

WATER SERVICE ORDINANCE \_\_\_\_\_  
AMENDING AND RESTATING  
**ORDINANCE NO. 3**  
**(As amended)**  
**AN ORDINANCE ESTABLISHING RATES, RULES AND**  
**REGULATIONS FOR WATER SERVICE BY THE**  
**DEL PASO MANOR WATER DISTRICT**

BE IT ORDAINED by the Board of Directors of the Del Paso Manor Water District, Sacramento County, California, as follows:

ARTICLE 1. INTRODUCTION

100. Short Title. This ordinance shall be known and may be cited as “Del Paso Manor Water District Water Ordinance”.

101. Supersedes Prior Ordinance. This ordinance replaces and supersedes the District’s existing Ordinance No. 3, including all amendments thereto, in its entirety as of the effective date hereof.

102. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

ARTICLE 2. DEFINITIONS

200. Board means the Board of Directors of the District.

201. Cross-Connection means any physical connection between the piping system from the District 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 District distribution mains.

202. Distribution Mains mean water lines in streets, highways, alleys, and easements used for public and private fire protection and for general distribution of water.

203. District means Del Paso Manor Water District.

204. General Manager means the General Manager of the District, or his or her designee.

205. Owner means the current Owner of the property, determined by the latest equalized assessment roll on file with the Sacramento County Assessor, or a deed or other evidence of ownership acceptable to the District, or a person duly authorized to act on the Owner's behalf. Owner may also be referred to herein as the "Applicant."

206. Person means any human being, individual, firm, company, partnership, association and private or public or municipal corporation, the United States of America, the State of California and its agencies, special districts and all political subdivisions.

207. Premises means a lot or parcel of real property under one ownership, except where there are well-defined boundaries or partitions such as fences, hedges or other restrictions preventing the common use of the property by several tenants, in which case each portion shall be deemed a separate Premises. An apartment house and office building and a structure of like nature may be classified as a single Premises.

208. Private Fire Protection Service means 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.

209. Public Fire Protection Service means the service and facilities of the entire Water System supply, storage and distribution system of the District, including the fire hydrants affixed thereto, and the water available for fire protection, excepting house service connections and appurtenances thereto.

210. Service or Service Connection means the pipeline and appurtenant facilities such as the curb stop, meter and meter box, if any, all used to extend water service from a distribution main to a 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.

211. Temporary Water Service means water service and facilities rendered for construction work or other uses of limited duration, and the water available therefor.

212. Water System means the District's system, plant and works for conserving and distributing water for public and private uses within the District, including all parts of the system, all appurtenances to it, and lands, easements, rights in land, water rights, contract rights, franchises, and other water supply, storage and distribution facilities and equipment.

### ARTICLE 3. APPLICATION FOR WATER SERVICE

300. Application. Application for water service (i.e., water service for normal domestic, commercial or industrial purposes on a permanent basis) shall be made to the District by the Owner of the Premises to receive water service. The General Manager may require the Owner to sign an application form provided by the District. By applying for water service, the Applicant agrees to comply with all District regulations, including the provisions of this Ordinance, as revised from time to time.

301. Credit. An Owner may be required to establish credit with the District as provided in Article 10.

302. Application for Subdivision. An application for water service to a subdivision shall state the number of the tract, the name of the subdivision, and its location. It shall be accompanied by a copy of the final map, and of the plans, profiles and specifications for the street work therein.

303. Payment for Previous Service. An application will not be honored unless payment in full has been made for water service previously provided by the District (a) for the Premises, and (b) to the Owner (including service to the Owner at a different Premises).

304. Installation of Services. Services will be installed at the location and in the size determined by the General Manager. Service installations will be made only to Premises abutting public streets or abutting such distribution mains as may be constructed in alleys or easements, at the convenience of the District. Services installed in new subdivisions prior to the construction of streets or in advance of street improvement must be accepted by the Applicant in the installed location.

