule 24, or a change from Table 1 to Table 2 or vice versa. Change of Use as defined by the District may differ from a change in zoning or use as defined by a Jurisdiction.

Added by Ordinance No. 30 (7/13/87); amended by Ordinance No. 71 (12/20/93); Ordinance No. 156 (11/18/2013)

CISTERN – “Cistern” shall mean an artificial reservoir (e.g., an underground tank) for storing water (i.e. Groundwater or rainwater).

Added by Ordinance No. 125 (9/18/2006)

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)

CLOTHES WASHER -- “Clothes Washer” shall mean an appliance for washing clothing or other textiles.

Added by Ordinance No. 140 (11/16/2009)

COMMERCIAL HIGH EFFICIENCY CLOTHES WASHER -- “Commercial High Efficiency Clothes Washer (or Commercial HEW)” shall mean a Clothes Washer with a Water Factor of 5.0 or less that is manufactured for Commercial or Industrial Uses.

Added by Ordinance No. 149 (9/19/2011)

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)

COMMON LAUNDRY ROOM – “Common Laundry Room” shall mean a room where one or more Clothes Washers are located and available for use by all occupants of a Multi-Family Residential Site.

Added by Ordinance No. 144 (8/19/2010)

COMPLETION OF A WATER DISTRIBUTION SYSTEM – “Completion of a Water Distribution System” 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(s), and approval of construction, when required by law or ordinance.

Added by Ordinance No. 71 (12/20/93); amended by Ordinance No. 122 (8/15/2005)

COMPLETION OF A WELL - “Completion of a Well” shall mean the completion of a water Well pursuant to a Monterey County Health Department Division of Environmental Health Water Well Construction Permit, and the date of completion shall correspond to the “Date Work Finished” as shown on the State of California Division of Water Resources Well Completion Report.

Added by Ordinance No. 3 (7/11/80); amended by Ordinance No. 122 (8/15/2005); Ordinance No. 124 (7/17/2006)

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.

Added by Ordinance No. 77 (8/21/95); amended by Ordinance No. 125 (9/18/2006)

CONDITIONED SPACE - “Conditioned Space” shall mean an enclosed space within a building where there is intentional control of the space thermal conditions within defined limits using natural, electrical, or mechanical means. Spaces that do not have heating or cooling systems but rely on natural or mechanical flow of thermal energy from adjacent spaces to maintain thermal conditions within defined limits are considered conditioned spaces. Examples include restrooms that use exhaust fans to draw in conditioned air to maintain thermal conditions and atria that rely on natural convection flow to maintain thermal conditions.

Added by Ordinance No. 164 (4/20/2015)

CONFIRMATION OF EXEMPTION - “Confirmation of Exemption” shall mean a written approval by staff of the Monterey Peninsula Water Management District based on an application package which complies with Rules 20 and 21.

Added by Ordinance No. 128 (6/18/2007); amended by Ordinance No. 160 (4/21/2014)

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, 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 Operator shall not be deemed a Connection. Each new Connection, based upon projected quantity of water use, shall be categorized as either “Residential” or “Non-Residential.”

Added by 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. 8 (1/14/81); Ordinance No. 24 (11/11/84); Ordinance No. 26 (9/8/86); Ordinance No. 125 (9/18/2006); Ordinance No. 161 (7/21/2014)

CONNECTION CHARGE – “Connection Charge” shall mean a fee retained by the District in consideration of, and as reimbursement for the costs and expenses incurred by the District in planning for, acquiring, reserving, and maintaining capacity in the water distribution facilities existing or to be constructed within the District. The Connection Charge is authorized by the District’s enabling legislation (West’s Water Code Appendix §118-308) and by California Government Code §66013(a) and was adopted and implemented by MPWMD Regulation II and validated by Monterey County Superior Court in Case No. M 15851. The term “Connection Charge” shall have the same meaning as the term “Capacity Fee.”

Added by Ordinance No. 125 (9/18/2006); amended by Ordinance No. 157 (12/9/2013)

CONSERVATION RATES - “Conservation Rates” shall mean the increase in the water rates for all customers at levels of either 25 percent (Level 1 Conservation Rates) or 40 percent (Level 2 Conservation Rates). Conservation Rates do not apply to Residential Tier 1 water use.

Added by Ordinance No. 169 (2/17/2016)

CONSORTIUM FOR ENERGY EFFICIENCY -- “Consortium for Energy Efficiency” (CEE) shall refer to the nonprofit public benefits corporation that develops initiatives for its North American members to promote the manufacture and purchase of energy-efficient products and services. CEE members include utilities, statewide and regional market transformation administrators, environmental groups, research organizations and state energy offices in the U.S. and Canada. Also contributing to the collaborative process are CEE partners - manufacturers, retailers and government agencies. The U.S. Department of Energy and Environmental Protection Agency both provide support through active participation as well as funding.

Added by Ordinance No. 140 (11/16/2009)

CONSTRUCTION PLANS – “Construction Plans” shall mean a graphic representation of what is being built and shall include specifications to provide details not shown on the plans. Construction Plans shall be on paper, linen, or other accepted medium. “Construction Plans” shall have the same meaning as “Architectural Drawings.”

Added by Ordinance No. 125 (9/18/2006)

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)

CONVEYOR CAR WASH - “Conveyor Car Wash” shall mean a commercial car wash where the vehicle moves on a conveyor belt during the wash and the driver of the vehicle can remain in, or wait outside of, the vehicle.

Added by Ordinance No. 169 (2/17/2016)

COOLING TOWER --”Cooling Tower” shall mean a heat rejection device which regulates temperature by dissipating heat from recirculating water used to cool chillers, air-conditioning equipment, or other process equipment. Heat is rejected from the tower primarily through evaporation. The generic term “Cooling Tower” is used to describe both direct (open circuit) and indirect (closed circuit) heat rejection equipment.

Added by Ordinance No. 141 (11/16/2009)

COOLING TOWER CONDUCTIVITY CONTROLLER -- “Cooling Tower Conductivity Controller” shall mean a device to measure the conductivity or Total Dissolved Solids (TDS) of water in a cooling system that controls incoming feed and outgoing bleed or discharge water in cooling systems.

Added by Ordinance No. 140 (11/16/2009)

COOLING TOWER CONDUCTIVITY/pH CONTROLLER -- “Cooling Tower Conductivity/pH Controller” shall mean a device that controls both the conductivity or or Total Dissolved Solids (TDS) and pH of water in a cooling system and controls incoming feed and outgoing bleed or discharge water to maximize efficiency.

Added by Ordinance No. 140 (11/16/2009); amended by Ordinance No. 144 (8/19/2010)

CONVEYOR CAR WASH - “Conveyor Car Wash” shall mean a commercial car wash where the vehicle moves on a conveyor belt during the wash and the driver of the vehicle can remain in, or wait outside of, the vehicle.

Added by Ordinance No. 169 (2/17/2016)

CREATE A WATER DISTRIBUTION SYSTEM - “Create a Water Distribution System” means the construction and operation of a Water Distribution System pursuant to Rule 20.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 3 (7/11/80), Ordinance No. 6 (5/11/81); Ordinance No. 122 (8/15/2005)

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)

DAY CARE CENTER -- “Day Care Center” means any Non-Residential facility of any capacity, other than Family Child Care, in which the primary purpose is to provide non-medical care and supervision in a group setting for less than 24-hours per day. Care may include personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. This definition does not include educational facilities and is not limited to child care.

Added by Ordinance No. 125 (9/18/2006)

DAY SPA -- “Day Spa” shall mean an establishment that provides basic services such as manicures, massages, facials, tanning services, waxes, and other “dry” services. Other “wet” services that may be available in a spa establishment may include hydrotherapy treatments, including vichy showers, multiple showerheads, body spray jets, etc. Other water treatments, scrubs, mud treatments, wraps, and baths are also provided.

Added by Ordinance No. 141 (11/16/2009)

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)

DRY VACUUM PUMP – “Dry Vacuum Pump” shall mean a vacuum pump that creates vacuum without the use of water as a sealant by using parts which are machined with extremely close tolerances.

Added by Ordinance No. 144 (8/19/2010)

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)

DUAL SYSTEM – “Dual System” shall mean a water supply that is provided from two separate sources of water.

