

AGENDA

REGULAR MEETING

CITY COUNCIL & REDEVELOPMENT AGENCY CITY OF YUBA CITY

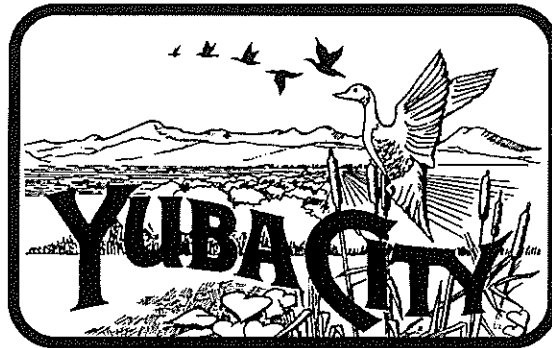
OCTOBER 20, 2009

CLOSED SESSION – 5:30 P.M. – BUTTE ROOM
REGULAR MEETING – 7:00 P.M. – COUNCIL CHAMBERS

LESLIE McBRIDE
Mayor

KASH GILL
Mayor Pro Tem

TEJ MAAN
Councilmember



JOHN DUKES
Councilmember

JOHN MILLER
Councilmember

STEVEN JEPSEN
City Manager

TIMOTHY HAYES
City Attorney

**Council Chambers Wheelchair Accessible
1201 Civic Center Blvd., Yuba City, CA**

If you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to assist you. Please contact City offices at 530/822-4601 at least 72 hours in advance so such aids or services can be arranged.

City Hall TDD: 530-822-4732

**AGENDA
REGULAR MEETING OF
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
Council Chambers
October 20, 2009
Closed Session 5:30 P.M.
Regular Meeting 7:00 P.M.**

Materials related to an item on this Agenda submitted to the Council/Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 1201 Civic Center Blvd., Yuba City, during normal business hours. Such documents are also available on the City of Yuba City's website at www.yubacity.net subject to staff's availability to post the documents before the meeting.

Closed Session 5:30 p.m.—Butte Room

Confer with legal counsel regarding anticipated litigation pursuant to Government Code Section 54956.9—one potential case.

Confer with real property negotiators Steven Jepsen and Steve Kroeger pursuant to Government Code Section 54956.8 regarding possible purchase of the following properties or portions thereof: APN 17-115-001, 59-530-002, 52-502-008, 52-401-008, and 53-220-017.

Confer with real property negotiators Steven Jepsen and Steve Kroeger pursuant to Government Code Section 54956.8 regarding possible sale of the following property or portions thereof: APN 52-380-017.

Confer with labor negotiators Steven Jepsen and Steve Kroeger regarding negotiations with the following associations: Yuba City Police Officers, Police Sergeants, Yuba City Firefighters Local 3793, Yuba City Fire Management, Confidential Employees, Executive Services Employees, First Level Managers, Mid Managers, and Yuba City Employees, pursuant to Section 54957.6 of the Government Code.

Regular Meeting 7:00 p.m.—Council Chambers

Call to Order

Roll Call: _____ Mayor McBride
 _____ Mayor Pro Tem Gill
 _____ Councilmember Dukes
 _____ Councilmember Maan
 _____ Councilmember Miller

Invocation

Pledge of Allegiance to the Flag

Presentations and Proclamations

1. **Sikh Parade Proclamation**

Public Hearings

2. **Water System Ordinance update**

Recommendation: a. Conduct a public hearing and introduce an Ordinance repealing Chapter 6 Title 6 and adding Chapter 6 Title 6 of

the Yuba City Municipal Code regarding the Water System, waive the first reading, and

- b. Direct staff to issue credit for all existing customers out of the City rate charges collected since August 2008.

Public Communication

You are welcome and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public comment on items not listed on the agenda will be heard at this time. Comments on controversial items may be limited and large groups are encouraged to select representatives to express the opinions of the group.

3. Written Requests

Members of the public submitting written requests, at least 24 hours prior to the meeting, will be normally allotted 5 minutes to speak.

4. Appearance of Interested Citizens

Members of the public may address the City Council on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements to 3 minutes.

Bid Openings

5. Five (5) Crown Victoria Police Interceptors (FB10-03)

Recommendation: Award the purchase of five (5) Ford Crown Victoria Police Interceptors to the low bidder, Hoblit Motors of Woodland, CA for \$123,703.15.

Ordinances

6. Prohibiting the use of Tobacco at all City Parks and within 50 feet of any public entrance into a City owned or leased facility

Recommendation: Introduce an ordinance amending Title 9 Chapter 2 – Prohibiting Tobacco Use in Gauche Park to include all City Parks and within 50 feet of any public entrance into a City owned or leased facility; and waive the first reading.

7. Rezone RZ 09-02 at 1100 Garden Highway to change the zoning from Industrial (M-2) to Heavy Commercial/Light Industrial (C-M) District; Owner/Applicant: John Ochipinti/Milan Investments, LLC.

Recommendation: Adopt an ordinance for approval of Rezone RZ 09-02 at 1100 Garden Highway to change the zoning from Industrial (M-2) to Heavy Commercial/Light Industrial (C-M) District, as shown on Exhibit A, and waive the second reading.

Consent Calendar

All matters listed under Consent Calendar are considered to be routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time that Council votes on the motion unless members of the City Council, staff or public request specific items to be discussed or removed from the Consent Calendar for individual action.

8. **City Council Approval of Minutes of October 6, 2009**
Recommendation: Approve the Council meeting minutes of October 6, 2009
9. **Weed Abatement (RFQ 10-01)**
Recommendation: Authorize the City Manager to amend the agreement with All Seasons Weed Control, Inc, of Yuba City, CA for additional weed abatement locations.
10. **Accept the Energy Efficiency and Conservation Block (EECBG) grant funds in the amount of \$574,700.00 and allocate the funds for the purchase and installation of solar photo voltaic panels at the Senior Center and Corporation Yard and for the purchase and installation of replacement HVAC units at various city facilities**
Recommendation: Authorize City Manager to accept and execute authorization of the expenditure of the Energy Efficiency and Conservation Block funds in the amount of \$574,700.00 for the purchase and installation of solar photo voltaic panels at the Senior Center and Corporation Yard and for the purchase and installation of replacement HVAC units at various city facilities.
11. **Queens Avenue and Gray Avenue Signal Project (Notice of Completion)**
Recommendation: Adopt a resolution accepting the subject project and authorizing the Public Works Director to file a Notice of Completion.

General Items

12. **Approval of a Resolution authorizing the Utilities Director to sign documents associated with the State Drinking Water State Revolving Fund loans for Groundwater Region 1 and Groundwater Region 2/3.**
Recommendation: Adopt Resolutions authorizing William P. Lewis, Utilities Director, to sign and submit all required documents associated with Groundwater Region 1 and Region 2/3 State Revolving Fund Loan and acceptance of loan terms.
13. **Voluntary Early Retirement Incentive Program**
Recommendation: Adopt a resolution approving a Voluntary Early Retirement Incentive Program effective November 1, 2009.
14. **Professional Services Agreement with Mercy Housing California for administration of the City's First Time Home Buyer and Housing Rehabilitation loan programs**
Recommendation: Authorize the City Manager to sign a Professional Services Agreement with Mercy Housing California, with the finding that it is in the best interest of the City.
15. **Potential development standards for vending operations within the city limits**
Recommendation: Provide staff with direction regarding the potential development standards for vending operations within city limits.

16. Planned increase to the City's Development Impact Fees

Recommendation: Provide staff with direction regarding the planned increase to the City's Development Impact Fees.

17. Memorandum of Understanding between the City of Yuba City and Sutter County regarding local cost sharing for the Joint Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP)

Recommendation: Authorize the City Manager to sign a Memorandum of Understanding between the City of Yuba City and Sutter County regarding local cost sharing for the Joint Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP).

Business from the City Council/Redevelopment Agency Board

18. City Council Reports

- Councilmember Dukes
- Councilmember Maan
- Councilmember Miller
- Mayor Pro Tem Gill
- Mayor McBride

Adjournment

CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2009
To: Honorable Mayor and Members of the City Council
From: Utilities Department
Presentation by: William Lewis, Utilities Director

Summary:

Subject: Water System Ordinance update

Recommendation:

- A) Conduct a public hearing and introduce an Ordinance repealing Chapter 6 Title 6 and adding Chapter 6 Title 6 of the Yuba City Municipal Code regarding the Water System, waive the first reading
- B) Direct staff to issue credit for all existing customers out of City rates charges collected since August 2008.

Alternative: Adopt in a modified form, or do not adopt and provide direction to staff

Fiscal Impact: Water connection charge for new construction would be reduced from \$7209 to \$6489 for a single family home. Out of City surcharges would be eliminated reducing water revenue approximately \$21,000 annually. Cross connection control fees are added, currently there are no fees. Other fees and rates remain unchanged. Fines for violations of the Ordinance are increased.

Background

The Water System Ordinance regulates all aspects of the Yuba City water system including fees. There has not been a complete review and update of the Ordinance in the last fifteen years. The proposed Ordinance changes do not change water rates. It is anticipated that staff will soon be presenting a rate study to the City Council that will include proposed rate increases.

In summary the purpose of this Ordinance update is to:

- Delete surcharges associated with customers outside the City limits per the Hillcrest Water System Ad Hoc Committee recommendations.
- Allow a six month window of time for parcels served with private wells to connect to the water system at the same rate as current groundwater customers who are converting to surface water per the Hillcrest Water System Ad Hoc Committee recommendations.
- Update the water connection charges to the current capital improvement program and per the recommendations of the Impact Fee Ad Hoc Committee. This will reduce the fee from \$7,209 to \$6489
- Require connection charge to be collected at time of other impact fees are paid
- Update water fees to current rates – no increases are proposed
- Residential rental account procedures are established
- Cross connection section is added
- Clarify service connections per parcel and meter location

- Bring the Ordinance into conformance with the current City organizational structure. All references to City Administrator are changed to City Manager and from Public Works Director to Public Works Director/Utilities Director.
- Increased penalties for violations of the Ordinance
- Other minor changes

The complete Ordinance is attached in a track changes mode for review.

Details

Water System Ad Hoc Committee Recommendations

July 2008 the City Council accepted and adopted the Hillcrest Water System Ad Hoc Committee report and all the policies and recommendations stated in that report. The policy decisions and recommendations that are being implemented as part of this Ordinance change are:

- Surface water customers outside the City limits currently pay a monthly surcharge of \$10 plus a surcharge of \$0.755 per 748 gallons (100 cubic feet) used over the minimum base amount. All references to the out of City surcharge have been removed from the proposed Ordinance. There are currently approximately 82 accounts outside the City limits. Elimination of the surcharge will result in a reduction of revenue of approximately \$21,000 annually. This will also result in a savings to approximately 1000 Hillcrest Water System groundwater parcels in the County when they convert to surface water.
- Staff recommends that the current approximately 82 accounts receive a credit for all surcharges paid by the current customer since August 2008. The credit would be applied towards current or future water bills, and not issued as a refund.
- There are many residents on private wells that have water pipelines in front of their home or nearby that have expressed an interest to connect to the surface water system. Ordinance changes include the opportunity for those customers that choose to connect to surface water at the same rate structure as current groundwater customers. The window of opportunity will be from January 1, 2010 to June 30, 2010. Pipeline extension fees would also not apply for customers if pipes are currently in front of the parcel. The City benefits from this opportunity by reducing the number of residents on private wells. Many of the private wells do not meet current health standards for nitrates, arsenic or bacteria. Not charging extension fees is reasonable in this instance since the pipelines have been installed for many years or decades.