305. Changes in Owner's Equipment. Owners making any material change in the size, character or extent of the equipment or operations utilizing water service, or whose change in operations results in a large increase in the use of water, shall immediately give the District written notice of the nature of the change and, if necessary, amend their application. Failure to

amend an application when required shall not relieve the Owner of liability to pay any increased fees and charges warranted by the change.

306. Service to a Subdivision and/or When Main Extension Required. When an extension of a Distribution Main is necessary or a substantial expenditure is required to furnish service (e.g., for service to a subdivision), the Applicant will be informed by the General Manager as to whether or not and under what conditions water service can be extended under these regulations.

307. Terms and Conditions. Distribution mains will be extended to serve a new Owner and service will be provided to a subdivision or Service under the following terms and conditions: Prior to the time the distribution main is constructed or service extended, the Applicant or Applicants shall enter into a written agreement for such work, and shall deposit with the District the estimated cost for such work. The estimated cost shall be determined by the General Manager, and shall include the cost of labor, materials, transportation, supervision, engineering, design, legal, administrative overhead (at 10 percent), and all other costs to be incurred by the District in connection with the work. The Owner shall be responsible for the payment of such costs prior to connection to District facilities.

308. Facilities Exceeding Needs. The District may require the Owner to install facilities with a capacity greater than will be needed to serve the subdivision or Service. In that case, the District may enter into an agreement with the Applicants who receive water service by means of the oversized facilities under which the future Owners will be required, during a specified period, to reimburse the Applicant a share of the cost of such oversized facilities.

309. Specifications and Construction. The size, type and quality of materials and location of the lines shall be specified by the General Manager, and the actual construction will be done either (a) by the District or (b) by a contractor acceptable to it. Construction work shall be subject to inspection by the District. The Owner Applicant shall pay the inspection fee set forth in Article 9. The Owner shall also convey such easements as the District may require as a condition of providing water service.

310. Adjustment. The Applicant may be required to increase the amount of the deposit if the General Manager determines it is necessary to do so to pay the District's estimated costs. The District will provide an accounting of its costs to the Applicant after the completion of the installation and acceptance by the District. The Applicant shall pay the District the

amount of the actual cost less the amount deposited, and the District shall refund the amount the actual cost is less than the amount deposited. If the District's actual cost is greater than the amount deposited, the Applicant shall pay the difference between the District's actual cost and the amount deposited before connection to District facilities and commencement of Water Service.

311. Property of District. All facilities shall become part of the Water System after acceptance by the District, and be the property of the District.

312. Extensions by District. The District may make extensions to the facilities constructed under this Article without obligation to the Applicant, except as provided under an agreement entered into under section 306.

#### ARTICLE 4. GENERAL USE REGULATIONS

400. Number of Services per Premises. The Applicant may apply for as many Services as may be reasonably required for his or her Premises, provided that the pipeline system from each Service shall be independent of the others and they not be interconnected. The cost of all Service Connections shall be borne by the Applicant.

401. Supply to Separate Premises. Not more than one Premises shall be serviced from each Service Connection.

402. Water Waste. No Owner shall knowingly permit leaks or waste of water. The District may meter any flat rate service as it deems necessary to prevent waste, and/or may refuse service or discontinue service if necessary to protect itself against waste.

403. Responsibility for Equipment on Premises. All facilities installed by the District on private property for the purpose of rendering water service shall become part of the Water System and remain the property of the District and may be maintained, repaired or replaced by the District without consent or interference from the Owner or occupant of the property. The Owner shall use reasonable care in the protection of the Water System, and shall be responsible for any damage caused to District facilities. The District shall make no payment for placing or maintaining facilities on private property.

404. Damage to Water System. The Owner shall be liable for any damage to the Water System when such damage is from causes originating on the Premises by an act of the

Owner or the Owner's tenants, agents, employees, contractors, licensees or permittees, including the breaking or destruction of locks by the Owner or others on or near a meter and/or valve or appurtenance, and any damage to a meter that may result from hot water or steam from a boiler or heater on the Premises. The District shall be reimbursed by the Owner for any such damage promptly on presentation of a bill.