Added by Ordinance No. 125 (9/18/2006)

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); amended by Ordinance No. 128 (6/18/2007); Ordinance No. 134 (8/18/2008)

EMERGENCY RATES

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 134 (8/18/2008); deleted by Ordinance No. 169 (2/17/2016)

ENFORCEMENT OFFICER – “Enforcement Officer” shall mean an employee or agent of the Water Management District with the authority to enforce any provision of the District Rules and Regulations.

Added by Ordinance No. 133 (5/19/2008)

ENTERTAINMENT SINK - “Entertainment Sink” shall mean a secondary water basin, not used as the primary Kitchen Sink. The term “Entertainment Sink” shall have the same meaning as “Bar Sink” and “Vegetable Sink.”

Added by Ordinance No. 111 (1/29/2004); amended by Ordinance No. 145 (9/20/2010)

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

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

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); Ordinance No. 6 (5/11/81)

ESTIMATED ANNUAL WATER USE CAPACITY – “Estimated Annual Water Use Capacity” shall mean an amount of water projected to satisfy the maximum annual water demand for a specific type of use.

Added by Ordinance No. 125 (9/18/2006)

ESTIMATED ANNUAL WATER USE CAPACITY ADJUSTMENT – “Estimated Annual Water Use Capacity Adjustment” shall mean the final calculation of Estimated Annual Water Use Capacity that occurs following a final inspection for a Water Permit.

Added by Ordinance No. 125 (9/18/2006)

ESTIMATED APPLIED WATER - “Estimated Applied Water” shall mean a projection of the amount of water that should be supplied to a Landscape by the Irrigation System, as measured by a water meter. For new or existing Sites, Estimated Applied Water can be calculated using estimates for plant water use, effective rainfall (if desired), and Irrigation System efficiency.

Added by Ordinance No. 119 (3/21/2005)

ESTIMATED TOTAL WATER USE (ETWU) – “Estimated Total Water Use” is determined based upon the area of Landscaping and the types of plant material used in the Landscaping (as determined by Water Use Classification of Landscape Species (WUCOLS) classifications). The sum of the ETWU calculated for all hydrozones shall not exceed MAWA.

Added by Ordinance No. 145 (9/20/2010)

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)

EVAPOTRANSPIRATION ADJUSTMENT FACTOR or ET ADJUSTMENT FACTOR -- “Evapotranspiration Adjustment Factor” or “ET Adjustment Factor” (ETAF) shall mean a factor of 0.7, that, when applied to reference Evapotranspiration, adjusts for

plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the Landscape. A combined plant mix with a site-wide average of 0.5 is the basis of the plant factor portion of this calculation. For purposes of the ETAF, the average irrigation efficiency is 0.71. Therefore, the ET Adjustment Factor is $(0.7) = (0.5/0.71)$. ETAF for a special Landscape Area as defined in the Model Water Efficient Landscape Ordinance shall not exceed 1.0. ETAF for existing non-rehabilitated Landscapes is 0.8.

Added by Ordinance No. 145 (9/20/2010)

EVEN NUMBERED PROPERTY

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

EXCESSIVE USE RATES

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 134 (8/18/2008)

EXISTING NON-RESIDENTIAL USE – “Existing Non-Residential Use” shall mean a Non-Residential water use that predates the District’s Water Permit requirements enacted in March 1985.

Added by Ordinance No. 125 (9/18/2006)

EXISTING STRUCTURE - “Existing Structure” shall mean any structure built and available for use or occupancy prior to December 11, 1987.

Added by Ordinance No. 30 (7/13/87); amended by Ordinance No. 71 (12/20/93); Ordinance No. 128 (6/18/2007)

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.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 3 (7/11/80); Ordinance No. 8 (1/14/81); Ordinance No. 125 (9/18/2006)

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)

EXTERIOR WATER DEMAND CALCULATION – “Exterior Water Demand Calculation” shall mean the amount of water projected to be available and subject to use for exterior purposes (i.e. irrigation, window washing, etc.)

Added by Ordinance No. 125 (9/18/2006)

EXTERIOR RESTAURANT SEAT - “Exterior Restaurant Seat” shall mean a dining/bar seat used by a Restaurant that is located in an area that is in or exposed to the open air outside the Restaurant building or structure.

Added by Ordinance No. 164 (4/20/2015)

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)

FAMILY CHILD CARE – “Family Child Care” shall mean a Non-Residential use of a Residential home to care for more than eight children. Family Child Care shall require a Water Permit when a state-mandated day care permit is required from the Office of Social Services.

Added by Ordinance No. 125 (9/18/2006)

FAST FOOD RESTAURANT - “Fast Food Restaurant” shall mean a restaurant that prepares and provides food quickly through a drive-through system or while you wait at the counter. Menu choices typically focus on hand-held food offerings prepared in quantity by a standard method, where a significant amount of the food is intended to be consumed off-site and is served in disposable packaging.

Added by Ordinance No. 164 (4/20/2015)

FLAGRANT VIOLATION - “Flagrant Violation” means any willful or wanton disregard of the 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 or Operator of a Well, Water-Gathering Facility or Water Distribution System.

Added by Ordinance No. 7 (7/13/81); amended by Ordinance No. 128 (6/18/2007)

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)

FORMER FORT ORD LANDS WITHIN MPWMD – “Former Fort Ord Lands within MPWMD” shall mean that area within both the boundary of MPWMD (legal description found in West’s California Water Code Appendix, Section 118-1 *et seq.*, as

amended) and the boundary of the Former Fort Ord (legal description found in Fort Ord Reuse Plan or other document authorized by the Fort Ord Reuse Authority.) Detailed Geographic Information System maps of this area showing affected Parcels are available at the District office.

Added by Ordinance No. 124 (7/17/2006)

FRACTURED ROCK – “Fractured Rock” (sometimes referred to as “fractured bedrock,” “hard rock” or “consolidated rock”) refers to water-bearing formations with generally limited production and reliability as compared to the less consolidated mixture of sand, gravel, silt and clay that characterize fluvial (river-related) strata. Groundwater occurrence and movement within Fractured Rock formations are primarily controlled by the “secondary porosity” associated with the fracture openings, as compared to the “primary porosity” associated with the pore spaces between grains in the granular matrix of fluvial sediments. In the context of Water Distribution Systems regulated by MPWMD, “Fractured Rock” refers to non-fluvial source water located outside of the Carmel Valley Alluvial Aquifer or the Seaside Groundwater Basin. For applications where the water source is unclear, the General Manager shall determine whether the water source is Fractured Rock, based on Well drilling logs and other available hydrogeologic data pertinent to the application.

Added by Ordinance No. 145 (9/20/2010)

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)

GOVERNMENTAL – “Governmental” shall mean related to government, and shall include local, state and federal government, and public agencies.

Added by Ordinance No. 125 (9/18/2006)

GOVERNMENTAL USE – “Governmental Use” shall mean water used by a public entity. The term “Governmental Use” shall be given the same meaning as the term “Public Authority Use”.

Added by Ordinance No. 125 (9/18/2006)

GRAYWATER -- “Graywater” shall mean untreated waste water which has not come into contact with toilet waste. Graywater includes used water from bathtubs, showers, Bathroom Washbasins, clothes washing machines and laundry tubs. It does not include waste water from Kitchen Sinks and Dishwashers, photo lab sinks, or laundry water from soiled diapers. “Graywater” shall have the same meaning as “Greywater.”

Added by Ordinance No. 141 (11/16/2009)

GRAYWATER IRRIGATION SYSTEM – “Graywater Irrigation System” shall be an onsite wastewater treatment system designed to collect Graywater and transport it out of the structure for distribution in an Irrigation System.

Added by Ordinance No. 144 (8/19/2010)

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)

GROUNDWATER - “Groundwater” 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)

HEARING OFFICER – “Hearing Officer” shall mean a seated Director of the MPWMD selected by rotation to conduct an administrative hearing.

Added by Ordinance No. 133 (5/19/2008)

HIDDEN HILLS SYSTEM – “Hidden Hills System” shall mean the California American Water subsystem as described in the purchase agreement between Carmel Valley Mutual Water Company and California American Water recorded July 8, 1994, Document #49389, Reel 3125, Page 696.

