

ORDINANCE NO. 9984 (N.S.)

AN ORDINANCE AMENDING SECTION 19 AND ADDING SECTION 20 TO
ORDINANCE NO. 9678 RELATING TO SERVICE FEES AND PROHIBITING PRACTICES
THAT WASTE WATER

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 19 of Ordinance No. 9678 is amended to read as follows:

Section 19. RATE STRUCTURE AND BILLING POLICIES. The following fees and charges are to be established by separate County ordinance:

(a) Water Service Charges shall, at the discretion of the County, be based on either a flat rate or commodity rate. At the sole discretion of the County, water service charges may be collected by either the mailing of monthly or bi-monthly invoices, or by placement on the tax roll in the same manner and together with the general taxes of the County pursuant to Section 5473 through 5473.11, inclusive, of the Health and Safety Code of the State of California. . Payment obligations for water service charges, late fees, charges for the collection of delinquent balances, and attorneys' fees as set forth herein shall constitute a tax lien. Customers receiving monthly invoices who wish to dispute charges, must protest within 15 days of the invoice postmark.

(b) Water Connection Fee is a one-time charge to be paid by any customer who requires installation of a new water meter.

(c) Base Water Charge. All permanent water meter connections shall be subject to a base charge whether or not water is used. Charges for initial and closing bills will be prorated on a daily basis.

(d) Annexation Fees shall be paid by the property owner with property outside the service area boundary.

(e) Bulk Water Rates. The bulk water rate shall either be based on per cubic foot or gallonage basis. Any person desiring to purchase bulk water must pay a one-time, non-refundable administrative fee.

Bulk water service may be terminated by the County after two weeks notice given by certified mail to the address on the application for service. In the event of an emergency, bulk water service may be terminated immediately and without prior notice.

Use of water to fill water trucks, etc., will be on a case-by-case basis. An application must be filed with DPW and the customer must provide a temporary certified water meter.

(f) Water Meter Fees - customer without a meter. The water meter and installation will be based on actual cost. A payment of 75% of the estimated cost is required prior to installation.

The remaining fee will be billed on the first invoice. This fee applies to the initial installation, re-installation, relocation, increase or decrease in water meter size. DPW personnel will install the water meter and distribution line to the customer's property boundary.

(g) New customer charges with existing meters. New customers will be required to pay an activation charge.

(h) Service Charge. The County will impose a service charge for requests for refunds from customers canceling a request for a meter installation after the fees and paperwork have been completed.

(i) Past Due Accounts. A late fee will be charged to any account with an outstanding balance after the posted due date. Payments must be received by the date posted on the invoice.

(j) Termination of Service. Any account with an outstanding balance after 30 days will be subject to the water/sewer service being shut-off and the meter locked. A notice will be posted on the property 48 hours before termination of service.

(k) Reinstatement Fees. There will be a fee to re-establish service when there is a delinquent shut off.

(l) Reinstatement of Services. In situations where water service has been terminated or the meter has been removed, the water meter will not be re-installed until all applicable charges have been paid:

1. Outstanding water bills.
2. Meter installation fee.
3. Customer activation fee.
4. The cost of any damage to County property.

(m) Damage to Meters and Valves. Whenever DPW has determined that a water meter or valve has been tampered with or damaged in such a manner that the meter does not properly register the consumption of water, or has been damaged to illegally access water, the meter will be removed.

(n) Damage to County Property. Damage to County property caused by customers will be repaired by DPW and charged to the customer up to three times the cost of labor, materials, and equipment per Section 1882.2, California Civil Code.

(o) Service Repair Charge. Shut-off of County valves for customer repairs will be subject to a service charge.

(p) Returned Checks. There will be a service charge for all returned checks. Any returned check can only be satisfied by cash or money order. If there are two returned checks in a twelve-month period, no further checks will be accepted.

Section 2. Section 20 is added to Ordinance No. 9678 to read as follows:

Section 20. WATER USAGE PROHIBITIONS. This section applies to any customer in the use of water provided by the County and is intended to prevent the wasting of water and promote conservation of this limited resource. It is not intended to implement or replace any provision of federal, state, or local statutes, ordinances, or regulations relating to protection of water quality or control of drainage or runoff.

- (a) A customer shall not allow water to leave the customer's property by drainage onto adjacent properties or public or private roadways or streets or gutters due to excessive irrigation and/or uncorrected leaks.
- (b) A customer will not fail to repair or stop a water leak.
- (c) Vehicle washing can only be done using a hose with an automatic shutoff nozzle or hand held container.
- (d) At the discretion of the Director of Public Works, additional conservation measures may be implemented in the event that future water supply shortages are projected or are in effect, or if wasting of water is identified.
- (e) Enforcement. Failure of a customer to comply with these water usage prohibitions shall be grounds for termination of water service to customer's property, and DPW is hereby authorized to terminate such service after giving a customer reasonable notice of the violation and opportunity to cure.

Section 3. Operative Date. This ordinance is operative July 1, 2009.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this 13th May, 2009.