Connection charge

The Development Impact Fee Ad Hoc committee met in 2007 to discuss all impact charges, including water connection charges. The long term capital improvement plan was reviewed and revised based on decisions of the committee. These changes included eliminating the thirty percent contingency and including the contingency within the thirty percent allowance for design, construction management and project administration. Every project was reviewed for proper distribution between existing and new customers. The connection charge includes costs associated with new customers. Connection charges were last adopted by the City Council in June 2004. Indexed fee increases took place in 2005 and 2006. Since July 2006 the connection charge has been \$7209. The attached capital plan has also been updated to reflect construction projects costs that have been constructed since 2004. It is now recommended that the connection charge be reduced to \$6489 to reflect the recommendations of the development impact fee Ad Hoc committee. Project costs for the fee are based on a construction index date of April 2009. The reduction of fees does not reflect a transfer of cost from new construction to existing customers.

Connection Charge Time of Payment

The current Ordinance does not define when the connection charge is to be paid – time of pulling of building permit, issuance of a building permit or certificate of occupancy. It is recommended that the Ordinance define payment of connection charges to be at the same time other impact fees are paid. It is recommended that the charges be paid, at the option of builder, at either issuance of a building permit or at certificate of occupancy. The amount of the charge will be the charge in effect at the time the charges are paid at either the issuance of a building permit or certificate of occupancy. This will bring the water connection charge payment in conformance with the 2007 development impact fee policy. If a building permit is not required payment must be made prior to service connection.

Update water fees

The Ordinance includes fees for monthly water use, connection charges, installation of meters, installation of service lines, etc. All of these fees were inserted into the Ordinance in 2004 and since then have had annual adjustments as described in the Ordinance. Water rate charge indexes were not implemented in 2008. Water rates have not increased since October 2007. This update presents the fees as they currently exist. The Ordinance does not include fee changes for monthly rates. It is anticipated that staff will soon be presenting a rate study to the City Council.

Residential Rental Accounts

The Ordinance includes new language in Section 6-6.10 f, g and h related to residential rental accounts. An advanced payment deposit of \$60 is established. Responsibility of payment of monthly bills is placed on the property owner and in the event the tenant were leave a balance due a new account will not be established until all past due amounts are paid.

Cross Connection Requirements

The current Ordinance has limited information or enforcement capability related to cross connection controls. The purpose of new Section 6-6.21 is to protect the water supply system from actual or potential contamination from homes and businesses. The section strives to eliminate the possibility of connections between the drinking water system and other sources of water that are not safe for consumption. The section defines what type of protection is required depending on the risk of cross connection. The proposed changes require that all backflow devices are required to be inspected and tested annually by the customer, test results are submitted to the City along with a \$10 fee. The City currently requires customer annual inspection and reporting by department policy and there has not been a fee. Backflow testers are required to pay a \$50 permit fee every three years. The City is required by the California Department of Health Services to maintain a backflow device data base and submit annual reports indicating testing has taken place. The City currently maintains a list of approximately 1,150 backflow devices.

Connections per parcel

The current Ordinance does not define how many water services are allowed per parcel. The recommended changes define that there will be only one domestic service allowed per residential parcel. This is being done to ensure payment is received from multi-dwelling parcels. Collection of water bills will be conducted by the property owner and only one party is responsible for payment to the City. A single domestic service for commercial and industrial parcels will reduce the possibility of cross connection between businesses and the City water system and reduce conflicts when commercial parcels are split after initial construction. Commercial properties frequently have more than one business on a single parcel or in a single building and piping between the businesses are often interconnected. Upon approval of the Public Works/Utilities Director multiple services on commercial or industrial properties will be allowed. Upon request additional landscape and fire services are allowed on any parcel.

City organizational structure changes

The Ordinance has been modified to reflect the current City organizational structure of City Manager versus City Administrator and the addition of a Utilities Director. References in the Ordinance have been changed to these job titles. References to the Public Works Director have remained unchanged.

Violations of Ordinance

Currently first violations of the Ordinance result in a written warning of the violation. It is recommended that remain for the first violation. A second violation penalty was \$25 and third and subsequent \$50. It is recommended that be increased to \$50 and \$100 respectively. There has been no penalty for violation of the cross connection section of the Ordinance. Cross connection has the possibility of contamination of the City water supply. It is recommended that the penalties for the first violation be a written warning, second be \$500 and third and subsequent be \$5,000. In addition if the violation is a result of water being taken illegally from fire hydrants there is also a recommended penalty of ten times the value of the water, currently there is no penalty.

Other minor changes

There have been changes made to correct references, correction of typos, assigns responsibility of all piping upstream of the meter to the property owner, changed a few locations of paragraphs without changing wording and other similar non-substantive changes.

Fiscal Impact:

There are currently approximately 82 surface water accounts for customers outside the City limits. These customers pay a surcharge of \$10 per month plus a surcharge of \$0.755 per 100 cubic feet surcharge for all water used over the minimum base amount. The value of the surcharge is approximately \$21,000 annually. The value of the recommended credit is approximately \$25,000. When the groundwater conversion to surface water is complete there will be approximately 1,000 parcels outside the City that will be receiving surface water. The Hillcrest Water System Ad Hoc Committee report recommended removal of the out of City surcharge.

The water connection charge for a single family home is recommended to be reduced from \$7209 to \$6489. Over the last ten years Yuba City has averaged approximately 300 new homes per year, plus commercial and industrial projects. The reduction in cost is to more accurately reflect the anticipated cost of future construction projects associated with new construction, and a reduced contingency factor. No costs have been shifted to existing customers.

Cross connection fees are estimated to be approximately \$12,000 per year.

A reduced connection charges would be collected for a six month window for parcels with pipelines currently installed in front of the parcel. It is not known how many parcels will choose to exercise this option. The reduction in charge is estimated at approximately \$3000 per single family home. Actual cost will be determined once all of the groundwater conversion projects are awarded.

Recommendation:

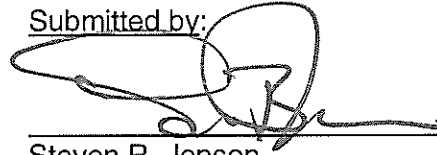
- A) Conduct a public hearing and introduce an Ordinance repealing Chapter 6 Title 6 and adding Chapter 6 Title 6 of the Yuba City Municipal Code regarding the Water System, waive the first reading
- B) Direct staff to issue credit for all existing customers out of City rates charges collected since August 2008.

Prepared by:

William P Lewis

William Lewis
Utilities Director

Submitted by:



Steven R. Jepsen
City Manager

Reviewed by:

Department Head

WPL

Finance

MB

Public Works

GM

City Attorney

OK by e-mail

Ordinance NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
REPEALING AND REENACTING CHAPTER 6 OF TITLE 6 OF THE YUBA CITY
MUNICIPAL CODE REGARDING
WATER SYSTEM

THE CITY COUNCIL OF THE CITY OF YUBA CITY DOES HEREBY ORDAIN
AS FOLLOWS:

Section 1 Chapter 6 of Title 6 of the Yuba City Municipal Code is hereby repealed.

Section 2 Chapter 6 of Title 6 is hereby added to the Yuba City Municipal Code to read as follows:

CHAPTER 6. WATER SYSTEM

Sec. 6-6.01. General provisions.

(a) *Short title.* This chapter shall be known and may be cited as the “Yuba City Water Regulations”.

(b) *Words and phrases.* For the purposes of this chapter, all words used in this chapter in the present tense shall include the future tense, all words in the plural number shall include the singular number, and all words in the singular number shall include the plural number.

(c) *Water system.* The City shall furnish a system, plant, works, and undertaking used for and useful in obtaining, conserving, and distributing water for public and private uses, including all parts of such system, all appurtenances to such system, and lands, easements, rights in land, water rights, contract rights, franchises, and other water supply, storage, and distribution facilities and equipment.

(d) *Separability.* If any section, subsection, sentence, clause, or phrase in this chapter is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter.

(e) *Pressure conditions.* All applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection and to hold the City harmless for any damages arising out of low pressure or high pressure conditions or interruptions in service.

(f) *Tampering with City property.* No one, except an employee or representative of the City, shall at any time in any manner operate the curb cocks or valves, main cocks,

gates, or valves of the City's system or interfere with meters or their connections, street mains, or other parts of the water system.

(g) *Penalties for violations.* For the failure of the customer to comply with all or any part of this chapter, or any ordinance, resolution, or order fixing rates and charges of the City, a penalty for which has not hereafter been specifically fixed, the customer's service shall be discontinued, and the water shall not be supplied to such customer until he shall have complied with the rule, regulation, rate, or charge which he has violated or, in the event he cannot comply with such rule or regulation, until he shall have satisfied the City that in the future he will comply with all the rules and regulations established by the laws of the City and with all rates and charges. In addition thereto, he shall pay the City all fines and fees established in Section 6-6.18 and Section 6-6.20 of this chapter.

Deleted: the sum of Ten and no/100ths (\$10.00) Dollars for the renewal of his service

(h) *Rulings final.* All rulings of the Council shall be final. All rulings of the City Manager shall be final unless appealed in writing to the Council within five (5) days. When appealed, the Council ruling shall be final.

Deleted: City Administrator

(i) *Repeals.* Ordinance Nos. 272, 307, and 506, and all other ordinances or parts of ordinances in conflict with this chapter, are hereby repealed.

(j) The effective date of this chapter is July 1, 1975.

(k) In connection with any work of construction required by the terms of this chapter, a plan check and inspection fee shall be charged, the amount thereof being as set forth in the City's Fee Schedule. (§ 2, Ord. 703, eff. July 1, 1975; as amended by § 5, Ord. 969, eff. April 17, 1985)

Deleted: Section 6-5.302

Sec. 6-6.02. Definitions.

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

(a) "*Council*" shall mean the City Council of the City.

(b) "*City*" shall mean the City of Yuba City, and the City Council of the City performing functions related to the City water service, together with the City Manager, the Utilities Director, the Public Works Director, the Finance Director, and other duly authorized representatives.

Deleted: City Administrator

(c) "*Distribution mains*" shall mean water lines in streets, highways, alleys, and easements used for public and private fire protection and for the general distribution of water.

(d) "*Service or service connection*" shall mean the pipe line and appurtenant facilities, such as curb stop, meter, and meter box, if any, all used to extend water service from a distribution main to premises. Where services are divided at the curb or property

line to serve several customers, each such branch service shall be deemed a separate service.

(e) “*Public fire protection service*” shall mean the service and facilities of the entire water supply and storage and distribution system of the City, including the fire hydrants affixed thereto and the water available for fire protection, excepting house service connections and appurtenances thereto.

(f) “*Regular water service*” shall mean the water service and facilities rendered for normal domestic, commercial, and industrial purposes on a permanent basis and the water available therefor.

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(g) “*Temporary water service*” shall mean the water service and facilities rendered for construction work and other uses of limited duration and the water available therefor.

(h) “*Private fire protection service*” shall mean the water service and facilities for building sprinkler systems, hydrants, hose reels, and other facilities installed on private property for fire protection and the water available therefor.

(i) “*Premises*” shall mean a lot or parcel of real property under one ownership, except that any separate structure may be deemed separate premises. Apartment houses, motels, office buildings, and structures of like nature may be classified as single premises.

(j) “*Cross-connection*” shall mean any physical connection between the piping system from the City service and that of any other water supply that is not, or cannot be, approved as safe and potable for human consumption, whereby water from the unapproved source may be forced or drawn into the City distribution mains.

(k) “*Owner*” shall mean the person owning the fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the County Recorder’s office, or the person in possession of the property or buildings under claim of, or exercising acts of ownership over the same for himself, or as executor, administrator, guardian, or trustee of the owner.

(l) “*Person*” shall mean any human being, individual, firm, company, partnership, association, private, public, or municipal corporation, the United States of America, the State of California, and any district, political subdivision, governmental agency, and subsidiary thereof.

(m) “*Cost*” shall mean the costs of labor, materials, transportation, supervision, engineering, and all other necessary or reasonable expenses.