405. Ground-Wire Attachments. All persons are forbidden to attach any ground-wire or wires to any plumbing which is or may be connected to a Service Connection or main belonging to the District. The District will hold the Owner liable for any damage to District property occasioned by such ground-wire attachments

406. Control Valve on the Owner's Property. The Owner shall provide a valve on the Owner's side of the Service Connection as close as is practicable to the meter location, street, highway, alley or easement in which the water main serving the Owner's property is located, to control the flow of water to the piping on the Premises. The Owner shall not use the Service curb stop to turn water on and off for his convenience.

407. Cross-Connections.

Cross-Connection controls shall be installed and maintained by the Owner at the Owner's expense in accordance with the provisions of Sacramento County Code section 6.30.130, "Rules and Regulations Relative to Cross-Connection Controls for Public Water Systems", as amended from time to time, which is incorporated by reference and as a separate District ordinance. The Owner must comply with all 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 preventative devices must be installed as near the Service as possible and shall be open for testing and inspection by the District. The Owner shall test backflow devices annually at the Owner's expense. Plans for installation of backflow protective devices must be approved by the General Manager prior to installation.

In special circumstances, when the Owner is engaged in the handling of especially dangerous or corrosive liquids or industrial or process waters, the General Manager may require the Owner to eliminate certain plumbing or piping connections as an additional precaution and as a protection to the backflow prevention devices.

A suitable pressure relief valve must be installed and maintained by the Owner, at his or her expense, when check valves or other protective devices are used. The relief valve shall be installed between the check valves and the water heater.

Whenever backflow protection has been found necessary on a water supply line entering a Premises, then any and all water supply lines from the District's mains entering such Premises, buildings or structures shall be protected by an approved backflow device, regardless of the use of the additional water supply lines.

The double check valve or other approved backflow protection devices shall be inspected and tested annually by the Owner at the Owner's expense. The devices shall be serviced, overhauled, or replaced whenever they are found defective and all costs of repair and maintenance shall be borne by the Owner.

The service of water to any Premises may be immediately discontinued by the District if any defect is found in the check valve installation or other protective devices, or if it is found that dangerous unprotected Cross-Connections exist. Service will not be restored until such defects are corrected by the Owner.

Tampering with any backflow device for the unauthorized use of water therefrom, or for any other purpose, is a crime and may subject the Person responsible to criminal prosecution and civil fines and penalties in accordance with state law.

408. Interruptions in Service. The District shall not be liable for damage which may result from an interruption in service. Temporary shutdowns may be made by the District to make improvements and repairs or for any other reason. Whenever possible and as time permits, all Owners affected will be notified prior to making such shutdowns.

409. Ingress and Egress. Representatives from the District shall have the right of ingress to and egress from the Premises for any purpose reasonably related to the furnishing of water service.

410. 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 Water System at the location of the proposed service connection, and to hold the District harmless from and defend it against any claim for damages arising out of low pressure or high pressure conditions or interruptions in service.

411. Tampering With District Property. No one except an employee or representative of the District, or a Person acting under express authorization from the District, shall at any time in any manner operate the curb cocks or valves of the Water System, or interfere with meters or their connections, street mains or other parts of the Water System.

412. Penalty for Violation. For the failure of the Owner to comply with all or any part of this Ordinance, as amended from time to time, and any ordinance, resolution or order fixing rates and charges of the District, a penalty for which has not been specifically fixed herein, the Owner's service may be discontinued and water shall not be supplied to the Premises until the Owner shall have complied with the ordinance, rule, regulation, rate or charge which has been violated or, in the event that the Owner cannot comply, until he or she shall have satisfied the District that in the future he or she will comply with all ordinances, rules, regulations, rates and charges of the District. An Owner shall be liable for unpaid charges incurred by a prior Owner for the service to the same Premises. In addition thereto, the Owner shall pay the District a fee in the amount specified in Article 9 for restoration of his or her service. The Owner shall also be subject to the enforcement action service charge provided for in Article 9, in addition to any other applicable charge if District personnel have to respond to a violation of this Ordinance, irrespective of whether it results in discontinuance of water service. In the event the District files suit to seek the enforcement of this Ordinance, to enjoin violations, recover damages or unpaid charges, the Owner shall be responsible for the payment of all of the District's attorneys' fees, costs and expert witness fees incurred in connection with any civil or criminal proceeding.