Added by Ordinance No. 135 (9/22/2008); amended by Ordinance No.137 (12/8/2008)

HIGH EFFICIENCY APPLIANCE CREDIT -- “High Efficiency Appliance Credit” shall mean a Water Use Credit granted for the installation of water efficient appliances in Residential uses.

Added by Ordinance No. 140 (11/16/2009)

HIGH EFFICIENCY CLOTHES WASHER - “High Efficiency Clothes Washer (or HEW)” shall mean a Clothes Washer with a Water Factor of 5.0 or less.

Added by Ordinance No. 110 (9/30/2003); amended by Ordinance No. 140 (11/16/2009)

HIGH EFFICIENCY COMMERCIAL DISHWASHER -- “High Efficiency Commercial Dishwasher” shall mean a commercial Dishwasher that meets or exceeds the High Efficiency Specifications for Commercial Dishwashers as determined by the Consortium for Energy Efficiency (CEE) and as listed on the CEE website.

Added by Ordinance No. 141 (11/16/2009)

HIGH EFFICIENCY CONNECTIONLESS FOOD STEAMER – “High Efficiency Connectionless Food Steamer” shall mean a sealed cooking appliance that uses steam as the primary mode of heating. High Efficiency Connectionless Food Steamers shall have Energy Star certification.

Added by Ordinance No. 144 (8/19/2010)

HIGH EFFICIENCY DISHWASHER - “High Efficiency Dishwasher” shall mean a Dishwasher designed to use a maximum of 5.8 gallons per cycle. A High Efficiency Dishwasher shall have Energy Star certification.

Added by Ordinance No. 110 (9/30/2003); amended by Ordinance No. 140 (11/16/2009)

HIGH EFFICIENCY TOILET (HET) – “High Efficiency Toilet” or “HET” shall mean a toilet that is designed to flush at 20 percent below a 1.6-gallons-per-flush Ultra-Low Flush Toilet. A High Efficiency Toilet shall have a maximum average flush of 1.3 gallons.

Added by Ordinance No. 127 (1/25/2007); amended by Ordinance No. 140 (11/16/2009)

HIGH EFFICIENCY URINAL -- “High Efficiency Urinal” shall mean a Urinal designed to flush with a maximum of 0.5 gallon per flush.

Added by Ordinance No. 140 (11/16/2009)

HOT WATER DEMAND PUMPING SYSTEM

Added by Ordinance No. 110 (9/30/2003); amended by Ordinance No. 111 (1/29/2004); Ordinance No. 125 (9/18/2006); deleted by Ordinance No. 129 (8/20/2007)

HOUSEHOLD - “Household” shall mean all of the people who occupy a housing unit. A housing unit is a house, an apartment, a mobile home, a group of rooms, or a single room occupied (or if vacant, intended for occupancy) as separate living quarters. Separate living quarters are those in which the occupants live separately from any other people in the building and that have direct access from the outside of the building or through a common hall.

Added by Ordinance No. 169 (2/17/2016)

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)

INACTIVE WELL - An “Inactive Well” is a Well that has produced no (zero) water for one year or more, and the owner has demonstrated the intent to use the Well again for supplying water by meeting the requirements to be considered an “Inactive Well” in compliance with Monterey County regulations, and California state law (California Well Standards). In addition, in order for a Well to be considered “inactive” by MPWMD, the annual production report must be submitted confirming the inactive status, and a proper amended Well registration form showing the inactive status must be filed with the District.

Added by Ordinance No. 122 (8/15/2005); amended by Ordinance No. 145 (9/20/2010)

IN-BAY CAR WASH - “In-Bay Car Wash” shall mean a commercial car wash where the driver pulls into a bay, parks the car, and the vehicle remains stationary while either a machine moves over the vehicle to clean it or one or more employees of the car wash clean the vehicle, instead of the vehicle moving through a tunnel.

Added by Ordinance No. 169 (2/17/2016)

INDUSTRIAL USE – “Industrial Use” shall mean water uses associated with industrial premises devoted primarily to, but not limited to factories, refineries, bottling plants, and commercial laundries.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 125 (9/18/2006)

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 evidenced 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 of 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 of 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); Ordinance No. 80 (11/20/95)

INTERIOR RESTAURANT SEAT - “Interior Restaurant Seat” shall mean a dining/bar seat used by a Restaurant that is located inside a building or that is in a Conditioned Space.

Added by Ordinance No. 164 (4/20/2015)

INTERRUPTION - “Interruption” shall mean an interruption for longer than 12 hours in the supply of Recycled Water to a Recycled Water Irrigation Area.

Added by Ordinance No. 169 (2/17/2016)

IRRIGATION ASSOCIATION - “Irrigation Association” shall mean the non-profit entity located at 6540 Arlington Boulevard, Falls Church, VA 22042-6638 USA, its successors and assigns. The Irrigation Association provides technical information related to irrigation services and offers professional training and certification to irrigation technicians in the public and private sectors.

Added by Ordinance No. 119 (3/21/2005)

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 primary large water basin or multiple interconnected basins located in a room or part of a room that contains a built-in cooking appliance(s).

Added by Ordinance No. 111 (1/29/2004); amended by Ordinance No. 125 (9/18/2006); Ordinance No. 145 (9/20/2010)

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 AREA -- “Landscape Area” means all the planting areas, turf areas, and water features in a Landscape plan subject to the Maximum Applied Water Allowance calculation. The Landscape Area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing Native Vegetation).

Added by Ordinance No. 145 (9/20/2010)

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 certified by the Irrigation Association or the California Landscape Contractors Association to perform Landscape Water Audits and prepare Landscape Water Budgets.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 156 (11/18/2013)

LANDSCAPE WATER AUDIT – “Landscape Water Audit” shall mean an action taken by a Landscape Irrigation Auditor to determine reasonable outdoor water use.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 156 (11/18/2013)

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 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); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 156 (11/18/2013)

LANDSCAPING – “Landscaping” shall mean the arrangement of plants and other materials that may result in outdoor water use.

Added by Ordinance No. 125 (9/18/2006)

LARGE BATHTUB - “Large Bathtub” shall be any bathtub or whirlpool 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. A Large Bathtub may have a single Showerhead that sprays into the bathtub.

Added by Ordinance No. 80 (11/20/95); amended by Ordinance No. 125 (9/18/2006)

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

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 137 (12/8/2008); deleted by Ordinance No. 169 (2/17/2016)

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)

LAWN -- “Lawn” shall mean an area of land planted with live, healthy grass which is regularly maintained, irrigated and groomed at a low, even height.

Added by Ordinance No. 140 (11/16/2009)

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)

LEVEL 1 (CATEGORICAL) PERMIT

Added by Ordinance No. 122 (8/15/2005); deleted by Ordinance No. 160 (4/21/2014)

LEVEL 2 (ADMINISTRATIVE) PERMIT

Added by Ordinance No. 122 (8/15/2005); deleted by Ordinance No. 160 (4/21/2014)

LEVEL 3 PERMIT (HEARING OFFICER REVIEW)

Added by Ordinance No. 122 (8/15/2005); deleted by Ordinance No. 160 (4/21/2014)

LEVEL 4 PERMIT (MPWMD BOARD HEARING)

Added by Ordinance No. 122 (8/15/2005); deleted by Ordinance No. 160 (4/21/2014)

LEVEL 1 WDS PERMIT (BASIC, NON-MPWRS) – “Level 1 WDS Permit (Basic, Non-MPWRS)” shall mean a discretionary Permit for a Water Distribution System or Mobile Water Distribution System located outside of the Monterey Peninsula Water Resource System that does not meet the exemption criteria in Rule 20, but does qualify for a Permit to be issued without System Limits as a condition of approval, consistent with the criteria specified in Rules 21, 22 and 173, and the associated Implementation Guidelines specified in those rules.

Added by Ordinance No. 160 (4/21/2014)

LEVEL 2 WDS PERMIT (BASIC SEASIDE BASIN)– “Level 2 WDS Permit (Basic Seaside Basin)” shall mean a discretionary Permit for a Water Distribution System or Mobile Water Distribution System located within the Seaside Groundwater Basin that does not meet the exemption criteria in Rule 20, but does qualify for a Permit to be issued with System Limits consistent with production triggers in the Seaside Basin Adjudication Final Decision (March 2006 as amended), and consistent with the criteria specified in Rules 21, 22 and 173, and the associated Implementation Guidelines specified in those rules. Examples include a Multiple-Parcel Connection System that produces less than 5.0 Acre-Feet per year, or a Single-Parcel Connection System that produces 5.0 Acre-Feet per year or greater, if such production is specified in the Adjudication Decision.