(n) "Dwelling" shall mean any residence, apartment, habitation, or other structure customarily occupied by a single person or family and which contains facilities for the preparation of meals.

(o) "Resale" shall mean any change of ownership by sale, or transfer, of real property as recorded by the Sutter County Recorder, except sale or transfer between members of an immediate family. Immediate family being limited to husband-wife, brother-sister, parent-child.
(§ 2, Ord. 703, eff. July 1, 1975; § 2, Ord. 1015, eff. January 1, 1987)

Sec. 6-6.03. Notices.

Notices from the City to a customer shall normally be given in writing and either delivered or mailed to their last known address. ~~When conditions warrant and in emergencies, the City may resort to notification either by telephone or messenger.~~
(§ 2, Ord. 703, eff. July 1, 1975)

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Sec. 6-6.04. Administration.

(a) *Council*. The management, control, and care of the Municipal Water System of the City shall be vested in and under the direction of the Council.

(b) *Finance Director*. The Finance Director shall operate under the direction of the City Manager and shall be in charge of the billing, collecting, and maintenance of the bookkeeping system for the Municipal Water System. The Finance Director shall be responsible for the collection and banking of all money due the City and shall keep controlling records which shall reflect monthly transactions of individual accounts.

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(c) *Public Works Director/ Utilities Director*. The Public Works Director/Utilities Director shall operate under the direction of the City Manager and shall perform all the duties connected with, and have supervision of, the water works system, other than the office of bill collection and bookkeeping, and shall perform such other duties as may be required by the City Manager.
(§ 2, Ord. 703, eff. July 1, 1975)

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Sec. 6-6.05. Application for regular water service.

(a) *Applications for service to premises with a service connection*. Applicants requesting service to commence during regular business hours will be connected without charge, provided a good payment history has been established with the City. Other customers may be requested to provide payment in advance and/or credit references before connection. There will be a service charge, as determined by Section 6-6.18 of this chapter, for customers requesting turn-on or turn-off to be performed on weekends, holidays, and after hours.

(b) Applications for water service: No existing service connection. Applications for regular water service where no main extension is required shall be made upon a form provided by the city.

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(c) Undertaking of applicant. Each application shall signify the customer's willingness and intention to comply with the regulations relating to the regular water service and to make payment for the water services required.

(d) Payment for previous service. An applicant shall not be honored unless payment in full has been made for water services previously rendered to the applicant by the city.

(e) Delinquencies on accounts in the name of a commercial or residential tenant. In the event that a tenant of a residential or commercial rental property, where water service is furnished in the tenant's name, leaves delinquent and unpaid water charges when the tenant vacates the premises, the City will require any future service to be only in the name of the property owner and not in the name of any subsequent tenant.

(f) Tenant application. A tenant applying for water services must provide to the City a valid signed lease or rental agreement along with identification for all persons listed on the agreement over the age of 18. Identification provided must be in the form of a California Identification Card, Military Identification Card, California Drivers License, or other valid picture identification. The required advanced payment will also be collected at the time of application as described in Section 6-6.10(g).

(g) Installation of services. Regular water service shall be installed at the location desired by the applicant. The size of such service shall be finally determined by the City. Service installations may be made only to property abutting on public streets or abutting on such distribution mains as may be constructed in alleys or easements, at the convenience of the City. Services installed in new subdivisions prior to the construction of streets or in advance of street improvements shall be accepted by the applicant in the installed location.

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(h) Changes in customers' equipment. Customers making any material change in the size, character, or extent of the equipment or operations utilizing water service, or whose change in operation results in a large increase in the use of water, shall immediately give the City written notice of the nature of the change and, if necessary, amend their applications.

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(i) Installation charges. Charges for installing a water service line from the main to the curb stop shall be established by Section 6-6.18 of this chapter.

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(j) Extension charges. Extension charges provide for the extension of mains and the installation of necessary fire hydrants within the street right-of-way only, based on property zoned R-1 and R-2 paying one-half (1/2) the cost of an eight (8) inch line and all

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other property paying one-half (1/2) the cost of a ten (10") inch line. The extension charge shall be as set forth in Section 6-6.18 of this chapter.

Corner lots and lots having more than one frontage where water mains exist or are planned shall pay extension fees based on sixty (60%) percent of the first one hundred seventy-five (175) feet of total frontage (as measured to PI's or property line returns) and one hundred (100) percent of all frontage in excess of the first one hundred seventy-five (175) feet.

This reduction shall apply only to existing corner lots and shall not apply to corner lots which would be created by a new subdivision, parcel map, or development. Such parcels shall pay extension fees based on one hundred (100) percent of all applicable frontage as measured prior to the creation of the side street.

Extension fees will not be applicable to lands within a subdivision or Special Assessment District if the water main was installed at no cost to the City (other than oversizing costs) unless an agreement exists providing for the repayment of extension costs to the original developer or to the Special District.

Where a water main only serves property on one side of the water line, the charge shall be double the current extension fee.

(k) Connection charges. The connection charge is designed to recover the capital costs of the treatment plant, reservoirs, and transmission lines.

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The charge shall be paid at the owner's option at either the issuance of a building permit or at certificate of occupancy – not at the date of application for a building permit. The amount of the connection charges to be paid shall be those charges in effect at the time the charges are paid at either the issuance of a building permit or certificate of occupancy. Charges shall be paid at the same time the owner chooses to pay all other development impact fees, if any. If no building permit is to be obtained, the charge shall be collected before service is established.

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When a user requires a larger service than that which was previously serving the parcel, the user shall pay the difference between the old service and the new service based on those charges in effect at the time of the request as set forth in Section 6-6.18 of this chapter.

(§ 2, Ord. 703, eff. July 1, 1975, as amended by § 1, Ord. 728, eff. October 20, 1976 and § 1, 2, Ord. 816, eff. August 1, 1979, and § 2, Ord. 849, eff. July 1, 1980; § 1, Ord. 918, eff. July 1, 1983; § 4, Ord. 1091, eff. March 7, 1990)

Deleted: Save and except as herein amended, all of the provisions of Section 6-6.05 and also subsections thereof are hereby readopted, republished and reaffirmed.

Sec. 6-6.06. Main extensions.

(a) *Main extensions.* The following rules are hereby established:

(1) *Determination.* Upon the receipt of any application for water service or request for an application form, the City shall determine whether, in its judgment, a main extension is necessary to provide service. A main extension shall be installed in the manner provided in this section whenever, in the judgment of the City, such main extension is necessary to provide regular water service to the property described in such application or request.

(2) *Applications.* Any owner or subdivider of one or more lots where, in the opinion of the Public Works Director/Utilities Director, an extension is required shall make a written application. Such application shall contain a legal description of the property to be served, a map showing the location of the proposed connection, and any additional information which may be required.

(3) *Investigations.* Upon the receipt of the application, the City shall make an investigation of the proposed extension and reject, amend, or approve the application.

(4) *City lines.* All extensions provided for in accordance with these regulations shall be and remain the property of the City.

(5) *Dead-end lines.* No dead-end lines shall be permitted, except as approved by the Public Works Director/Utilities Director.

(6) *Extent and design.* All main extensions shall extend to the far property line of developed property. All main extensions shall be subject to design approval by the City.

(b) *General.* Where the City, at its own expense, extends a main to serve property within the corporate limits of the City, the extension charge shall be governed by the applicable portion of subsection (h) of Section 6-6.05 of this chapter.

(c) *Main extensions by applicants.* If the cost of a main extension is in excess of what the City is prepared to appropriate, it shall be the responsibility of the applicant to provide for the main extension at his own expense to the standards established by the City and in accordance with an agreement for such extension.
(§ 2, Ord. 703, eff. July 1, 1975)

Sec. 6-6.07. Main extensions to subdivisions.

Where water main extensions are required for subdivisions, it shall be the responsibility of the owner or subdivider to pay the entire cost for the complete installation of all water facilities required within the subdivision and for the extension of water transmission mains from the subdivision to the nearest existing main of adequate capacity for the area to be served. Such transmission mains shall be subject to all the requirements set forth in the subdivision regulations (Chapter 2 of Title 8 of this Code) and to any and all modifications and supplements to such regulations. Upon official acceptance by the City, the City shall assume the full ownership, maintenance, and

control of such mains.
(§ 2, Ord. 703, eff. July 1, 1975)

Sec. 6-6.08. General use regulations.

(a) *Number of services per premises.* The applicant may apply for as many fire or landscape services as may be reasonably required for the parcel and approved by the Public Works/Utilities Director provided the pipeline system from each service shall be independent of the others and they shall not be interconnected, except for approved internal loops. The cost of all services shall be borne by the applicant. No connection shall provide service to more than one parcel.

Deleted: his premises

(i) Minimum size of service: Single Family- 1 inch diameter

(ii) Residential, single family, and multi family: Only one domestic service and meter shall be allowed per parcel.

(iii) Commercial/Industrial: Only one domestic service and meter shall be allowed per parcel without approval from the Public Works Director/Utilities Director

(b) *Water waste.* No customer shall permit leaks or the waste of water. When water is wastefully or negligently used on a customer's premises, the City may discontinue the service if such conditions are not corrected.

(c) *Responsibility for equipment on customer premises.* All facilities installed by the City on private property for the purpose of rendering water service shall remain the property of the City and may be maintained, repaired, or replaced by the City without the consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in the protection of the facilities. No payment shall be made for placing or maintaining such facilities on private property. No person shall place or permit the placement of any object in a manner which will interfere with the free access to a service cock or meter box or which will interfere with the reading of the meter. The City is responsible for all piping and equipment up to and including the water meter and check valve. The property owner is responsible for all equipment, piping, and appurtenances downstream of the water meter and check valve.

(d) *Damages to water system facilities.* The customer shall be liable for any damages to the City-owned customer water service facilities when such damages are from causes originating on the premises by an act of the customer or his tenants, agents, employees, contractors, licensees, or permittees, including the breaking or destruction of locks by the customer or others on or near a meter, and any damage to a meter which may result from hot water or steam from a boiler or heater on the customer's premises. The City shall be reimbursed by the customer for any such damage promptly on presentation of a bill. No seal placed on a meter by the City shall be altered or broken except by an authorized employee.

(e) Control valve on customer property. The property owner is responsible for all equipment, piping and appurtenances downstream of the water meter and check valve. The property owner shall install a shutoff valve as required by the building code. The customer shall not use the service curb stop to turn water on and off for their convenience.

Deleted: The customer shall provide a valve on his side of the service installation as close as is practicable to the service cock location, street, highway, alley, or easement in which the water main service the customer's property is located to control the flow of water to the piping on his premises.

(f) Cross-connections. See Cross Connection Control Program, Section 6-6.21 of this Chapter.

Deleted: his

(g) Direct connections to stationary steam boiler, hydraulic elevators, power pumps, and similar apparatus. See Cross Connection Control Program, Section 6-6.21 of this Chapter.

Deleted: The customer shall comply with State and federal laws governing the separation of dual water systems or installations of backflow protective devices to protect the public water supply from the danger of cross-connections. Backflow protective devices shall be installed as near the service as possible and shall be open to tests and inspections by the City. Plans for the installation of backflow protective devices shall be approved by the City prior to installation. In special circumstances, where the customer is engaged in the handling of especially dangerous or corrosive liquids or industrial or process waters, the City may require the customer to eliminate certain plumbing or piping connections as an additional precaution and as a protection to the backflow preventive devices.¶

(h) Ingress and egress. Representatives from the City shall have the right of ingress and egress to the customer's premises at reasonable hours for any purpose reasonably connected with the furnishing of water service.

As a protection to the customer's plumbing system, a suitable pressure relief valve shall be installed and maintained by him, at his expense, when check valves or other protective devices are used. The relief valve shall be installed between the check valves and the water heater. The devices shall be serviced, overhauled, or replaced whenever they are found defective, and all costs of repair, replacement, and

(i) Commercial and industrial cooling systems. See Cross Connection Control Program, Section 6-6.21 of this Chapter.