413. Decisions Final. All decisions of the Board shall be final. All decisions of the General Manager shall be final unless appealed in writing to the Board within five days of the General Manager's decision. The Board shall attempt to issue its ruling on an appeal within thirty days. The Board's ruling on an appeal shall be final.

414. Conservation Regulations. The District is committed to taking all necessary steps to encourage water conservation. All customers of the District must comply with the District's Water Shortage Policy, as such may be amended from time to time.



## ARTICLE 5. METERS

500. Installation. All new Services (after January 1, 1992) shall be metered. It is the District policy that all Services for (a) commercial water service, and (b) multi-family water service be metered. Any Service for commercial or multi-family service may be retrofitted with a meter when determined practicable by the General Manager. The Owner shall pay all District costs for materials, and for District labor and equipment at the rates set forth in Article 9. The minimum meter installation charge shall be set forth in Article 9. The meter shall be the property of the District unless specifically otherwise provided. The District reserves the right to repair, replace and maintain a meter, at the Owner's expense, as well as to remove it upon discontinuance of service. An Owner may convert to metered service, at the Owner's expense, upon approval of the District, and the District may install meters as it deems proper. Only duly authorized District employees or agents may install, repair, maintain or disconnect meters. At the option of the District, a Premises that receives domestic water service, but at which commercial activities are carried on, may be provided water service at the commercial rate.

501. Service Connections. Installation of service taps, meters, fire hydrants, water main extensions and other appurtenances will be made by the District, at the Owner's expense. The charge therefore will be determined by the District based upon cost of materials, labor rate, administrative and other expense as District shall from time to time determine. The rates for District labor and equipment are set forth in Article 9.

502. Meter Installations. Meters, where required, will be installed at the curb or at the property line, and shall be owned by the District and installed and removed at its expense. No rent or other charge will be paid by the District for a meter or other facilities, including housing and connections, located on a Premises. All meters will be sealed by the District at the time of installation, and no seal shall be altered or broken except by one of its authorized employees or agents.

503. Change in Location of Meters. Meters moved for the convenience of the Owner will be relocated at the Owner's expense. Meters moved to protect the District's property will be moved at its expense. If the lateral distance that the Owner desires to have the meter moved exceeds eight feet, the Owner will be required to pay for a complete new service tap at the desired location.

504. Meter Reading. Meters will be read as nearly as possible on the same day of each month.

505. Meter Tests – Deposits. All meters will be tested prior to installation and no meter will be installed that registers more than two percent fast. If an Owner desires to have the meter serving his or her Premises tested, the Owner shall first pay the deposit set forth in Article 9, and the Owner shall be present when the meter is tested by the District. Should the meter register more than two percent fast, the deposit will be refunded. Should the meter register less than two percent fast, the deposit will be retained by the District.

506. Adjustment for Meter Errors – Fast Meters. If a meter tested at the request of an Owner is found to be more than two percent fast, the excess charges incurred from the date service to the Owner commenced, or for a period of six months, whichever is less, shall be refunded to the Owner.

507. Adjustment for Meter Errors – Slow Meters. If a meter tested at the request of an Owner is found to be more than five percent slow, the District may bill the Owner for the amount of undercharge based upon correct meter readings for the period, not exceeding six months, that the meter was in use.

508. Non-registering 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, whichever is greater. Such estimate shall be made from previous consumption for a comparable period or by such other method as is determined by the General Manager, whose decision shall be final.