Added by Ordinance No. 160 (4/21/2014)

LEVEL 3 WDS PERMIT (PROJECT-SPECIFIC LIMITS IN MPWRS/OTHER) – “Level 3 WDS Permit (Project-Specific Limits in MPWRS/Other)” shall mean a discretionary Permit for a Water Distribution System or Mobile Water Distribution System located within the Monterey Peninsula Water Resource System, or a system located outside of the Monterey Peninsula Water Resource System that does not meet the exemption criteria in Rule 20, and does not meet the criteria for a Level 1 or Level 2 Permit in Rules 21, 22 and 173, and the associated Implementation Guidelines specified in those rules. The Level 3 Permit is issued with System Limits as a condition of approval, and other restrictions as necessary to protect the MPWRS. Examples include: any water system that extracts water from the Carmel Valley Alluvial Aquifer; a multiple-Parcel system in the Seaside Groundwater Basin that produces more than 5.0 Acre-Feet per year that is not specified in the Adjudication Decision; and major water projects such as a dam, desalination plant or reclamation facility that requires an Environmental Impact Report.

Added by Ordinance No. 160 (4/21/2014)

LOW-INCOME HOUSEHOLD - “Low-Income Household” shall mean those individuals or group of individuals living together as one household, who earn up to 80% of the median income of individuals or families living in Monterey County. The term “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); amended by Ordinance No. 128 (6/18/2007)

LOW-INCOME HOUSING - “Low-Income Housing” shall mean housing that is affordable to households with incomes at or below 80 percent of the Monterey County median income adjusted for household size.

Added by Ordinance No. 72 (03/21/94); amended by Ordinance No. 128 (6/18/2007)

LOW WATER USE PLUMBING FIXTURES - “Low Water Use Plumbing Fixtures” shall refer to the water efficiency standards set forth in Regulation XIV, Water Conservation.

Added by Ordinance No. 30 (7/13/87); amended by Ordinance No. 71 (12/20/94); Ordinance No. 111 (1/29/2004); Ordinance No. 129 (8/20/2007); Ordinance No. 141 (11/16/2009)

MAIN CALIFORNIA AMERICAN WATER SYSTEM – “Main California American Water System” shall mean the California American Water’s Water Distribution System that derives its Source of Supply from the Carmel River System and the Seaside Coastal Subareas of the Seaside Groundwater Basin.

Added by Ordinance No. 125 (9/18/2006); amended by Ordinance No. 137 (12/8/2008)

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)

MASTER METER – “Master Meter” shall mean a single water meter that supplies water to more than one Water User.

Added by Ordinance No. 125 (9/18/2006)

MAXIMUM APPLIED WATER ALLOWANCE – “Maximum Applied Water Allowance” shall mean the upper limit of annual applied water for the established Landscape Area. It is based upon the area’s reference Evapotranspiration, the ET Adjustment Factor, and the size of the Landscape Area. The Maximum Applied Water Allowance shall be calculated using the equation: $MAWA = (ET_0) (0.62) [(0.7 \times LA) + (0.3 \times SLA)]$. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with Recycled Water are subject to the MAWA with an ET Adjustment Factor not to exceed 1.0.

Added by Ordinance No. 119 (3/21/2005); amended by Ordinance No. 145 (9/20/2010)

MAY - “May” is permissive.

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

MEASURABLE PRECIPITATION - “Measureable Precipitation” shall mean rainfall of 0.1 inch or more.

Added by Ordinance No. 169 (2/17/2016)

METER SPLIT - “Meter Split” shall mean the authorized installation of individual Water Measuring Devices for more than one Water User on a Site that is, at the time of application, supplied by one existing Connection.

Added by Ordinance No. 156 (11/18/2013)

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)

MINIMUM DAILY WATER RATION - “Minimum Daily Water Ration” shall mean a Water Ration of 90 gallons per Household.

Added by Ordinance No. 169 (2/17/2016)

MIXED USE – “Mixed Use” shall mean water used for domestic or other uses from any Water Distribution System or private Well where one water meter or Connection supplies both Residential and Non-Residential uses, often within the same building.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 125 (9/18/2006); Ordinance No. 137 (12/8/2008)

MOBILE WATER DISTRIBUTION SYSTEM - “Mobile Water Distribution System” means any Potable or Sub-potable Water delivery that originates at a location apart from the Site of use and that is delivered via a truck or other movable container. This definition includes, but is not limited to, trucked water. 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); Ordinance No. 137 (12/8/2008)

MODEL WATER EFFICIENT LANDSCAPE ORDINANCE – “Model Water Efficient Landscape Ordinance” shall refer to the California Code of Regulations, Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7. Model Water Efficient Landscape Ordinance.

Added by Ordinance No. 145 (9/20/2010)

MODERATE INCOME HOUSEHOLD - “Moderate Income Household” shall mean those individuals or group of individuals living together as one household, who earn more than 80% and up to 120% of the median income of individuals or families living in Monterey County. “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); Ordinance No. 128 (6/18/2007)

MODERATE INCOME HOUSING – “Moderate Income Housing” shall mean housing that is affordable to households with incomes above 80 percent and up to 120 percent of the Monterey County median income adjusted for household size.

Added by Ordinance No. 128 (6/18/2007)

MONITOR WELL – “Monitor Well” shall mean a water Well to monitor Groundwater level and/or Groundwater quality. The Owners or Operators of any formerly Active Well that is to be converted to a Monitor Well shall properly register the Well by filing forms provided by the District, including an amended Water Well Registration form. Water shall not be produced from a Monitor Well without written permission from the District. Exceptions to this restriction shall be allowed for production to collect water quality samples in accordance with standard sample collection protocol. Short-term emergency use from a Monitor Well may be allowed, but only with written consent from the District.

Added by Ordinance No. 124 (7/17/2006)

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (DISTRICT) - “Monterey Peninsula Water Management District” (“District”) is a public agency created by the California State Legislature in 1977 and approved by the voters on June 6, 1978. The enabling legislation is found at West’s California Water Code, Appendix Chapters 118-1 to 118-901.

Added by Ordinance No. 169 (2/17/2016)

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” (“MPWRS”) shall mean the surface water in the Carmel River and its tributaries, Groundwater in the Carmel Valley Alluvial Aquifer which underlies the Carmel River, and Groundwater in the Seaside Groundwater Basin.

The District shall maintain a current list of Water Distribution Systems within the Monterey Peninsula Water Resource System.

Added by Ordinance No. 47 (1/22/90); amended by Ordinance No. 80 (11/20/95); Ordinance No. 92 (1/28/99); Ordinance No. 135 (9/22/2008)

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 HOUSEHOLD - “Multi-Family Household” shall mean the Ration for two or more Dwelling Units receiving water from a Master Meter.

Added by Ordinance No. 169 (2/17/2016)

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 inside the District.

Added by Ordinance No. 1 (2/11/80); modified by Stats. 1997, c.85 (S.B. 342).

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)

NEIGHBORING WELL -- “Neighboring Well” means any Well within 1,000 feet of a Well owned by the Applicant for a Water Distribution System Permit if the Applicant’s Well is located outside of the Carmel Valley Alluvial Aquifer, or within 300 feet of the Applicant’s Well if located within the Carmel Valley Alluvial Aquifer.

Added by Ordinance No. 150 (5/21/2012)

NEW CONSTRUCTION - “New Construction” means any construction of a previously non-existent structure requiring a discretionary or ministerial permit. “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); amended by Ordinance No. 125 (9/18/2006)

NEW STRUCTURE – “New Structure” shall mean construction or replacement of a structure or use that requires a Water Permit.

Added by Ordinance No. 125 (9/18/2006)

NON-ESSENTIAL WATER USE - “Non-Essential Water Use” shall mean uses of water that are acceptable during times of normal water availability, as long as proper procedures to maximize efficiency are followed. However, when water is in short supply, Non-Essential Water Uses must be curtailed to preserve limited water resources for essential uses. Non-Essential Water Uses do not have health or safety impacts, are not required by regulation, and are not required to meet the core functions of a Non-Residential use.