(j) Pools and tanks. See Cross Connection Control Program, Section 6-6.21 of this Chapter.

(k) Responsibility for equipment. The customer shall, at his own risk and expense, furnish, install, and keep in good and safe condition all equipment which may be required for receiving, controlling, applying, and utilizing water. The City shall not be responsible for damages to property caused by faucets, valves, and other equipment which is open when water is turned on at the meter, either originally or when turned on after a temporary shutdown.

and all costs of repair, replacement, and ... [1]

(§ 2, Ord. 703, eff. July 1, 1975)

Sec. 6-6.09. Meters.

Deleted: No person shall draw water from City pipes directly into any stationary steam boiler, hydraulic elevator, power pump, or similar apparatus.¶

Where City water is used to supply a steam boiler, hydraulic elevator, or power pump, its owner shall provide tankage of sufficient capacity to afford a supply ... [2]

(a) Installation. All services as specifically designated by this chapter, or those as ordered so by the Public Works Director/Utilities Director, shall be metered. The sum of money set forth in subsection (g) and subsection (h) of Section 6-6.05 of this chapter shall be paid to the City prior to the installation of the meter facilities to pay all the costs of such installation, except as provided in subsection (b) of this section. The service connection, whether located on public or private property, shall be the property of the City, unless specifically otherwise provided, and the City hereby reserves the right to repair, replace, and maintain such service connection, as well as to remove it upon the discontinuance of service. Meters shall be located as close to the street as possible. Preferably, within 1 foot of back of sidewalk.

Deleted: All commercial and industrial businesses shall be required to equip all air-conditioning and evaporative cooler units using City water with cooling towers and/or recirculating water pumps in order to conserve City water.

Deleted: When an abnormally large quantity of water is desired for filling a swimming pool or for other purposes, arrangements shall be made with the City prior to taking such water. For such usage from an unmetered service, a charge based on the metered rate will be made for the amount of water per month in excess of 3,000 cubic feet.

Deleted: furnish

(b) *Meters: General.* All services shall be metered. All dwelling units up to and including four (4) per parcel shall have individual water meters per dwelling unit.

(c) *Change in location of meters.* Meters moved for the convenience of the customer shall be relocated at the customer's expense. Meters moved to protect the City's property shall be moved at the City's expense.

(d) *Changes in size of meter.* Changes in the size of the meter shall be made on the request of the customer at his own expense. An allowance not to exceed one-half (1/2) of the current cost of the replaced meter may be made.

(e) *Meter reading.* Meters shall be read as nearly as possible on the same day each month.

(f) *Meter testing.* Upon the deposit of a sum as determined by Section 6-6.18 of this chapter by any consumer, the City shall test the meter. The consumer shall be notified when the test is to be performed and may be represented at such test.

If the meter is found to over-register more than two (2%) percent, an accurate meter shall be installed, the deposit shall be repaid to the depositor and the excess charge for the time service was rendered the customer requesting the test or for a period of six (6) months, whichever shall be the lesser, shall be refunded to the customer.

If the meter is found to be correct or to register less than the actual quantity of water passing through it, the deposit shall be retained by the City.

If a meter tested at the request of a customer is found to be more than twenty-five (25%) percent slow, in the case of domestic services, or more than two (2%) percent slow, for other than domestic services, the City may bill the customer for the amount of the undercharge based upon corrected meter readings for the period, not exceeding six (6) months, the meter was in use.

All meters shall be tested prior to installation, and no meter which registers more than two (2%) percent fast shall be installed.

(g) *Nonregistering meters.* If a meter is found to be not registering, the charges for service shall be at the minimum monthly rate, or based on the estimated consumption for a comparable period, or by such other method as is determined by the City, and its decision shall be final.

(§ 2, Ord. 703, eff. July 1, 1975; § 3, Ord. 849, eff. July 1, 1980; § 1, Ord. 918, eff. July 1, 1983; § 1, Ord. 1015, eff. January 1, 1987; § 3, Ord. 11-92, eff. July 2, 1992; § 3, Ord. 07-98, eff. September 17, 1998; § 3, Ord. 02-00, eff. July 1, 2000)

Sec. 6-6.10. Billing.

Deleted: Meters shall be required on existing services at the discretion of the City. A program to convert all services to meters shall continue and shall be implemented as determined by the Administrative Services Director and the Utilities Director. All meters are to be converted as quickly as possible. It is the intent of this section to convert all flat rate accounts to metered accounts by July 1, 2002. Charges for meter installation shall be those set in Section 6-6.18 of this chapter.

Deleted: may

Deleted: at the discretion of the City. Meters shall be required on all new services and new construction.

(a) *Billing period.* The regular billing period shall be monthly for all services. Unmetered services shall be payable in advance.

(b) *Opening and closing bills.* Opening and closing bills for less than the normal billing period may be prorated. Closing bills may be estimated by the City for the final period as an expediency to permit the customer to pay the closing bill prior to the time service is discontinued. See Section 6-6.05 for requirements for opening an account.

(c) *Payment of bills.* Bills for water service and sanitary sewer service shall be rendered at the end of each billing period. Bills shall include the charges for water and sewage and shall be inseparable. Delinquency in any part of the bill shall be sufficient cause for the discontinuance of water service. Bills shall be payable on presentation. On each bill for water and sewer service rendered by the City shall be printed substantially the following: "If this bill is not paid on or before the 45th day after the bill was sent, service may be discontinued. A delinquency charge will be made and collected prior to renewing service following a discontinuance."

(d) *Separate billing.* Separate bills may be rendered for any service which has a separate connection to a City line. All meters shall be billed separately.

(e) *Responsibility.* Where there is more than one usage charge on a single parcel being served through a single service, there shall be charged and collected from the owner or person in responsible charge, the water rate for the entire parcel.

(f) *Liability for services rendered.* The owner of single and multifamily residential property served by the City shall be charged with, and shall be personally responsible for, the water bills incurred for water service to such property. The owner of non-residential property served by the City may assign responsibility for the water bills incurred for water service to such property to the owner's tenants or lessees.

(g) *Residential Rental Account:* Advanced payment deposit of \$60 is required. If after a one year period, the customer has not had any delinquent billings, the deposit amount will be applied as credit/payment to the account. In the event that the customer has closed their account with the City prior to the advance payment deposit being refunded, it will be applied to any final billing first with any portion remaining then being refunded to the customer.

(h) *Delinquent charges.* Where a rental property owner has past due charges for utility services, no new account can be established for service at the same property until payment is rendered for those same charges.

(§ 2, Ord. 703, eff. July 1, 1975; § 4, Ord. 849, eff. July 1, 1980; § 1, Ord. 918, eff. July 1, 1983)

Sec. 6-6.11. Discontinuance of service.

(a) *Discontinuance of service for nonpayment.* Service may be discontinued for the nonpayment of bills on or after the forty-fifth (45th) day after the bill was sent. The failure of the City to send, or any such person to receive, such notice shall not affect the City's power hereunder. A customer's water service may be discontinued if water service furnished at a previous location is not paid for within the time fixed in this subsection for the payment of bills. If a customer receives water service at more than one location, and the bill for service at any one location is not paid within the provided time for payment, water service at all locations may be turned off. Domestic service, however, shall not be turned off for the nonpayment of bills for other classes of service (landscape or fire service).

(b) *Delinquency charges.* A delinquency charge as determined by Section 6-6.18 of this chapter shall be made and collected on the date of scheduled shut-off and thereafter for nonpayment or other violations of this chapter. When bills are delinquent, the City may demand that the full amount of both delinquent and current bills be paid.

(c) *Unsafe apparatus.* Water service may be refused or discontinued to any premises where apparatus or appliances are in use which might endanger or disturb the service to other customers.

(d) *Fraud or abuse.* Service may be discontinued if necessary to protect the City against fraud or abuse.

(e) *Noncompliance with regulations.* Service may be discontinued for noncompliance with the provisions of this chapter or any other laws or regulations relating to water service.

(f) *Vacation of premises.* Customers desiring to discontinue service shall so notify the City in order to be relieved of continued liability for service charges.

(g) *Short term disconnections.* Upon notification to the City, short term disconnections shall be made where the time involved comprises multiples of the minimum billing period.

(§ 2, Ord. 703, eff. July 1, 1975; § 5, Ord. 849, eff. July 1, 1980; § 1, Ord. 918, eff. July 1, 1983)

Sec. 6-6.12. Collection by suit.

(a) *Suits.* All unpaid rates and charges provided for in this chapter may be collected by suit.

(b) *Costs.* The defendant shall pay all the costs of suit in any judgment rendered in favor of the City.

(§ 2, Ord. 703, eff. July 1, 1975)

Sec. 6-6.13. Public fire protection.

(a) *Use of fire hydrants.* Fire hydrants shall be for use by the City or by organized fire protection agencies. Other persons desiring to use fire hydrants for any purpose shall first obtain written permission from the City prior to use and shall operate the fire hydrant in accordance with instructions issued by the City. Unauthorized use of fire hydrants shall be prosecuted according to law and are subject to enforcement measures established in Sec 6-6.20.

(b) *Moving fire hydrants.* When a fire hydrant has been installed in the location specified by the proper authority, the City shall have fulfilled its obligation. If a property owner or other person desires a change in the location of the fire hydrant, he shall bear all costs of such changes, without refund. Any change in the location of a fire hydrant shall be approved by the City.

(c) *Public fire protection service.* Where water is furnished for public fire protection through the public distribution system, within and outside the corporate limits of the City, the City may make a charge for such protection.
(§ 2, Ord. 703, eff. July 1, 1975; § 4, Ord. 11-92, eff. July 2, 1992)

Sec. 6-6.14. Private fire protection service.

(a) *Adequate prevention: General.* A private fire protection service connection, two (2") inch pipe size and larger, shall be furnished only if adequate provision is made to prevent the use of water from such services for purposes other than fire extinguishing.

(b) *Unlawful connections.* No person shall make, or allow to exist, any connection to any portion of any line used exclusively for unmetered private fire service or for any other purpose.

(c) *Check valves and bypass meters.* There shall be installed on all fire line connections, two (2") inch pipe size and larger, used exclusively for unmetered private fire services, a detector check valve of a type approved by the National Board of Fire Underwriters and equipped with a bypass meter. Such installations shall be located within public streets, alleys, rights-of-way, or easements.

(d) *Payment.* If the City installs the private fire protection service, the applicant shall make a deposit, in advance, of the estimated cost of installing the private fire protection service. The charge for such installation shall be based on the City's total cost of all labor, materials, equipment, and other costs incidental to the installation, including the cost of the detector check valve and bypass meter assembly if installed by the City.

(e) *Title.* The service connection and all equipment appurtenant thereto, including the detector check valve and bypass meter assembly, shall be the sole property of the City, and no part of the cost shall be refunded to the applicant.

(f) *Use.* The unmetered private fire service line shall be used only for fighting accidental fires and for testing the fire prevention system. No charge shall be made for water used for these two (2) purposes.

Water lost through leakage, or used in violation of these regulations, shall be paid for by the applicant at double the rate charged for general use.

The City shall read such bypass meters for the purposes of detecting any unauthorized use of water through the system. If water is used in violation of these regulations, the City may, at its option, discontinue and remove the service.

(g) *Rates.* There will be no monthly service charge for fire protection systems. (§ 2, Ord. 703, eff. July 1, 1975)

Sec. 6-6.15. Temporary service.

(a) *Duration of service.* Temporary service connections shall be disconnected and terminated within six (6) months after their installation, unless an extension of time is granted in writing by the City.

