

# **Part 1 GENERAL PROVISIONS**

## **Chapter 1 Adoption of Code**

### **Article 1 – General**

#### **1.1 Title**

This code shall be known as the "Central Basin Municipal Water District Administrative Code." It shall be sufficient to refer to this Code as the "Administrative Code" or "Code" in applying any provision hereof.

This Code consists of resolutions and ordinances of the Central Basin Municipal Water District, codified pursuant to the Municipal Water District Law of 1911, particularly Water Code Section 71267 and 71281, and Article 2 of the Chapter 1, Part 1 of Division 1 of Title 5 of the Government Code.

#### **1.2 Construction and Interpretation of Code**

This Code and all District ordinances and resolutions shall govern the administration of the District and questions regarding its interpretation shall be referred to the appropriate or designated officer of the District.

#### **1.3 Maintenance of Code**

At least two copies of this Code shall be maintained on file in the District office as the official copies of this Code. Additional copies of this Code shall be distributed to the Directors and Departments of the District as prescribed by the General Manager.

At least annually, the Secretary shall publish amendments to this Code, including notations as to the ordinance or resolution numbers and dates on which amendments were adopted.

The Code shall also be made available online in a format that can be accessed by the general public.

## **Chapter 2      Rules of Construction**

### **Article – 1 Rules**

#### **1.1      Scope**

Unless this Code or the context is contrary, the general provisions, rules of construction and definitions set forth in this chapter shall govern the construction of this Code.

#### **1.2      References to Code, Ordinances or Resolutions**

Whenever any reference is made to an ordinance or resolution, the reference is to an ordinance or resolution of this agency.

Whenever a reference is made to a portion of this Code, or to an ordinance or resolution, the reference shall apply to amendments and additions.

#### **1.3      Acts by Deputies**

Whenever a power is granted to or a duty is imposed upon an officer, the power may be exercised or the duty may be performed by a deputy, or employee authorized by the officer unless the statute, ordinance, resolution, or order of the Board expressly provides otherwise.

#### **1.4      Severability**

If any part of this Code is held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of this Code.

#### **1.5      Definitions**

For the purposes of this Code, unless otherwise apparent from context, certain words and phrases used in this Code are defined as follows:

- (a) “Auditor” refers to the Certified Public Accountancy firm engaged by the Board of Directors to perform the annual audit of the District’s financial activities.
- (b) “Board” refers to the Board of Directors of the Central Basin Municipal Water District.
- (c) “Cities that are water purveyors” means a general law or charter city, any portion of which is within the boundaries of the District and operates a Public Water System.

- (d) “Committees” refers to the Administration and Finance, Engineering and Operations, and Water Resources and Governmental Affairs standing committees of the District, including any newly created standing committee as approved by the Board, and shall also include any Ad Hoc committee(s) created by Board action or by the President of the Board. The description of the Committee functions are listed in Exhibit “D” attached hereto and incorporated herein.
- (e) “Department” refers to the District Administrative Services, Finance, Engineering and Operations, Water Resources, Human Resources, Information Technology, and External Affairs departments or such other departments as may be created and approved by the Board.
- (f) “Deputy Secretary” refers to the person appointed by the Board to act as Secretary, carrying out the duties and responsibilities of that office when the Secretary is unavailable.
- (g) “Deputy Treasurer” refers to the person appointed by the Board to act as Treasurer, carrying out the duties and responsibilities of that office when the Treasurer is unavailable.
- (h) “Director” refers to a member of the Board.
- (i) “District” refers to Central Basin Municipal Water District.
- (j) “Employee” refers to a District employee.
- (k) “General Counsel” refers to the attorney engaged by resolution or contract to advise the District on the requirements of the law.
- (l) “General Manager” refers to the General Manager of the District.
- (m) “Large Water Purveyor” means the operator of a Public Water System that is one of the top five purveyors of water as measured by the total number of acre-feet of potable and recycled water purchased from the District during the three prior fiscal years.
- (n) “Officer” refers to the President, Vice President, Secretary and Treasurer of the Board.
- (o) “President” refers to the President of the Board.
- (p) “Public Water System” means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year.

- (q) “Purveyor Workshop” means a meeting called by the District to which all Cities and Water Purveyors are invited.
- (r) “Quarterly” means the first three calendar months of a year or succeeding three-month periods.
- (s) “Relevant technical expertise” means employment or consulting for a total period of at least five years, prior to the date of first appointment, in one or more positions materially responsible for performing services relating to the management, operations, engineering, construction, financing, contracting, regulation, or resource management of a public water system.
- (t) “Secretary” refers to the Secretary of the Board.
- (u) “Senior Manager” refers either individually or collectively to the Department Managers: Director of Administration & Board Services, Finance Director, Engineering and Operations Manager, Director of Human Resources, Director of Technology, Director of External Affairs, Special Projects Manager – Engineering & Operations, and Water Resources Manager or such other Department Managers as may be created by action.
- (v) “Service Connections” means the number of active services last reported by the Water Purveyor on the Annual Report provided to the Division of Drinking Water of the California State Water Resources Control Board.
- (w) “Small Water Purveyor” means the operator of a Public Water System with fewer than 5,000 Service Connections.
- (x) “Treasurer” refers to the Treasurer of the Board.
- (y) “Vice President” refers to the Vice President of the Board.
- (z) “Water Purveyor” or “Purveyor” means an entity that operates a Public Water System.