Added by Ordinance No. 61 (7/20/92); amended by Ordinance No. 89 (7/21/97); Ordinance No. 92 (1/28/99); Ordinance No. 145 (9/20/2010); Ordinance No. 169 (2/17/2016)

NON-RESIDENTIAL – “Non-Residential” shall mean water uses not associated with Residential use. These uses include Commercial, Industrial, Public Authority, Golf Course, Other Use, Non-Revenue Metered Use, and Reclaimed Water.

Added by Ordinance No. 125 (9/18/2006)

NON-REVENUE WATER – “Non-Revenue Water” shall mean those components of system input volume that are not billed and produce no revenue; equal to unbilled authorized consumption, plus apparent losses, plus real losses.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 169 (2/17/2016)

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 Groundwater 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)

ON-SITE – “On-Site” shall mean located on the same Site.

Added by Ordinance No. 125 (9/18/2006)

OPEN SPACE -- “Open Space” shall mean public land area left in an un-built state as defined in the California Government Code, Section 65560. Open Space includes plazas, parks, and cemeteries.

Added by Ordinance No. 151 (11/19/2012)

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 California American Water as a customer classification.

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

OVERDRAFT - “Overdraft” means the condition of a Groundwater 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 Groundwater 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) which have identical owners, 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); amended by Ordinance No. 125 (9/18/2006)

PERMANENT ABANDONMENT OF CAPACITY – “Permanent Abandonment of Capacity” shall mean a permanent reduction in water demand resulting from abandonment of use or other permanent retrofits.

Added by Ordinance No. 125 (9/18/2006)

PERMANENT ABANDONMENT OF USE – “Permanent Abandonment of Use” shall mean the permanent removal of a use, including removal of all plumbing formerly serving the abandoned use.

Added by Ordinance No. 125 (9/18/2006)

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.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 169 (2/17/2016)

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”.

Added by Ordinance No. 125 (9/18/2006)

PERMIT REVIEW LEVEL - “Permit Review Level” refers to the type of administrative process for a Water Distribution System application; MPWMD staff determines whether the application should be processed as Level 1, Level 2, or Level 3 as defined in Rule 11.

Added by Ordinance No. 122 (8/15/2005); amended by Ordinance No. 162 (8/18/2014)

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); Ordinance No. 60 (6/15/92)

PINT URINAL -- “Pint Urinal” shall mean a Urinal designed and manufactured with a maximum of one pint (0.125 gallons per flush) of water.

Added by Ordinance No. 140 (11/16/2009)

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)

POTABLE – “Potable” shall mean water that is suitable for drinking.

Added by Ordinance No. 125 (9/18/2006)

PRESSURE REGULATING DEVICE - “Pressure Regulating Device” shall mean a water pressure reducing device installed in the water line after the Water Meter that automatically reduces the pressure from the water supply main to a lower pressure.

Added by Ordinance No. 169 (2/17/2016)

PRIMARY RESIDENCE

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

PROJECT - A “Project” is an activity subject to the California Environmental Quality Act (CEQA). The District adopts the definition of “Project” as defined by CEQA Guidelines Sections 15002(d) and 15378.

Added by Ordinance No. 122 (8/15/2005)

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. The term “Public Authority Use” shall be given the same meaning as the term “Governmental Use”.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 125 (9/18/2006)

PUBLIC NUISANCE – “Public Nuisance” shall mean the maintenance or use of water or property in the Water Management District in a manner that jeopardizes or endangers the health, safety or welfare of Persons on the property or in the surrounding area.

Added by Ordinance No. 133 (5/19/2008)

PUBLIC SCHOOL DISTRICT - “Public School District” shall be defined as a local government responsible to provide educational services and support to children in both primary and secondary education levels. Within MPWMD, the Carmel Unified School District, Monterey Peninsula Unified School District, and Pacific Grove Unified School District meet this definition.

Added by Ordinance No. 162 (8/18/2014)

PUBLIC SCHOOL DISTRICT SITE - “Public School District Site” shall mean all facilities and properties owned by a single Public School District that are located within the MPWMD and that are supplied water by California American Water.

Added by Ordinance No. 162 (8/18/2014)

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 water account maintained by the District to track Non-Residential commercial and industrial water credits that have been transferred to a Jurisdiction and to track Public Water Credits allowed by Ordinance No. 75 and No. 91. Water used from this account shall not be assessed a Connection Charge by the District.

Added by Ordinance No. 91 (6/15/98); amended by Ordinance No. 125 (9/18/2006)

PUMPING TEST - “Pumping Test” means an experimental pumping of a Well to determine yield of that Well.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 125 (9/18/2006)

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)

RAINWATER HARVESTING CAPACITY – “Rainwater Harvesting Capacity” shall mean the volume of storage (expressed in fixture units (Residential) or Acre-Feet (Non-Residential) that contains useable rainwater captured from a rooftop(s) at a Site during a “below average” Water Year. The useable rainwater supply shall be calculated as 60 percent of the average annual rainfall for the Site as determined by MPWMD with a capture rate of 0.623 gallons of rainwater per square foot of catchment area per inch of rainfall times a runoff coefficient of 0.851. In no circumstance shall the Rainwater Harvesting Capacity exceed the amount of useable rainwater supply.

Added by Ordinance No. 145 (9/20/2010)

RATIONING YEAR - “Rationing Year” shall mean a one year period beginning on the date water rationing is declared.

Added by Ordinance No. 134 (8/18/2008)

REACTIVATE A WELL - A Reactivated Well is an Inactive Well for which a proper amended Water Well Registration form has been filed with the District to enable reporting of production as an Active Well.

Added by Ordinance No. 96 (3/19/2001); amended by Ordinance No. 122 (8/15/2005)

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)

REBATE PROGRAM – “Rebate Program” shall mean a program co-funded by the District and California American Water that provides economic incentives for the installation of Ultra-Low Consumption Technology.

Added by Ordinance No. 129 (8/20/2007)

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 Sub-potable Source of Supply such as wastewater treated to the tertiary level.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 153 (6/19/2012)

RECYCLED WATER IRRIGATION AREAS - “Recycled Water Irrigation Areas” shall mean the golf courses and other vegetated areas located within the Del Monte Forest that are being irrigated with Recycled Water.

Added by Ordinance No. 169 (2/17/2016)

REDEVELOPMENT PROJECT - “Redevelopment Project” shall mean any undertaking in accord with the rescinded Community Redevelopment Law, formerly found at California Health and Safety Code, section 33000, et seq. This term shall be given the same meaning as the term “Redevelopment Project” set forth in section 33010 of that Code.

Added by Ordinance No. 121 (8/15/2005); amended by Ordinance No. 155 (3/18/2013)

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 AVERAGE METHODOLOGY – “Regional Average Methodology” shall mean the use of local historical water records and measurements for similar types of water Users to establish appropriate indicators or factors for Non-Residential water uses.

Added by Ordinance No. 125 (9/18/2006)

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 Work 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. Proper registration means the Owner of the Well that is being Replaced must file an amended Water Well Registration form if the old Well is to be converted to a Monitor Well, and must file a completed form provided by the District indicating that no water will be produced from the Monitor Well without written permission from the District.

Added by Ordinance No. 96 (3/19/2001); amended by Ordinance No. 122 (8/15/2005); Ordinance No. 124 (7/17/2006)

REQUIRED CONSERVATION MEASURES - “Required Conservation Measures”

- a. Flush sewers with Sub-potable or Reclaimed Water except in cases of emergency.
- b. New Construction: Plumbing fixtures must be at least as efficient as 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 Hot Water Systems; 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.
- c. Projects that result in added water fixtures or expansion of more than 25 percent of the existing square-footage, and all Non-Residential Changes of Use, shall meet the Required Conservation Measures for New Construction with the exception of retrofitting to Drip Irrigation and Instant-Access Hot Water Systems.

Added by Ordinance No. 61 (7/20/92; amended by Ordinance No. 125 (9/18/2006)

RESIDENCY AFFIDAVIT - “Residency Affidavit” shall mean a document attesting to the number of Permanent Residents in a Household.

Added by Ordinance No. 169 (2/17/2016)

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.