(b) *Deposits.* ~~A deposit shall be paid for temporary service per Section 6-6.18 of this chapter. Upon the discontinuance of the service, the actual cost of installing and removing the facilities required to furnish such service, exclusive of the cost of salvageable materials, as determined by the City, an adjustment will be made as an additional charge, refund, or credit.~~

Deleted: The applicant shall deposit, in advance, an amount as determined by
Deleted: for each inch of service desired
Deleted: shall be determined
Deleted: and

If service is supplied through a fire hydrant, the applicant shall be charged a flat charge per connection for the installation, moving and removal of service facilities including the meter and a deposit as determined by Section 6-6.18 of this chapter. The City will be notified when the service is no longer required. Billing for the usage of water will be at the metered rate schedule and deducted from the deposit, or an additional billing will be made if the usage exceeds the amount of the deposit.

(c) *Installation and operation.* All facilities for temporary service to the customer connection shall be made by the City and shall be operated in accordance with its instructions.

(d) *Responsibility for meters and installation.* The customer shall use all possible care to prevent damages to the meter or any other loaned facilities of the City which are involved in furnishing the temporary service from the time they are installed until they are removed, or until forty-eight (48) hours after notice in writing has been given to the City that the contractor or other person is through with the meter and the installation. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the customer.

(e) *Temporary service from fire hydrants.* If temporary service is supplied through a fire hydrant, a permit for the use of the fire hydrant shall be obtained from the City. It is specifically prohibited to operate the valve of any fire hydrant other than by the use of a spanner wrench designed for such purpose.

(f) *Unauthorized use of hydrants.* Tampering with any fire hydrant, or the unauthorized use of water there from, or for any other purpose, shall be unlawful and are subject to enforcement measures established in Sec 6-6.20.

(g) *Rates.* The rates for temporary service shall be in accordance with regular service. The minimum charge for water shall be as set forth by Section 6-6.18 of this chapter.

(h) *Credit.* The applicant shall pay the estimated cost or service in advance or shall be otherwise required to establish credit.
(§ 2, Ord. 703, eff. July 1, 1975; § 6, Ord. 849, eff. July 1, 1980; § 1, Ord. 918, July 1, 1983)

Sec. 6-6.16. Vacancies.

If vacancies occur in any unmetered housing units, other than those on a reduced rate with no credit for vacancies, and if the water pipelines within and/or without any building or combination of buildings have been provided by owners with shutoff valves, there shall be no charge for such unit or units after such valve or valves have been closed and sealed by the City. The type of shutoff valves to be installed shall be approved by the City, and they shall be located in readily accessible places.

Where there are unusual circumstances which result in a substantial hardship upon the property owner from the strict application of the provisions of this section, the City Manager may grant a variance to these provisions; provided, however, such variance shall be conditioned to the faithful and accurate reporting of vacancies and service renewals which shall be checked by the City and verified in lieu of the turning on or off of the shutoff valve and, provided, further, such variance shall be revoked automatically if it is found by the City that service renewals have not been promptly, accurately, and faithfully reported by the owner or person in responsible charge, and such persons shall not be allowed to declare any vacancies unless each unit is equipped with a shutoff valve as specified in this section.
(§ 2, Ord. 703, eff. July 1, 1975; § 3, Ord. 816, eff. August 1, 1979; § 7, Ord. 849, eff. July 1, 1980; § 1, Ord. 918, eff. July 1, 1983)

Deleted: City Administrator

Sec. 6-6.17. Rates for senior citizens and eligible disabled persons.

(a) *Eligible persons.* The persons herein listed and who are billed for water service, and in whose name the subject water account is listed, shall be eligible for the

rate structure hereinafter set forth, notwithstanding the provisions of Section 6-6.16 of this Code, and shall pay rates as determined by Section 6-6.18 of this chapter.

(1) Those persons sixty five (65) years of age and older, who are responsible for and are paying the water bill for the dwelling within which they reside.

(2) Those persons permanently disabled, who are responsible for and who are paying the water bill for the dwelling within which they reside.

Verification of eligibility for those persons sixty-five (65) years of age and older shall be determined by reference to the applicant's Medicare Card or other appropriate and satisfactory documentation.

Permanently disabled as herein used shall mean those persons who are suffering from a permanent disability which precludes or impairs their ability to earn a living and shall be determined either by the applicant holding a Medicare Card which reflects that he is in fact permanently disabled or other appropriate and satisfactory documentation which supports the applicant's claim of disability.

(§ 1, Ord. 820, eff. August 1, 1979 and § 8, Ord. 849, eff. July 1, 1980; § 1, Ord. 918, eff. July 1, 1983)

Sec. 6-6.18. Summary of charges.

(a) *Charges for installing a water service line from the main to the curb stop:*

1" service without meter-	\$3,400.00	Deleted: 1"
1" meter-	\$ 286.00	Deleted: 2,193.72
1 1/2" service without meter-	\$4,115.00	Deleted: 1/2
1 1/2" meter-	\$ 440.00	Deleted: "
2" service without meter-	\$4,386.00	Deleted: 1 1/2"
2" meter-	\$ 596.00	Deleted: Existing

Service lines larger than two inches (2") shall be charged for actual time and materials (service and/or meter). A deposit will be required based on the cost estimate furnished by the Public Works Department.

(b) *Install meter on existing service:*

Will be charged per 6-6.18(a) meter fees	Deleted: 1" - Existing \$406.64
	1 1/2" - Existing \$722.32
	2" - Existing \$930.99

(c) *Extension charges (Section 6-6.05 (h)):*

Parcels zoned	Extension fee per front foot*	Deleted: 1
R-1 and R-2	\$48.03	Deleted: 7
All others	\$51.82	Deleted: 43
		Deleted: 7

* The indicated extension fee includes a surcharge of \$4.00 per front foot for fire hydrant installations where the City has installed, or plans to install, street fire hydrants serving the property.

(d) Connection charges (Section 6-6.05(I)):

Meter Size	Maximum Continuous Flow	Factor	Fee	
1"	25 GPM	1.00	\$6,489	Deleted: 6,270
1 1/2"	50 GPM	2.00	\$12,987	Deleted: 12,540
2"	100 GPM	4.00	\$25,956	Deleted: 25,080
3"	450 GPM*	18.00	\$116,802	Deleted: 112,860
	320 GPM**	12.80	\$83,059	Deleted: 80,256
4"	1000 GPM*	40.00	\$259,560	Deleted: 250,800
	575 GPM**	23.00	\$149,247	Deleted: 144,210
6"	2000 GPM*	80.00	\$519,120	Deleted: 501,600
	1250 GPM**	50.00	\$324,450	Deleted: 313,500
8"	3000 GPM*	120.00	\$778,680	Deleted: 752,400
	1875 GPM**	75.00	\$486,675	Deleted: 470,250

* Positive Displacement Meter

** Compound Meter

Meter type for connections two (2") inch and larger will be determined by Yuba City after consultation with the new customer. Any customer that will utilize, in any month, totaling more than five (5%) percent of the maximum continuous meter rating shall have a separate connection charge based on the customer's individual usage characteristics.

Any customer that purchases a connection charge prior to July 1, 2000, may complete the project at any time, and is not subject to connection charge rate adjustments or credit of interest. Any connection charges paid between July 1, 2000 and December 31, 2009, and the project is completed within eighteen (18) months, will not be subject to any additional connection charges or interest credits. A project is deemed completed when all building permits are paid and a final inspection report is issued. Any connection charges paid between July 1, 2000 and December 31, 2009 and the project is not completed within eighteen (18) months will be subject to the connection charge in effect at the time of project completion, and will be entitled to interest credit as to any connection charge increases. Interest will only be allowed as a credit toward connection charges increases and, in no event, shall customer be entitled to any refund of said interest. Interest will accrue, beginning eighteen (18) months after the initial purchase, based on the initial connection charge payment. Interest payment will be credited semi-annually on January 1st and July 1st based on the previous average semi-annual rate of the Local Agency Investment Fund administered by the California State Treasury. Connection permits or charges cannot be sold or transferred between any party other than Yuba City.

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Deleted: or later

(e) Meter test deposit (Section 6-6.09 (f)): \$50.00 Deleted: 4

(f) After hours service charge: \$93.00 Deleted: 50

(g) Delinquency charges \$10.00
(Section 6-6.15(b): or 10% of the outstanding bill (whichever is greater)

(h) Temporary service deposit \$100.00
(Section 6-6.15(b)): per inch of service desired

(i) Fire hydrant use (Section 6-6.15(b)):

Connection and removal of meter –	\$58.00	Deleted: 0
Move meter from one hydrant to another –	\$58.00	Deleted: 0
Deposit (for usage charge):	\$175.00	Deleted: 00
Deposit (for meter):	\$850.00	

Minimum monthly usage charge:

Metered	5,000 cubic feet at current rate	
Flat rate	\$58.00	Deleted: 0

(j) Water service rates:

(1) Quantity charges. A rate per one hundred (100) cubic feet is hereby established for all metered services, with a minimum billing as set forth in paragraph (2) of this subsection as follows: \$1.0851 per 100 cubic feet

(2) Minimum meter rates: Deleted: 1

	Minimum Rate	Minimum Quantity
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(i) Single family dwelling and duplex (two (2) dwellings per parcel), each dwelling:

Charge	\$17.36	1,600 cubic feet	Deleted: 14
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(ii) Multiple dwellings per unit:

Charge	\$10.85	1,000 cubic feet	Deleted: 5
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Three (3) or more apartments, mobile homes, or trailers on one (1) parcel, per unit, no credit for vacancy. If billed individually, rate shall be the same as single family dwelling.

(i) Commercial, industrial and other non-dwelling units per unit: Deleted: (iii)

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Meter Size	Minimum Usage Cubic Feet	Minimum Charge
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1"	1,600	\$17.36	Deleted: 14.56
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1 1/2"	3,200	\$34.72
2"	10,240	\$111.11
3"*	28,800	\$312.51
3"**	20,480	\$222.23
4"*	64,000	\$694.46
4"**	36,800	\$399.32
6"*	128,000	\$1388.93
6"**	80,000	\$868.08
8"*	192,000	\$2,083.39
8"**	120,000	\$1,302.12

- ~~Deleted: 29.12~~
- ~~Deleted: 93.18~~
- ~~Deleted: 262.08~~
- ~~Deleted: 186.37~~
- ~~Deleted: 582.40~~
- ~~Deleted: 334.88~~
- ~~Deleted: 1164.80~~
- ~~Deleted: 728.00~~
- ~~Deleted: 1,747.20~~
- ~~Deleted: 1092.00~~
- ~~Deleted: 14.56~~
- ~~Deleted: 14.56~~
- ~~Deleted: 14.56~~
- ~~Deleted: (2) Quantity charges. A rate per one hundred (100) cubic feet is hereby established for all metered services, with a minimum billing as set forth in paragraph (1) of this subsection as follows:¶~~
- ~~\$0.91 per 100 cubic feet¶~~
- ~~(3) Outside City's user charge. The service charge for users outside the City limits shall be as follows:¶~~
- ~~(i) Single-family dwelling and duplex (two (2) units per parcel) each dwelling:¶~~
- ~~The rate shall be adjusted to single-family rate within the City plus \$10.00.¶~~
- ~~(ii) Multiple dwelling per unit:¶~~
- ~~The rate shall be adjusted to multiple dwelling rate within the City plus \$6.25..¶~~
- ~~(iii) Commercial, industrial and other non-dwelling units per unit:¶~~
- ~~The rate shall be adjusted to single-family rate within the City plus \$10.00.¶~~
- ~~(iv) Multiple commercial with separate buildings on one (1) parcel per unit:¶~~
- ~~The rate shall be adjusted to single-family rate within the City plus \$10.00.¶~~
- ~~(v) Combination of commercial, industrial, and dwelling units on one (1) parcel with a single meter:¶~~
- ~~The rate shall be adjusted to single-family rate within the City plus \$10.00.¶~~
- ~~Deleted: (vi) Quantity charges. A rate per one hundred (100) cubic feet is hereby established for all metered services, with a minimum billing as set forth in paragraph (3) of this subsection. [3]~~
- ~~Deleted: 4~~
- ~~Deleted: 27.25~~
- ~~Deleted: non-reduced:~~
- ~~Deleted: 16.76~~
- ~~Deleted: 10.88~~
- ~~Deleted: 18.89~~
- ~~Deleted: 18.89~~