## ARTICLE 6. PUBLIC FIRE PROTECTION SERVICE

600. Use of Fire Hydrants. Fire hydrants are for use by the District or by organized fire protection agencies pursuant to contract with the District. Other parties desiring to use fire hydrants for any purpose must first obtain prior written permission from the General Manager, and shall operate the hydrant in accordance with instructions issued by the General Manager. Unauthorized use of hydrants will be prosecuted according to law.

601. Moving of Fire Hydrants. When a fire hydrant has been installed in the location specified by the proper authority, the District has fulfilled its obligation. If an Owner or other party desires a change in the size, type or location of the hydrant, he or she shall bear all costs of

such changes, without refund. Any change in the location of a fire hydrant must be approved by the proper authority.

602. Location of Fire Hydrants. The Owner shall be required to install fire hydrants in conformance with requirements of the fire protection agency in whose boundaries the Premises are located and the General Manager.

## ARTICLE 7. PRIVATE FIRE PROTECTION SERVICE

700. Payment of Cost. An Applicant for Private Fire Protection Service not already installed shall pay the total actual cost of installation of the service from the distribution main to the Premises, including the cost of a detector check meter or other suitable or equivalent device, valve and meter box. The Owner, and not the District, shall own and be responsible for such facilities.

701. No Connection to Other System. There shall be no connections between a Private Fire Protection Service and any other water distribution system on the Premises.

702. Use. There shall be no water used through the Private Fire Protection Service except to extinguish accidental fires and for testing the firefighting equipment.

703. Meter Rates. Any consumption recorded on the meter will be charged for at double the regular service rates except that no charge will be made for water used to extinguish accidental fires where such fires have been reported to the duly authorized fire protection agency.

704. Monthly Rates. The monthly rates for private fire protection shall be as set forth in Article 9.

705. Water for Fire Storage Tanks. Occasionally water may be obtained from a Private Fire Protection Service for filling a tank connected with the fire service, but only if written permission is secured from the General Manager in advance and an approved means of measurement is available. Temporary water rates will be applied.

706. Violation of Agreement. If water is used from a Private Fire Protection Service in violation of this Ordinance, terms of approval of the General Manager or of the regulations of the District, the District may, at its option, discontinue and remove the service.

707. Water Pressure and Supply. The District assumes no responsibility for loss or damage due to lack of water or pressure and merely agrees to furnish such quantities and pressures as are available in its Water System for the Premises. Water service is subject to shutdowns and interruptions required by the operation of the Water System.

#### ARTICLE 8. TEMPORARY SERVICE

800. Initiation and Temporary Duration of Service. Temporary Water Service connections shall be initiated by written application to and approval of the General Manager, and shall be disconnected and terminated within six months after installation, unless an extension of time is granted in writing by the General Manager.

801. Installation and Operation. All facilities for Temporary Water Service to the Owner's Service shall be made by the District and shall be operated in accordance with its instructions.

802. Responsibility for Meters and Installation. The Owner shall use all possible care to prevent damage to the meter or to any other loaned facilities of the District which are involved in furnishing Temporary Water Service from the time they are installed until they are removed, or until after two business days following delivery of notice in writing to the District that the contractor or other person is through using the meter or meters and the temporary installation. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the Owner.

803. Temporary Service from a Fire Hydrant. If Temporary Water Service is supplied through a fire hydrant, a permit for the use of the hydrant shall be obtained from the proper authority and the General Manager. It is specifically prohibited to operate the valve of any fire hydrant other than by the use of a spanner wrench designed for this purpose.

804. Unauthorized Use of Hydrants. Tampering with any fire hydrant for the unauthorized use of water therefrom, or for any other purpose is a misdemeanor, punishable by law.

805. Deposit. The Applicant shall deposit, in advance, the estimated charge for Temporary Water Service and the cost of installing and removing the facilities required to furnish Temporary Water Service exclusive of the cost of salvageable material. Upon

discontinuance of service, the actual cost shall be determined and an adjustment made as an additional charge, refund or credit.