RESPONSIBLE PARTY –“Responsible Party” shall mean 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 2016 Monterey Peninsula Water Conservation and 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); Ordinance No. 169 (2/17/2016)

RESTAURANT - “Restaurant” shall mean premises where patrons order, sit, and eat a meal that is prepared and served and that is not a private residence. The defining characteristic of full-service Restaurants as categorized by the District as a “Group III Restaurant” is the use of china, glassware, or other reusable materials to serve the food/beverage(s). This definition of Group III Restaurant use shall also apply to bars/brew pubs, and to cafeterias and Restaurants at institutional facilities that serve on china, glassware, or other reusable materials.

Added by Ordinance No. 164 (4/20/2015)

RETROFIT CREDIT

Added by Ordinance No. 74 (2/23/95); amended by Ordinance No. 90 (6/29/98); deleted by Ordinance No. 125 (9/18/2006)

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 California American Water pursuant to the agreement with the District in accord with Rule 123 A.

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)

ROTATING SPRINKLER NOZZLE -- "Rotating Sprinkler Nozzle" shall mean a multi-trajectory, revolving stream spray head that applies Irrigation System water at a slower rate and more uniformly than conventional sprays.

Added by Ordinance No. 140 (11/16/2009)

RYAN RANCH WATER DISTRIBUTION SYSTEM – “Ryan Ranch Water Distribution System” or “Ryan Ranch” shall mean the California American Water subsystem as described in the purchase agreement between Neuville Co. N.V. (a Delaware Corporation) and California American Water dated April 30, 1990.

Added by Ordinance No. 137 (12/8/2008)

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

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

SAND CITY DESALINATION FACILITY – “Sand City Desalination Facility” means and consists of a municipally owned 300 acre-foot per annum reverse osmosis desalination plant which treats water from the shallow, brackish Aromas Sands Formation, extraction and injection wells, pumps, water mixing equipment, and additional pipeline to convey product water to the California American Water pipelines.

Added by Ordinance No. 132 (1/24/2008)

SAND CITY SITES – “Sand City Sites” means those properties located within the jurisdictional limits of the City of Sand City that also lie within the Service Area for the CAW System as recognized in 2007 by the District and the California Public Utilities Commission. The parcel of land identified as APN 011-501-014 is not within the area defined by the term “Sand City Sites” and shall not constitute a “Benefited Property” under these Rules.

Added by Ordinance No. 132 (1/24/2008)

SATELLITE SYSTEMS

Added by Ordinance No. 135 (9/22/2008); deleted by Ordinance No. 137 (12/8/2008)

SEASIDE BASIN ADJUDICATION DECISION - “Seaside Basin Adjudication Decision” or “Seaside Decision” shall mean the March 27, 2006 court adjudication, as amended, determining water rights in the Seaside Groundwater Basin that restrict California American Water production from the Coastal Subareas and Laguna Seca Subarea of the basin.

Added by Ordinance No. 134 (8/18/2008)

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 Groundwater 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)

SEASIDE WATERMASTER – “Seaside Watermaster” shall mean either (a) the court appointed Seaside Basin Watermaster Board pursuant to Section III-L of the Decision rendered for Monterey County Superior Court Case No. M66343 (California American Water vs. City of Seaside, et al.) dated March 22, 2006, as it may be amended from time to time; or (b) the Superior Court, when issuing any order in California American Water vs. City of Seaside, et al.

Added by Ordinance No. 137 (12/8/2008)

SENSITIVE ENVIRONMENTAL RECEPTOR (SER) - A “Sensitive Environmental Receptor (SER)” shall mean any one of the following areas or locations: (1) the Carmel Valley Alluvial Aquifer (alluvium) as delineated by the State Water Resources Control Board (SWRCB) in Order WR 95-10 as modified by Order 98-04, and as shown on maps at the District office; (2) all tributaries to the Carmel River within the District boundary that are not within the Ventana Wilderness, including Cachagua, Pine, San Clemente, Tularcitos, Hitchcock Canyon, Garzas, Robinson Canyon and Potrero Creeks; (3) the Seaside Groundwater Basin as delineated by MPWMD, and as shown on maps at the District office; (4) the Pacific Ocean as delineated by the mean high tide line; or (5) other sensitive locations as designated by Resolution of the MPWMD Board of Directors. The Pacific Ocean is included as a potential indicator of seawater intrusion; the ocean itself is not a SER.

Added by Ordinance No. 122 (8/15/2005); amended by Ordinance No. 160 (4/21/2014)

SENSOR-BASED IRRIGATION CONTROLLER – “Sensor-Based Irrigation Controller” shall mean a Smart Controller designed to use real-time measurements of one or more locally measured factors to adjust irrigation timing. The factors typically considered include: temperature, rainfall, humidity, solar radiation, and soil moisture. A Sensor-Based Irrigation Controller often has historic weather information (i.e. an ET curve) for the site location programmed into memory and then uses the sensor information to modify the expected irrigation requirement for the day.

Added by Ordinance No. 129 (8/20/2007)

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, with the exception of one hand-held Showerhead that operates on a diverter that shifts no less than 100 percent of the flow to the hand-held Showerhead when the diverter is engaged.

Added by Ordinance No. 111 (1/29/2004); amended by Ordinance No. 153 (6/19/2012)

SHOWER STALL - “Shower 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); amended by Ordinance No. 156 (11/18/2013)

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 or flows on the bather.

Added by Ordinance No. 111 (1/29/2004); amended by Ordinance No. 153 (6/19/2012)

SIGNAL-BASED IRRIGATION CONTROLLER – “Signal-Based Irrigation Controller” shall mean a signal-based Smart Controller that receives a regular signal of prevailing weather conditions via radio, telephone, cable, cellular, web, or pager technology. The signal typically comes from a local weather station (or series of weather stations) and usually updates the current Evapotranspiration rate to the controller.

Added by Ordinance No. 129 (8/20/2007)

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-PARCEL CONNECTION SYSTEM – “Single-Parcel Connection System” shall mean a Water Distribution System providing water to one or more buildings or structures or providing water for irrigation purposes on one individual Legal Parcel. The Well(s) or other Water Gathering Facility must be located on, overlying and serving the same individual Legal Parcel. If the single Parcel is subdivided into two or more separate Parcels, the Water Distribution System is now considered to be a Multiple-Parcel 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, and has been registered, metered, inspected and 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); Ordinance No. 125 (9/18/2006); Ordinance No. 160 (4/21/2014)

SINGLE PASS COOLING SYSTEM -- “Single Pass Cooling System” shall mean a single pass of water to cool equipment discharging the resultant warm water to the sanitary sewer. This type of system is also known as a “once through cooling system.”

Added by Ordinance No. 141 (11/16/2009)

SINGLE RESIDENTIAL HOUSEHOLD - “Single Residential Household” shall mean a Household that receives its water supply through a Water Meter that is not shared with other Households.

Added by Ordinance No. 169 (2/17/2016)

SITE - “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) which have identical owners, 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); amended by Ordinance No. 121 (8/15/2005)

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)

SMART CONTROLLER – “Smart Controller” shall mean a weather-based device (typically a “timer”) that automatically controls an outdoor Irrigation System. Smart Controllers use weather, site or soil moisture data as a basis for determining an appropriate watering schedule. Smart Controllers (commonly referred to as ET controllers, weather-based irrigation controllers, smart sprinkler controllers, and water smart controllers) are a new generation of irrigation controllers that utilize prevailing weather conditions, current and historic Evapotranspiration, soil moisture levels, and other relevant factors to adapt water applications to meet the actual needs of the plants.

Added by Ordinance No. 129 (8/20/2007)

SOIL MOISTURE SENSOR – “Soil Moisture Sensor” shall mean a device used to measure soil moisture content, triggering a Smart Controller to water only when moisture levels recede to a level below that required to sustain Landscaping.

Added by Ordinance No. 129 (8/20/2007)

SOURCE OF SUPPLY - “Source of Supply” means the Groundwater, 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 Groundwater 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)

SPECIAL CIRCUMSTANCES – “Special Circumstances” shall mean (1) a list of specific circumstances shown in Rule 24-E where the General Manager may adjust the anticipated water demand calculation for a Water Permit, or (2) unusual, uncommon, peculiar, unique or rare situations that require Board consideration.

Added by Ordinance No. 125 (9/18/2006)

SPECIAL CIRCUMSTANCES REVIEW FORM – “Special Circumstances Review Form” shall refer to a form provided by the District to facilitate annual water use reporting as required by a condition of approval.