*Positive Displacement Meter

**Compound Meter

(iv) Multiple commercial with separate buildings on one (1) parcel per unit:

~~\$17.36~~ 1,600 cubic feet

(v) Combination of commercial, industrial, and dwelling units on one (1) parcel with a single meter:

Minimum of ~~\$17.36~~ for 1,600 cubic feet single-family and ~~\$17.36~~ for 1,600 cubic feet commercial industrial

(3) Unmetered service. The following monthly charges are hereby established for unmetered services of the following types:

(i) Single-family dwellings: ~~\$32.50~~ per unit

(ii) Multiple dwellings, apartments, mobile homes and trailers;

A. If billed individually: ~~\$19.98~~ per unit

B. Two (2) or more units on one (1) parcel when the owner is responsible for the water and sewer charges for all units. All units shall be billed one (1) account and on the reduced sewer rate. Charge per unit with no credit for vacancies: ~~\$12.97~~ per unit

(iii) Commercial, industrial and other non-dwelling units: ~~\$22.53~~ per unit

(iv) Multiple commercial with separate buildings on one (1) parcel: ~~\$19.98~~ per unit

(k) *Senior citizen rates* (Section 6-6.17):

(1) Minimum meter rates. The minimum monthly rate for water service for those eligible persons established by Title 6, Chapter 6, Article 17, are hereby

fixed at the following rates per month, the payment of which shall entitle said eligible person to an amount of water not to exceed the following:

Minimum Rate *Minimum Quantity*

(i) Single-family dwellings:

\$11.49 1,600 cubic feet

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(ii) Multiple dwelling per unit (apartment, mobile home or trailer on a parcel in conjunction with a single-family dwelling):

\$7.18 1,000 cubic feet

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(2) Quantity charges. A rate per one hundred (100) cubic feet is hereby established for all eligible resident metered services with a minimum billing as set forth in section 6-6.18 (k) (1) as follows:

\$0.718300 per 100 cubic feet

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(3) Unmetered service. The following monthly charges are established for unmetered services for eligible persons as hereinabove defined of the following types:

(i) Single-family dwellings: \$21.66 per unit

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(ii) Multiple dwellings (apartments, mobile homes and trailers) non-reduced: \$7.42 per unit

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(l) Meter surcharge for unmetered services. Reserved

(m) Not used

(n) *Annual adjustments.* Annually on July 1 of each year fees and charges in the following sections shall be adjusted based on the previous April value of the Twenty City Average of Engineering News Record Construction Index: 6-6.18 (a), (b), (c) and (d).

Deleted: The monthly rates as established in Section 6-6.18(j) and

Deleted: Section 6-6.18(k)

Deleted: shall be adjusted by any surcharge, tax or fee established by the State of California. Any such surcharge, tax or fee that is added to water rates shall be so identified on the monthly utility billing stating the appropriate source of such surcharge, tax or fee being imposed. The

Deleted: Administrative Services Director

Deleted: Finance Director is hereby authorized to make the necessary adjustments per this section of this chapter

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Annually on October 1 of each year fees and charges in the following sections shall be adjusted based on the previous April value of the California Consumer Price Index (CPI) for all urban consumers: 6-6.18 (e), (f), (h), (i) and (r).

Annually on October 1 of each year fees and charges in the following sections shall be adjusted based on the previous April value of the California Consumer Price Index (CPI) for all urban consumers or four and one-half (4.5%) percent whichever is greater: 6-6.18 (j), (k), (o)(1) and (o)(2).

(o) *Charges for groundwater service.* The following monthly rates are applicable to all customers primarily serviced with groundwater (previous customers of Hillcrest Water Company and future customers primarily serviced by groundwater). If customers are converted to primary surface water supply, rates in Section 6-6.18 (a) to (c), (e) to (i), (l) to (n) and (o)(4) shall apply.

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(1) Flat rate residential and commercial water service connections not larger than one (1") inch in diameter.

	<i>Charge</i>	
Single-family residential unit	<u>\$20.69</u>	Deleted: 17.35
Including premises, not to exceed 13,000 square feet		Formatted: Space Before: 0 pt, After: 0 pt
For additional unit on same premises	<u>\$9.90</u>	Deleted: \$8.31
For each swimming pool	<u>\$3.37</u>	Deleted: \$2.84
For each 100 square feet of premises in excess of 13,000 square feet	<u>\$1.00</u>	Deleted: \$0.11

(2) The following quantity rates are applicable to all metered groundwater service:

	<i>Charge</i>	
For all water delivery per 100 cubic feet	<u>\$0.0560</u>	Deleted: \$0.47
Monthly service charge, per meter		
5/8 x 3/4- meter	<u>\$9.58</u>	Deleted: \$7.59
3/4 inch meter	<u>\$9.58</u>	Deleted: \$8.03
1 inch meter	<u>\$11.05</u>	Deleted: \$9.25
1 1/2 inch meter	<u>\$12.65</u>	Deleted: \$10.59
2 inch meter	<u>\$16.13</u>	Deleted: \$13.72
3 inch meter	<u>\$39.90</u>	Deleted: \$33.46
4 inch meter	<u>\$66.51</u>	Deleted: \$55.77

The service charge is a readiness to serve charge that is applicable to all metered service and to which is to be added the monthly charge computed at the quantity rates.

(3) All portions of Title 6 Chapter 6 shall apply to all customers primarily serviced with groundwater (previously customers of Hillcrest Water Company); except for 6-6.18 (d) and (j).

(4) The following applies to charges for Hillcrest Water System groundwater customers in Regions 1, 2 and 3 that have been permanently connected to surface water distribution system. A surcharge to the monthly bill as described below shall take effect no sooner than thirty (30) days after the conversion to the surface water distribution system. The surcharge may begin at different times for different customers as customers are converted to the surface water distribution system over a period of time. The surcharge shall apply to an account for two hundred forty (240) months unless a customer elects to pay off the remaining principal balance of the surcharge earlier. After two hundred forty (240) months or after prepayment of the remaining principal balance the surcharge shall be removed from the monthly bill. The surcharge is not subject to cost index increases. The surcharge may be included in the base minimum

monthly bill total, or as an identified monthly surcharge on the bill. The surcharge shall be in an amount sufficient to recover the Hillcrest Water System Regions 1, 2 and 3 share of actual cost of construction of surface water improvements for Hillcrest Water System Regions 1, 2 and 3 as specified in the staff report to the City Council dated September 30, 2008 but not larger than the amounts stated in the notice of the proposed surcharge approved by the Council on that same date and shall be as follows:

- (i) Customers who have water meters as of November 24, 2008:
 - i. 1 inch or smaller meter shall not exceed \$17.00 per month for 240 months or a one time surcharge of \$3070.00
 - ii. 1.5 inch meter shall not exceed \$34.00 per month for 240 months or a one time surcharge of \$6130.00
 - iii. 2 inch meter shall not exceed \$109.60 per month for 240 months or a one time surcharge of \$19770.00
 - iv. 3 inch meter shall not exceed \$217.40 per month for 240 months or a one time surcharge of \$39220.00
 - v. 4 inch meter shall not exceed \$393.85 per month for 240 months or a one time surcharge of \$71050.00
 - vi. 6 inch meter shall not exceed \$849.15 per month for 240 months or a one time surcharge of \$153195.00
 - (ii) Customers who do not have water meters as of November 24, 2008. If grants are received for full cost of meter installation customers who do not have a water meter as of November 24, 2008 Section 6-6.18(c) (4) (i) charges shall apply:
 - i. 1 inch or smaller meter shall not exceed \$19.80 per month for 240 months or a one time surcharge of \$3570.00
 - ii. 1.5 inch meter shall not exceed \$39.60 per month for 240 months or a one time surcharge of \$7130.00
 - iii. 2 inch meter shall not exceed \$115.75 per month for 240 months or a one time surcharge of \$20880.00
 - iv. 3 inch meter shall not exceed \$265.45 per month for 240 months or a one time surcharge of \$47870.00
 - v. 4 inch meter shall not exceed \$453.05 per month for 240 months or a one time surcharge of \$81700.00
 - vi. 6 inch meter shall not exceed \$928.24 per month for 240 months or a one time surcharge of \$167395.00
 - (iii) For customers whose parcels have already paid the impact fee as of November 24, 2008, the surcharge shall not apply.
- (p) Dog recreation areas—Waiver of fees. All of the applicable Yuba City fees associated with the dog recreation area, including, but not limited to, the water connection and water service meter fees are hereby waived.

(q) Fee for private well customers—From January 1, 2010 through June 30, 2010, any parcel currently served with a private well and City water lines are in the street in front of the parcel to be served:

- (i) May connect to the surface water system at costs described in Section 6-16.18 (o)4.
- (ii) Extension charges in Section 6-6.18(c) shall be waived unless there is an existing reimbursement agreement in place.
- (iii) All other fees associated with the installation of a water service (Section 6-6.18 (a) and (b)) shall apply.
- (iv) Connection charges as described in Section 6-6.18(d) shall not apply.

From January 1, 2010 through June 30, 2010, any parcel currently served with a private well and does not have City water lines are in the street in front of the parcel to be served:

- (i) May connect to the surface water system at costs described in Section 6-16.18 (o)4.
- (ii) Extension charges in Section 6-6.18(c) shall apply.
- (iii) All other fees associated with the installation of a water service (Section 6-6.18 (a) and (b)) shall apply.
- (iv) Connection charges as described in Section 6-6.18(d) shall not apply.

(r) Fees for Cross Connection Control Program

- (1) Application for Backflow Tester: \$50.00
- (2) Backflow Test Tags: \$10.00 per Tag
- (3) Air Gap Inspection/Sticker: \$50.00 per vehicle/equipment piece

(§ 2, Ord. 918, eff. July 1, 1983; § 3, Ord. 1015, eff. January 1, 1987; § 2, Ord. 1069, eff. July 1, 1989; § 5, Ord. 1091, eff. March 7, 1990; § 2, Ord. 11-92, eff. July 2, 1992; § 2, Ord. 07-98, eff. September 17, 1998; § 2, Ord. 02-00, eff. July 1, 2000; § 1, Ord. 02-01, eff. June 14, 2001; § 1, Ord. 03-01, eff. May 15, 2001; § 2, Ord. 04-01, eff. July 19, 2001; § 1, Ord. 019-03, eff. January 1, 2004; § 1, Ord. 009-04, eff. August 5, 2004; § 2, Ord. 011-07, eff. October 4, 2007; § 1, Ord. 002-09, eff. March 5, 2009)

Sec. 6-6.19. Emergency water restrictions.

Upon declaration of the City Council that water supply conditions are such that they dictate and justify the implementation of emergency water restrictions, the following mandatory regulations shall apply to the use of water from the City's Municipal Public Water Supply system:

- (a) Lawn watering is permitted only as follows:
- (i) Wednesdays and Saturdays for those whose address ends with an even number;
 - (ii) Thursdays and Sundays for those whose address ends with an odd number; and
 - (iii) New lawns may be watered three (3) times each day for the first three (3) weeks after planting provided that notification is given to the City Public Works Department of the new planting either at the time of planting or as soon thereafter as is practicable.

(b) Cleaning of sidewalks, driveways, parking lots, buildings and other impermeable surfaces by the use of water is prohibited.

(c) All evaporative coolers must be of the recirculating type.

(d) Public agencies and/or commercial/industrial companies using City water to irrigate large turf areas greater than 0.5 acres, shall submit an irrigation schedule for approval by the Public Works Director/Utilities Director. This schedule shall provide for a reduction of water use based on a percentage of previous usage. The actual percentage and base year of usage shall be established by the Public Works Director/Utilities Director as approved by the City Council and will be in accordance with the severity of the water shortage declared by the City Council.