806. Rates. The rate for Temporary Water Service shall be as set forth in Article 9. Article 9 also sets forth the rate for Temporary Water Service supplied through a fire hydrant.

807. Credit. The Applicant shall pay the estimated cost of service in advance or may otherwise be required to establish credit in accordance with Article 10.

#### ARTICLE 9. RATES AND CHARGES

900. Rate Schedule. Rates and charges for water service are hereby established as follows:

(All fees noted below are a monthly rate)

**Single family flat rates** are based on lot size noted below:

Lot Size	Monthly rate (eff. 7/1/2018)
0 - 5000 sq ft	26.90
5001 - 8000 sq ft	35.20
8001 - 11000 sq ft	41.40
11001 - 14000 sq ft	47.60
14001 - 17000 sq ft	53.80
17001 - 20000 sq ft	60.05
over 20000 sq ft	60.05 + 2.07 per 1000 sq ft

**Multi-resident (ie., duplexes) flat rates** are billed at the flat charge per dwelling unit plus a per 1000 square foot of property charge noted below:

Lot Size	Monthly Rate (eff. 7/1/2018)
5001 - 8000 sq ft	56.90
8001 - 11000 sq ft	63.15
11001 - 14000 sq ft	69.35

**Commercial Flat Rate** are bill as noted below:

Service Size	Monthly Rate (eff. 7/1/2018)
5/8"	45.50
1"	62.85
1.5"	90.90
2"	184.00

The above accounts are billed bi-monthly and do not include the System Maintenance Charge noted below.

**Metered accounts** are billed by usage based per 100 cubic feet (748 gallons) plus a Readiness to Serve Charge as noted below:

Meter size	Monthly Rate (eff. 4/16/2012)
5/8"	15.10
1"	37.80
1.5"	75.60
2"	120.95
3"	226.80
4"	378.00
6"	756.00
8"	1209.60
10"	1738.80
Usage Charge - \$1.39 per 100 cu ft or 748 gallons	

**All accounts also include a System Maintenance Charge** which is for debt service and/or projects described in the Master Plan as noted below:

Service Size	Monthly Rate
Residential up to 1"	23.05
Residential 1" + (per 1")	23.05
Duplex (each side)	23.05
Extra Tap (per 1")	23.05
Commercial up to 1"	23.05
Commercial 1 1/2"	46.10
Commercial 2"	73.75
Commercial 3"	138.30
Commercial 4"	230.50
Commercial 6"	461.00

**Fire Protection Charge** is a flat rate amount billed to accounts fire sprinklers inside their building:

Service Size	Monthly Rate (eff. 7/1/2018)
4"	75.60
6"	151.20
8"	241.90
10"	347.75

**Capacity Fees:**

Customers requesting a new tap or increasing their tap size are charged capacity fees based on tap/meter size. Apartments also pay a per unit fee.

Size	Current Rate
1"	7,100.00
1.5"	14,200.00
2"	22,720.00
3"	42,600.00
4"	71,000.00
6"	142,000.00
8"	225,600.00
10"	411,800.00
12"	610,600.00

Apartments are charged the above capacity plus a per unit fee: \$4,260 per unit

Fire System Capacity charges are:

Service Size	Current Rate
4"	1,500.00
6"	1,600.00
8"	1,700.00



## **Other Service Charges and Miscellaneous Fees:**

**Enforcement Action Charge** (charge for enforcement of any part of our regulations): \$60.00

**Failing to provide a change of ownership notice:** \$60.00

**Fire Flow Test:** Based on time and material at a rate of \$120.00 per hour per man with a minimum charge of \$500.00. A deposit of \$500.00 is required with the application.

**Labor Rate:** \$120.00 per hour per person

**Meter Installation Fee:** Based on time and material with a minimum charge of \$1050.00

### **Meter Testing:**

- a. Up to 1" - \$90.00
- b. Greater than 1" - \$175.00

**Plan Check/Inspection Fees:** \$120.00 per hour per man with a minimum charge of \$120.00. A deposit is required which will be calculated based on the estimation sheet as part of the application package.