Added by Ordinance No. 125 (9/18/2006)

SPECIAL CIRCUMSTANCES WITH SUBSTANTIAL UNCERTAINTY – “Special Circumstances with Substantial Uncertainty” shall mean Projects that are so unusual that neither the application of the regional average nor use of actual undisputed quantitative documentation would provide a reliable forecast of the Project’s consumption Capacity. Such a Project must be unique or have such an unusual location, design or clientele that none of the surveyed commercial categories enumerated in Rule 24 represents a comparable type of use, or there is no quantitative documentation that is available and beyond dispute.

Added by Ordinance No. 125 (9/18/2006)

STAGE 1 WATER CONSERVATION

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

STAGE 2 WATER CONSERVATION

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

STAGE 3 WATER CONSERVATION

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

STAGE 4 WATER RATIONING

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

STAGE 5 WATER RATIONING

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

STAGE 6 WATER RATIONING

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

STAGE 7 WATER RATIONING

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

STANDARD BATHTUB - “Standard Bathtub” shall mean a tub for bathing that holds no more than 55 gallons of water to the overflow drain. A Standard Bathtub may have a single Showerhead that sprays into the bathtub. 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); amended by Ordinance No. 125 (9/18/2006)

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 Well” means the continuous production capacity of a Well as determined from a Pumping Test.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 125 (9/18/2006)

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

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

SYNTHETIC TURF -- “Synthetic Turf” shall mean a grass-like permeable surface covering that replicates lush natural grass in appearance and function.

Added by Ordinance No. 140 (11/16/2009)

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 (12/13/2004)

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)

TEMPORARY EXTERIOR RESTAURANT SEAT - “Temporary Exterior Restaurant Seat” shall mean a dining/bar seat that is located in an area that is in or exposed to the open air outside the Restaurant building or structure and that is temporary in nature (i.e., for a single event or temporary use).

Added by Ordinance No. 164 (4/20/2015)

TEMPORARY STRUCTURE – “Temporary Structure” shall mean a structure that is erected to be temporary in nature, usually without a permanent foundation or permanent plumbing.

Added by Ordinance No. 164 (4/20/2015)

TEMPORARY WATER PERMIT – “Temporary Water Permit” shall mean a Water Permit that provides a short-term authorization to use water for a specific project on a specific Site.

Added by Ordinance No. 125 (9/18/2006)

TENANT IMPROVEMENT – “Tenant Improvement” shall mean Remodeling or altering a space within an existing Non-Residential building to facilitate use of the building.

Added by Ordinance No. 125 (9/18/2006)

TOTAL STORAGE AVAILABLE - “Total Storage Available” shall mean the usable water as measured by the District on May 1 in any year that is contained in the Carmel Valley Alluvial Aquifer plus usable water in the Seaside Groundwater Basin and the usable water in the Los Padres Reservoir.

Added by Ordinance No. 169 (2/17/2016)

TOTAL STORAGE REQUIRED - “Total Storage Required” shall mean the combination of demand remaining from May 1 to September 30 and carryover storage for the next Water Year that is required to meet the following Water Year production limit for California American Water from Carmel River sources set by State Water Resources Control Board Order WR 2009-0060, plus the production limit for California American Water from the Seaside Groundwater Basin set by the Court in its March 27, 2006 Seaside Basin Adjudication Decision and the production limit specified for non-California American

Water Users from the Monterey Peninsula Water Resource System set in the District's Water Allocation Program.

Added by Ordinance No. 169 (2/17/2016)

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 HIGH EFFICIENCY TOILET – "Ultra High Efficiency Toilet" or "UHET" shall mean a toilet that is designed and manufactured to flush with a maximum of 0.8 gallon of water and that is labeled by the U.S. Environmental Protection Agency's WaterSense program.

Added by Ordinance No. 144 (8/19/2010); amended by Ordinance No. 153 (6/19/12)

ULTRA-LOW CONSUMPTION APPLIANCE CREDIT

Added by Ordinance No. 125 (9/18/2006); changed to High Efficiency Appliance Credity by Ordinance No. 140 (11/16/2009)

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); changed to High Efficiency Dishwasher by Ordinance No. 140 (11/16/2009); reinstated by Ordinance No. 145 (9/20/2010)

ULTRA-LOW CONSUMPTION TECHNOLOGY – "Ultra-Low Consumption Technology" shall mean technology specifically designed to permanently and mechanically reduce water use below conventional levels.

Added by Ordinance No. 125 (9/18/2006)

ULTRA-LOW CONSUMPTION WASHING MACHINE -- "Ultra-Low Consumption Washing Machine" shall mean a Clothes Washer designed to use a maximum of 28 gallons during every complete cycle.

Added by Ordinance No. 110 (9/30/2003); changed to High Efficiency Clothes Washer by Ordinance No. 140 (11/16/2009); reinstated by Ordinance No. 145 (9/20/2010)

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)

UNACCOUNTED FOR WATER USES – “Unaccounted For Water Uses” shall mean the difference between what is recorded at the production meter(s) 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); amended by Ordinance No. 125 (9/18/2006)

UNDUE HARDSHIP – “Undue Hardship” shall mean a condition that exists when compliance with a rule, regulation or condition poses significant difficulty when considered in light of unique circumstances related to the application.

Added by Ordinance No. 125 (9/18/2006)

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. Urinal shall refer to both the bowl and the valve.

Added by Ordinance No. 111 (1/29/2004); amended by Ordinance No. 153 (6/19/2012)

USABLE SQUARE-FOOTAGE – “Usable Square-Footage” shall mean the floor area within the exclusive control of the tenant.

Added by Ordinance No. 125 (9/18/2006)

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.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 5 (4/13/81); Ordinance No. 44 (10/9/89); Ordinance No. 157 (12/9/2013)

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)

VACANT LOT – “Vacant Lot” shall mean an empty legal lot that has no historical water use that can be documented by the methods shown in Rule 25.5-I-2.

Added by Ordinance No. 125 (9/18/2006)

VEGETABLE SINK - “Vegetable Sink” shall mean a secondary water basin, not used as the primary Kitchen Sink. The term “Vegetable Sink” shall have the same meaning as “Bar Sink” and “Entertainment Sink.”

Added by Ordinance No. 111 (1/29/2004); amended by Ordinance No. 145 (9/20/2010)

VERY LOW INCOME HOUSEHOLD

Added by Ordinance No. 72 (03/21/94); Deleted by Ordinance No. 128 (6/18/2007)

VISITOR

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

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

Added by Ordinance No. 111 (1/29/2004); changed to Clothes Washer by Ordinance No. 140 (11/16/2009)

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

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 134 (8/18/2008); deleted by Ordinance No. 169 (2/17/2016)

WATER BROOM -- “Water Broom” shall mean a water efficient broom-like cleaning device that uses a combination of water and air to clean hard surfaces with no runoff.

Added by Ordinance No. 140 (11/16/2009)

WATER CREDIT – “Water Credit” shall mean a record allowing reuse of a specific quantity of water upon a specific Site. A Water Credit differs from a Water Use Credit in that it is not characterized by a Permanent Abandonment of Use, but may be the result of a temporary cessation of use.

Added by Ordinance No. 125 (9/18/2006)

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 EFFICIENT ICE MACHINE -- “Water Efficient Ice Machine” shall mean a commercial ice machine that meets or exceeds Energy Star standards for air-cooled ice machines.

Added by Ordinance No. 140 (11/16/2009)

WATER EFFICIENT PRE-RINSE SPRAY VALVE -- “Water Efficient Pre-Rinse Spray Valve” shall mean a handheld device that uses a spray of water to remove food waste from dishes prior to cleaning in a commercial Dishwasher and that has a cleaning time of 26 seconds or less at 1.6 gallons per minute (at 60 psi). Pre-rinse spray valves consist of a spray nozzle, a squeeze lever that controls the water flow, and a dish guard bumper. Models may include a spray handle clip, allowing the user to lock the lever in the full spray position for continual use. Pre-rinse spray valves are usually placed at the entrance to a commercial Dishwasher and can also be located over a sink, in conjunction with a faucet fixture.

Added by Ordinance No. 141 (11/16/2009)

WATER ENTITLEMENT – “Water Entitlement” shall mean a discrete quantity of water designated by a District ordinance to a specified Water Entitlement Holder for new or Intensified Water Use on one or more Parcels.