(e) An automatic shutoff nozzle shall be attached to all hoses for all uses except lawn watering as set forth in paragraphs (a) and (d) above. The use of free flowing hoses is prohibited.

(f) Car washing will be allowed on the owner's residential property. All other car washing must be done at a commercial car wash facility. Washing of cars in parking lots or other commercial or industrial areas is prohibited except for vehicles owned by the person or agency who leases or owns said property.

(g) Leaking customer pipes, sprinklers, or other water facilities shall be repaired promptly, and not later than five (5) days after being notified of such leak by the City. In the event of a severe leak, as determined by the City, the repairs shall be made in the shortest time reasonably possible.

(h) Commercial nurseries will be allowed to apply water to plant materials located on their property as needed to maintain said plant material. Watering shall be by a method which does not allow the waste of water. This permission does not apply to turf or lawn material. Turf or lawn materials shall be watered in accordance with either paragraph (a) or (d) of this section.

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(i) Watering of trees, shrubs, hedges and other plant materials excepting lawns shall be done with a drip system, by a hand held hose with an automatic shutoff

nozzle, or by use of a water bucket. There shall be no runoff caused by watering of these plant materials.

(j) Decorative water facilities such as ponds or fountains are prohibited unless they are equipped with a recycling device approved by the City.

(k) All restaurants and other food and drink establishments shall furnish water only at the request of the customer.

(l) Allowing water to run off beyond the owners property lines is prohibited.

(§ 2, Ord. 03-91, eff. April 17, 1991; § 1, Ord. 08-91, eff. June 19, 1991)

Sec. 6-6.20. Enforcement measures.

(1) For each violation of any of the ~~provisions/regulations set forth in this chapter~~, there shall be assessed against the responsible party for the property on which the violation occurs, i.e. the owner, lessee, person in possession of said property, or the person reflected in the Yuba City utility records as the party to whom the water bill is sent, the following penalties:

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~~Deleted: Section 6-6.19~~

(a) First violation: A written warning of such violation.

(b) Second violation: ~~Fifty and no/100ths (\$50.00) Dollars surcharge which shall appear on the next monthly water billing.~~

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(c) Third violation: ~~One hundred and no/100ths (\$100.00) Dollars surcharge which shall appear on the next monthly water billing.~~

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(d) Fourth and subsequent violations: ~~Two hundred- fifty and no/100ths (\$250.00) Dollars surcharge which shall appear on the next monthly water billing.~~

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(§ 3, Ord. 03-91, eff. April 17, 1991)

(2) For each violation of any of the cross-connections or other provisions/regulations as set forth in Section 6-6.08 or 6-6.21 there shall be assessed against the responsible party for the property on which the violation occurs, i.e. the owner, lessee, person in possession of said property, or the person reflected in the Yuba City utility records as the party to whom the water bill is sent, the following penalties:

(a) First violation: A written warning of such violation and five times the value of the water.

(b) Second violation: Five-hundred and no/100ths (\$500.00) Dollars surcharge and ten times the value of the water, which shall appear on the next monthly water billing.

(c) Third and subsequent violation: Five thousand and no/100ths (\$5,000.00) Dollars surcharge and ten times the value of the water, which shall appear on the next monthly water billing.

Sec. 6-6.21. Cross-Connection Control Program.

A Cross-Connection Control Program is established as provided in this section.

1. Purpose/References/Case History

A. Purpose

1. To protect the public water supply against actual or potential cross-connection by isolating within the premises contamination that may occur because of some undiscovered or unauthorized cross-connection on the premises;
2. To eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption;
3. To eliminate cross-connections between drinking water systems and sources of contamination;
4. To prevent the making of cross-connections in the future;
5. This Section is adopted pursuant to the State of California Code of Regulations, Title 17&22 Public Health, and entitled "Regulations Relating to Cross-Connections". Requiring the water supplier to administer a program to ensure cross-connection devices are installed, maintained and tested annually.

B. References

1. Under Public Law 99-339 the Safe Drinking Water Act inclusive of amendments
2. California Plumbing Code Chapter 6 602.0 602.1 602.2 602-3 602-4
3. California Administrative Code Title 17 & 22
4. City of Yuba City standard details 408 408A 410 413
5. Manual of Cross Connection Control, 9th Edition, published by University of Southern California Foundation for Cross-Connection Control and Hydraulic Research

C. Case History

Manual of Cross Connection Control, 9th Edition, published by University of Southern California Foundation for Cross-Connection Control and Hydraulic Research

2. Definitions

For the purposes of this Section, the following definitions shall apply:

A. Air-Gap Separation (AG). A physical break between a supply pipe and a receiving vessel. The air-gap shall be at least double the diameter of the supply pipe measured vertically above the top rim of the vessel, in no case less than one inch.

B. Approved Backflow Prevention Device. "Approved backflow prevention device" means devices which have passed laboratory testing and field evaluation tests performed by a recognized testing organization which has demonstrated their competency to perform such tests to the (AWWA) American Water Works Association and posses a valid certification.

C. Approved Water Supply. "Approved water supply" means any water supply whose potability is regulated by a state or local health agency including water supplier.

D. Auxiliary Water Supply. "Auxiliary water supply" means any water supply on or available to the premises other than the approved water supply.

E. AWWA Standard. "AWWA standard" means an official standard developed and approved by the American Water Works Association (AWWA).

F. Backflow. "Backflow" means a flow condition, caused by a differential in pressure, that causes the flow of water or other liquids, gases, mixtures or substances into the distributing pipes of a potable supply of water from any source or sources other than an approved water supply source, whether caused by back siphonage, backpressure or otherwise.

G. Contamination. "Contamination" means a degradation of the quality of the potable water by any substance which creates a hazard to the public health or which may impair the usefulness or quality of the water.

H. "Cross-connection." "Cross Connection", means any actual or potential connection between a potable water system used to supply water for potable purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome and potable. By-pass arrangements, jumper connections, removable sections, swivel or changeover devices or any other devices through which backflow could occur, shall be considered to be cross-connections.

I. Double Check-Valve Assembly. "Double check-valve assembly" means an assembly of at least two independently acting check-valves including tightly closing shutoff valves on each side of the check-valve assembly and test cocks available for testing the water-tightness of each check-valve.

J. Health Agency. "Health agency" means the California Department of Public Health.

K. Local Health Agency. "Local health agency" means the Sutter County Environmental Health.

L. Person. "Person" means an individual, corporation, company, association, partnership, municipality, public utility or other public body or institution.

M. Premises. "Premises" means any and all areas on a property which is served or has the potential to be served by the public water system.

N. Public Water System means water provided by the City of Yuba City.

O. Reclaimed Water. "Reclaimed water" means a wastewater which as a result of treatment is suitable for uses other than potable use.

P. Reduced Pressure Principle Backflow Prevention Assembly. "Reduced pressure principle backflow prevention assembly" means an assembly incorporating two or more check-valves and an automatically operating differential relief valve located between the two checks, a tightly closing shut-off valve on each side of the check-valve assembly, and equipped with necessary test cocks for testing.

Q. Service Connection. "Service connection" means and refers to the point of connection of a water user's piping to the water supplier's facilities.

R. Unprotected Cross-Connection. "Unprotected cross-connection" means any cross-connection not outfitted with an air-gap separation, double check-valve assembly or reduced pressure principle backflow prevention assembly.

S. Water Supplier. "Water supplier" means The City of Yuba City who operates the approved water supply system. For the purposes of this document, the term "water supplier" shall mean the City.

T. Water User. "Water user" means any person obtaining water from an approved water supply system of the City of Yuba City.

3. Cross-connection protection requirements.

A. General Provisions.

1. It is unlawful for any person, firm or corporation at any time to make or maintain or cause to be made or maintained, temporarily or permanently, for any period of time whatsoever, any cross-connection between plumbing pipes of water fixtures being served with water by the City and any other source of water supply, or to maintain any sanitary fixture or other appurtenances or fixtures which by reason of their construction may cause or allow backflow of water or other substances into the water supply system of the City and/or the service of water pipes or fixtures of any water user of the City.

2. Unprotected cross-connections with the City's water supply are prohibited.

3. Whenever the water supplier, health agency or local health agency determines that backflow protection is required on a premises, the City will require the water user to install an approved backflow prevention device at his/her expense for continued services or before a new service will be granted or continued.

4. Wherever the Water supplier, health agency or local health agency determines that backflow protection is required on a water supply line entering a water user's premises, then any and all water supply lines from the City's mains entering such premises, buildings or structures shall be protected by an approved backflow prevention device, to be installed at the water user's expense. The type of device to be installed will be in accordance with the requirements of this section.

5. Every fire protection system served by the water supplier shall be separately connected to the public water system, and not interconnected to plumbing systems serving domestic or irrigation water unless approved by the Public Works Director/Utilities Director.

6. All services to commercial or industrial users who apply for new construction or remodel permits shall at that time upgrade all service connection points to current standards. This includes Domestic /Irrigation /Fire water service connection points.

7. Any current device that does not meet current standards must be replaced. The water user must retrofit their assembly to meet current standards at the water user's expense.

8. Backflow preventive assemblies shall have at least the same cross-sectional area as the water meter or less than the cross sectional area with exception of those in parallel. In those instances where a continuous water supply is necessary and, two (2) sets of backflow preventive assemblies shall be installed in parallel, if the water supply cannot be temporarily interrupted for the testing of or the repair of the assemblies.

9. Cross-connections. The customer shall comply with State and federal laws governing the separation of dual water systems or installations of backflow protective devices to protect the public water supply from the danger of cross-connections. Backflow protective devices shall be installed as near the service as possible and shall be

open to tests and inspections by the City. Plans for the installation of backflow protective devices shall be approved by the City prior to installation.

10. In special circumstances, where the customer is engaged in the handling of especially dangerous or corrosive liquids or industrial or process waters, the City may require the customer to eliminate certain plumbing or piping connections as an additional precaution and as a protection to the backflow preventive devices.

11. As a protection to the customer's plumbing system, a suitable pressure relief valve shall be installed and maintained by him, at his expense, when check valves or other protective devices are used. The relief valve shall be installed between the check valves and the water heater. The devices shall be serviced, overhauled, or replaced whenever they are found defective, and all costs of repair, replacement, and maintenance shall be borne by the customer.

12. *Direct connections to stationary steam boiler, hydraulic elevators, power pumps, and similar apparatus.* No person shall draw water from City pipes directly into any stationary steam boiler, hydraulic elevator, power pump, or similar apparatus.

13. Where City water is used to supply a steam boiler, hydraulic elevator, or power pump, its owner shall provide tankage of sufficient capacity to afford a supply of at least twelve (12) hours, into which the service pipe shall be discharged.

14. *Commercial and industrial cooling systems.* All commercial and industrial businesses shall be required to equip all air-conditioning and evaporative cooler units using City water with cooling towers and/or recirculating water pumps in order to conserve City water.

15. *Responsibility for equipment.* The customer shall, at his own risk and expense, furnish, install, and keep in good and safe condition all equipment which may be required for receiving, controlling, applying, and utilizing water. The City shall not be responsible for damages to property caused by faucets, valves, and other equipment which is open when water is turned on at the meter, either originally or when turned on after a temporary shutdown.

B. Where Protection is Required.

1. Each service connection from the City water system for supplying water to premises having an auxiliary water supply shall be protected against backflow of water from the premises into the public water system.

2. Each service connection from the City water system for supplying water to any premises on which any substance, which has the potential to create contamination, is handled in such fashion as may allow its entry into the water system, shall be protected against backflow of the water from the premises into the public system by a backflow prevention device to be installed at the water user's expense. Backflow prevention

devices shall also be installed, at the water user's expense, for service connections handling process waters and waters originating from the City water system which have been subjected to contamination from the premises.