Added by Ordinance No. 125 (9/18/2006); amended by Ordinance No. 165 (8/17/2015)

WATER ENTITLEMENT HOLDER -- “Water Entitlement Holder” shall refer to one of the following entities: The Pebble Beach Company (Ordinance Nos. 39 and 109), Hester Hyde Griffin Trust (Ordinance No. 39), J. Lohr Properties Inc. (Ordinance No. 39), the City of Sand City (Ordinance No. 132), Cypress Pacific Investors LLC (Water Distribution System Permit approved September 15, 2014), Malpaso Water Company LLC (Ordinance No. 165), D.B.O. Development No. 30, a California Limited Liability Company (Ordinance No. 166), and the City of Pacific Grove (Ordinance No. 168).

Added by Ordinance No. 165 (8/17/2015); amended by Ordinance No. 166 (12/14/2015); Ordinance No. 168 (1/27/2016)

WATER FACTOR -- “Water Factor” shall mean a rating of water efficiency established by the U.S. Environmental Protection Agency and the U.S. Department of Energy through the Energy Star program. The Water Factor is the number of gallons per cycle per cubic foot that the Clothes Washer uses. The lower the Water Factor, the more efficient the washer is. So, if a Clothes Washer uses 30 gallons per cycle and has a tub volume of 3.0 cubic

feet, then the Water Factor is 10.0.

Added by Ordinance No. 140 (11/16/2009); amended by Ordinance No. 141 (11/16/2009)

WATER-GATHERING FACILITY - “Water-Gathering Facility” means any device or method, mechanical or otherwise, for the production of water from dams, Groundwater, 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)

WATERLESS URINAL

Added by Ordinance No. 92 (1/28/99) ; Deleted by Ordinance No. 127 (1/25/07)

WATER-MEASURING DEVICE - “Water-Measuring Device” means any water meter or other measuring device intended to measure water usage. The term “Water-Measuring Device” shall have the same meaning as the term “Water Meter.”

Added by Ordinance No. 1 (2/11/80); Ordinance No. 161 (7/21/2014)

WATER METER -- “Water Meter” means any measuring device intended to measure water usage. The term “Water Meter” shall have the same meaning as the term “Water-Measuring Device.”

Added by Ordinance No. 161 (7/21/2014)

WATER PERMIT – “Water Permit” shall mean a document issued by the MPWMD that authorizes a specific amount and type of water use on a Site.

Added by Ordinance No. 125 (9/18/2006)

WATER PERMIT APPROVAL STAMP – “Water Permit Approval Stamp” shall mean a seal of approval from the District that is affixed to the Construction Plans submitted to and reviewed by the District.

Added by Ordinance No. 125 (9/18/2006)

WATER RATION - “Water Ration” shall mean a specific amount of water available to each Water User during Stage 4 Water Rationing.

Added by Ordinance No. 134 (8/18/2008); amended by Ordinance No. 169 (2/17/2016)

WATER RATIONING CONTINGENCY

Added by Ordinance No. 92 (1/28/99); deleted by Ordinance No. 169 (2/17/2016)

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 pursuant to Regulation XV, The 2016 Monterey Peninsula Water Conservation and Rationing Plan, that a water shortage emergency condition prevails within one or more Water Distribution Systems.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 125 (9/18/2006); Ordinance No. 169 (2/17/2016)

WATER SUPPLY MANAGEMENT STRATEGY - “Water Supply Management Strategy” means a general plan for operating a Multi-Source Water Distribution 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, except in the California American Water Water Distribution System. In the California American Water Water Distribution System, a Water Unit shall equal 74.8 gallons of water.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 145 (9/20/2010)

WATER USE CAPACITY – “Water Use Capacity” shall mean the maximum potential water use which theoretically may occur, 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. “Water Use Capacity” shall have the same meaning as “Capacity.”

Added by Ordinance No. 125 (9/18/2006)

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 USE FACTOR – “Water Use Factor” shall mean a number assigned to one or more specific types of Non-Residential uses that when calculated together with a measurement related to the type of use will result in an estimated annual water demand.

Added by Ordinance No. 125 (9/18/2006)

WATER USE PERMIT -- “Water Use Permit” means a writing from MPWMD which evidences the dedication of all or a portion of a Water Entitlement as a present vested property right enuring to the use and benefit of one or more Benefited Properties. Water available through a Water Use Permt can be used to obtain a Water Permit.

Added by Ordinance No. 128 (6/18/2007); amended by Ordinance No. 132 (1/24/2008); Ordinance No. 165 (8/17/2015)

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 as defined in Rule 162.

Added by Ordinance No. 61 (7/20/92); amended by Ordinance No. 92 (1/28/99); Ordinance No. 122 (8/15/2005); Ordinance No. 134 (8/18/2008); Ordinance No. 145 (9/20/2010); Ordinance No. 162 (8/18/2014); Ordinance No. 169 (2/17/2016)

WATER YEAR - “Water Year” shall mean the period from October 1 of one year to September 30 of the succeeding year.

Added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 125 (9/18/2006)

WEATHER BASED IRRIGATION CONTROLLER -- “Weather Based Irrigation Controller” shall mean an Irrigation System controller that evaluates local weather conditions and Evapotranspiration (ET) rates to create a site-specific irrigation schedule.

Added by Ordinance No. 141 (11/16/2009)

WELL - “Well” means any device or method, mechanical or otherwise, for the production of water from Groundwater supplies within the District excluding seepage pits and natural springs.

Added by Ordinance No. 3 (7/11/80); amended by Ordinance No. 122 (8/15/2005)

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 available from the MPWMD.

Added by Ordinance No. 96 (3/19/2001); amended by Ordinance No. 125 (9/18/2006)

WELL SOURCE AND PUMPING IMPACT ASSESSMENT - “Well Source and Pumping Impact Assessment” refers to the hydrogeologic information described in Rule 21 that is required to be submitted as part of an application for a Water Distribution System Permit. The assessment goal is to determine whether the proposed Well or other facility (1) can provide reliable water quality and quantity to meet the proposed uses, and (2) would not adversely affect Sensitive Environmental Receptors, as defined in Rule 11, or existing Wells that are registered with the District and/or included in the District Well database at the time of the application.

Added by Ordinance No. 122 (8/15/2005)

WINE TASTING ROOM – “Wine Tasting Room” shall mean a location intended for use in association with an Alcoholic Beverage Control (ABC) Type 02 License with or without an ABC Type 20 License; or a location intended for use in association with an ABC Type 20 License with an ABC Type 41 License. A Wine Tasting Room may offer “limited food preparation” as defined by California Health and Safety Code Section 113818, but is neither a Restaurant nor a bar/brew pub because the primary use of the site is for tasting, consumption and retail sale of wine.

Added by Ordinance No. 164 (4/20/2015)

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)

ZERO WATER CONSUMPTION URINAL – “Zero Water Consumptin 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. 127 (1/25/2007)

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); 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); Ordinance No. 119 (3/21/2005); Ordinance No. 121 (8/15/2005); Ordinance No. 122 (8/15/2005); Ordinance No. 124 (7/17/2006); Ordinance No. 125 (9/18/2006); Ordinance No. 127 (1/25/2007); Ordinance No. 128 (6/18/2007); Ordinance No. 129 (8/20/2007); Ordinance No. 132 (1/24/2008); Ordinance No. 133 (5/19/2008); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); Ordinance No. 140 (11/16/2009); Ordinance No. 141 (11/16/2009); Ordinance No. 144 (8/19/2010); Ordinance No. 145 (9/20/2010); Ordinance No. 149 (9/19/2011); Ordinance No. 150 (5/21/2012); Ordinance No. 151 (11/19/2012); Ordinance No. 153 (6/19/2012); Ordinance No. 155 (3/18/2013); Ordinance No. 156 (11/18/2013); Ordinance No. 157 (12/9/2013); Ordinance No. 160 (4/21/2014); Ordinance No. 161 (7/21/2014); Ordinance No. 162 (8/18/2014); Ordinance No. 164 (4/20/2015); Ordinance No. 165 (8/17/2015); Ordinance No. 166 (12/14/2015); Ordinance No. 168 (1/27/2016); Ordinance No. 169 (2/17/2016).