3. Backflow prevention devices shall be installed on all service connections to any premises having any of the following:

a. Internal cross-connections that cannot be permanently corrected and controlled to the satisfaction of the state or local health agency and the City; or

b. Intricate plumbing and piping arrangements; or

c. Where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross-connections exist.

d. Any premises that has pumps to increase water pressure from the supplier.

4. Any system or premises designated to serve multiple residential, commercial or industrial tenants whose water practices are unknown at the time the plumbing or building permit is issued shall be protected against backflow of water from the premises to the public water system by a backflow prevention device of the type required by the City, health agency or local health agency. The determination of the type of backflow prevention device required shall be based on a determination of the potential hazard that may reasonably be expected to be encountered in buildings of similar type or nature.

5. All portable pressure spray or cleaning units (including water trucks, street sweepers, etc...) that have the capability of connecting to any water supplier's system shall be provided with an air-gap separation.

C. Type of Protection Required.

1. The type of protection that shall be provided to prevent backflow into the approved water supply shall be commensurate with the degree of hazard that exists on the consumer's premises. The type of protective device that may be required (listed in an increasing level of protection) includes: double check-valve assembly (DC), reduced pressure principle backflow prevention device (RP) and an air-gap separation (AG). The water user may choose a higher level of protection than required by the City, health agency or local health agency. The minimum type of backflow protection required to protect the approved water supply at the user's water connection to premises with varying degrees of hazard are given in Table 1. Situations which are not covered in Table 1 shall be evaluated on a case by case basis and the appropriate backflow protection shall be determined by the City or health agency, consistent with the highest practicable protection of potable water supplies.

TYPE OF BACKFLOW PROTECTION REQUIRED

TABLE 1

<u>Degree of Hazard</u>	<u>Minimum Type of Backflow Prevention</u>
<u>Sewage and Hazardous Substances.</u>	<u>See below</u>
(1) <u>Premises where the public water system is used to supplement the reclaimed water supply.</u>	<u>AG</u>
(2) <u>Premises where there are wastewater pumping and/or treatment plants and there is not interconnection with the potable water system. This does not include a single-family residence that has a sewage lift pump. A RP may be provided in lieu of an AG if approved by both the health agency and the City</u>	<u>AG</u>
(3) <u>Premises where reclaimed water is used and there is no interconnection with the potable water system. A RP may be provided in lieu of an AG if approved by both the health agency and the City</u>	<u>AG</u>
(4) <u>Premises where hazardous substances are handled in any manner in which the substances may enter a potable water system. This does not include a single-family residence that has a sewage lift pump. A RP may be provided in lieu of an AG if approved by both the health agency and the City</u>	<u>AG</u>
(5) <u>Premises where there are irrigation systems into which fertilizers, herbicides or pesticides are, or can be, injected or assimilated.</u>	<u>RP</u>
<u>Auxiliary Water Supplies.</u>	<u>See below</u>
(1) <u>Premises where there is an unapproved auxiliary water supply which is interconnected with the public water system. A RP may be provided in lieu of an AG if approved by both the health agency and the City.</u>	<u>AG</u>
(2) <u>Premises where there is an unapproved auxiliary water supply and</u>	<u>RP</u>

<p><u>there are no interconnections with the public water system. A DC may be provided in lieu of a RP if approved by both the health agency and City.</u></p>	
<p><u>Fire Protection Systems.</u></p>	-
<p><u>(1) Premises where fire system is directly supplied from the public water system and there is an unapproved auxiliary water supply on or to the premises (not interconnected).</u></p>	RP
<p><u>(2) Premises where the fire system is supplied from the public water system and interconnected with an unapproved auxiliary water supply. A RP may be provided in lieu of an AG if approved by both the health agency and City</u></p>	AG
<p><u>(3) Premises where the fire system is supplied from the public water system and where either elevated storage tanks or fire pumps which take suction from the private reservoirs or tanks are used.</u></p>	RP
<p><u>(d) Dockside Watering Points and Marine Facilities.</u></p>	RP
<p><u>(1) Pier hydrants for supplying water to vessels for any purpose.</u></p>	RP
<p><u>(2) Premises where there are marine facilities.</u></p>	RP
<p><u>(e) Premises where entry is so restricted that the City determines that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure that cross-connections do not exist.</u></p>	RP
<p><u>(f) Premises where cross-connections have been established or reestablished two or more times or any other water service that the health agency or the City determines that a cross-connection hazard may exist</u></p>	RP

4. Backflow prevention devices.

A. Approved Backflow Prevention Devices.

1. Only backflow prevention devices which have been approved by the City shall be acceptable for installation by a water user connected to the City's potable water system.
2. The City will provide, upon request, to any affected customer a list of approved backflow prevention devices.

B. Backflow Prevention Device Installation.

1. Backflow prevention devices shall be installed in a manner prescribed in Section 7603, Title 17/22, of the California Administrative Code of Regulations. Location of the devices shall be as close as practical to the user's connection to the public water supply. The City shall have the final discretionary authority in determining the required location of a backflow prevention device.
 - a. Air-gap Separation (AG). The air-gap separation shall be located on the user's side of and as close to the service connection as is practical. All piping from the service connection to the receiving tank shall be above grade and be entirely visible. No water use shall be provided from any point between the service connection and the air-gap separation. The water inlet piping shall terminate a distance of at least two pipe diameters of the supply inlet, but in no case less than one inch above the overflow rim of the receiving tank.
 - b. Reduced Pressure Principle Backflow Prevention Device (RP). The approved reduced pressure principle backflow prevention device shall be installed on the user's side of and as close to the service connection as is practical. The device shall be installed a minimum of twelve inches above grade and not more than thirty-six inches above grade measured from the bottom of the device and with a minimum of twelve inches side clearance. The device shall be installed so that it is readily accessible for maintenance and testing. Water supplied from any point between the service connection and the RP device shall be protected in a manner approved by the City.
 - c. Double Check-Valve Assembly (DC). The approved double check-valve assembly shall be located as close as practical to the user's service connection and shall be installed above grade, if possible, and in a manner where it is readily accessible for testing and maintenance. If a double check-valve assembly is put below grade it must be installed in a vault such that there is a minimum of six inches between the bottom of the vault and the bottom of the device, so that the top of the device is no more than eight inches below grade, so there is a minimum of six inches of clearance between the side of the device with the test cocks and the side of the vault, and so there is a minimum of three inches clearance between the other side of the device and the side of the vault. Double

check-valve assemblies of the "Y" type must be installed on their "side" with the test cocks in a vertical position so that the check-valve may be removed for service without removing the device. Vaults which do not have an integrated bottom must be placed on a three-inch layer of gravel.

C. Backflow Prevention Device Testing and Maintenance.

1. California Department of Public Health requires that the City administer a cross-connection program to ensure that annual testing is completed. The owners of any premises on which, or on account of which, backflow prevention devices are installed, shall have the devices tested by a person certified by the American Water Works Association and approved by the City. Backflow prevention devices must be tested at least annually and immediately after installation, relocation or repair. The City may require a more frequent test schedule if it is determined to be necessary. No device shall be placed back in service unless it is functioning as required. A report in a form acceptable to the City shall be filed with the City each time a device is tested, relocated or repaired. These devices shall be serviced, overhauled or replaced whenever they are found to be defective and all costs of testing, repair and maintenance shall be borne by the water user.

2. The City will supply affected water users with a list of persons acceptable to the City to test backflow prevention devices. The City will notify affected customers by mail when annual testing of a device is needed and also supply users with the necessary forms which must be filled out each time a device is tested or repaired.

D. Backflow Prevention Device Removal.

1. Approval must be obtained from the City before a backflow prevention device is removed, relocated or replaced.

a. Removal. The use of a device may be discontinued and the device removed from service upon determination by the City that a hazard no longer exists or is not likely to be created in the future. All well(s) must be abandoned by permit through Sutter County Environmental Health.

b. Relocation. A device may be relocated following confirmation by the City of Yuba City that the relocation will continue to provide the required protection and satisfy installation requirements. The City shall require a retest following the relocation of the device to verify the required level of protection.

c. Repair. A device may be removed for repair, provided the water use is either discontinued until repair is completed and the device is returned to service, or the service connection is equipped with other backflow protection approved by the City. The City shall require a retest following the repair of the device to verify the required level of protection.

d. Replacement. A device may be removed and replaced provided the water use is discontinued until the replacement device is installed. All replacement devices must be approved by the City and must be commensurate with the degree of hazard involved or updated to current standards

5. User Supervisor.

At each premise where it is necessary, in the opinion of the City, a user supervisor shall be designated by and at the expense of the water user. This user supervisor shall be responsible for the monitoring of the backflow prevention devices and for avoidance of cross-connections. In the event of contamination or pollution of the drinking water system due to a cross-connection on the premises, the City shall be promptly notified by the user supervisor so that appropriate measures may be taken to overcome the contamination. The water user shall inform the City of the user supervisor's identity annually, and whenever a change occurs. Any cost incurred by the City due to contamination by the failure / tampering or removal of the backflow device caused by user negligence shall be the responsibility of the water user or the property owner.

6. Administrative Procedures.

A. Water System Survey.

1. The City shall review all requests for new services to determine if backflow protection is needed. Plans and specifications must be submitted to the City upon request for review of possible cross-connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention device is necessary to protect the public water system, the required device must be installed before service will be granted.

2. The City may require an on-premises inspection to evaluate cross-connection hazards. The City will transmit a written 48 hour notice requesting an inspection appointment to each affected water user. Any customer which cannot or will not allow on-premises inspection of their piping system shall be required to install the backflow prevention device the city considers necessary.

a. Right of entry for inspections. Upon presentation of official identification, any authorized employee of the City on official business shall be allowed access at reasonable hours to any premises supplied by City water supply.

b. Any person who, as owner or occupant of any premises, refuses admittance to or hinders or prevents inspection by an authorized employee of the City may have all water

service to the premises terminated. Water will not be restored until an inspection is performed and any corrective action has been addressed. A reconnection fee will be charged in accordance with the fees established in section 6.18 of this Chapter.

3. The City may, at its discretion, require a re-inspection for cross-connection hazards of any premises to which it serves water. The City will transmit a written 48 hour notice requesting an inspection appointment to each affected water user. Any customer which cannot or will not allow on-premises inspection of their piping system shall be required to install the backflow prevention device the City considers necessary.

B. Customer Notification -- Device Installation.

1. The City will notify any affected water user of the survey findings, listing corrective action to be taken if required. A period of thirty days will be given to complete all corrective action required including installation of backflow prevention devices.

2. A second notice will be sent to each water user which does not take the required corrective action prescribed in the first notice within the thirty day period allowed. The second notice will give the water user a fifteen day period to take the required corrective action. If no action is taken within the two-week period the City may terminate water service to the affected water user until the required corrective actions are taken. A reconnection fee will be charged per the city's fee schedule.

C. Customer Notification--Testing and Maintenance.

1. The City will notify each affected water user 15 days prior to the time for the backflow prevention device installed on their service connection to be tested. This written notice shall give the water user 60 days to have the device tested and supply the City with a completed test report. All test reports are due annually on the first day of the month in which the device was installed, repaired or replaced.

2. A second notice shall be sent 30 days after the first notice to each City water user which does not have his/her backflow prevention device tested as prescribed in the first notice within the 60 period allowed. The second notice will give the water user a 30 day period with in the original 60 day period to have his/her backflow prevention device tested.

3. A third and notice shall be sent to have his/her backflow prevention device tested. If no action is taken within the remaining 14 day period a 48 hour notice will be hand delivered prior to the shut off time and date stated in the third notice. The City may terminate water service to the affected water user at that time to the premises until the subject device is tested. A reconnection fee will be charged in accordance with the city's fee schedule before the water service will be restored.