**Replacement of Lockoff device (stolen or broken):** \$25.00

**Returned Check:** \$30.00

### **Service Line Locations:**

- a. Minimum notice of two (2) full working days and work to be accomplished during normal business hours: No charge
- b. Less than minimum notice but work to be accomplished during normal business hours: \$120.00 per hour per person with a minimum charge of \$60.00
- c. After hours or on a District holiday (emergencies only): \$120.00 per hour per person with a minimum charge of \$120.00

**Service Restoration Fees:** \$60.00

**Violations of Water Conservation Regulations:** Equal to the amount of the monthly water charge for which the violation occurred or \$90.00, whichever is greater.

A. Revision of Fees and Charges:

Any charge of fee provided for in this Ordinance is subject to revision at any time by resolution of the Board of Directors.

ARTICLE 10. CREDIT

1000. Establishment and Maintenance. Each Applicant for service shall establish and maintain credit to the satisfaction of the District, based on the credit worthiness of the Applicant, who may be required to provide a cash guarantee deposit, as hereinafter provided, or otherwise, before service will be rendered.

1001. Guarantee Deposit. The amount of deposit required will be equal to twice the amount of the monthly minimum charge. No interest will be paid by the District on guarantee deposits.

1002. Loss and Reestablishment of Credit. Any amount due for water service that remains unpaid for twenty days after presentation of a bill therefore, during the depositor's first year of service, may be deducted from the guarantee deposit, and service shall be subject to discontinuance until the deposit is again restored to the original amount. Any such unpaid amount accruing subsequently to the depositor's first year of service, where the Premises are owned by the depositor, may also be deducted from any guarantee deposit remaining in the District's possession.

1003. Return of Guarantee Deposit. A guarantee deposit made by an Owner whose account has not been in arrears at any time during the first year of the deposit is returnable after the expiration of the year. If the service is discontinued in less than a year, the deposit will be returned provided all outstanding bills against Owner for water service have been paid. Any deposit uncalled for within five years from the date when made will become the property of and be retained by the District.

1004. Deposit by Other than Owner. Deposits made by Applicants other than the Owner shall be refunded only on discontinuance of service.

## ARTICLE 11. BILLING

1100. Billing Period. The regular billing period will be monthly or bi-monthly at the option of the District.

1101. Opening and Closing Bills. Opening and closing bills for less than the normal billing period shall be prorated both as to minimum charges and quantity blocks. If the total period for which service is rendered is less than one month, the bill shall not be less than the monthly minimum charge applicable. Closing bills may be estimated by the District for the final period as an expediency to permit the Owner to pay the closing bill at the time service is discontinued.

1102. Payment of Bills. Bills for water service shall be rendered at the end of each billing period to include the minimum charge for the following month. Bills shall be payable on presentation. On each bill for water service rendered by the District shall be printed substantially the following: "Bill due and payable upon receipt. Charges levied for delinquent amounts and/or returned checks."

1103. Billing of Separate Meters Not Combined. Separate bills will be rendered for each meter installation except where the District has, for its own convenience, installed two or more meters in place of one meter. Where such installations are made the meter readings will be combined for billing purposes.

1104. Returned Checks. The charge set forth in Article 9 will be imposed for all returned checks.

## ARTICLE 12. DISCONTINUANCE OF SERVICE

1200. Disconnection for Non-Payment. Service may be discontinued for nonpayment of bills on or before the twentieth day of the month following the month during which the bill was sent. At least ten days prior to such discontinuance, the Owner will be sent a final notice that discontinuance will be enforced if payment is not made within the time specified in the notice. The failure of the Owner or user to receive the notice shall not affect the District's power hereunder. The service will not be discontinued, however, until the amount of the deposit made to establish credit for that service has been fully exhausted. Water service may be

discontinued if water service furnished at the Owner's previous location is not paid for within the time herein fixed for the payment of bills. If an Owner receives water service at more than one location and the bill for service at any one location is not paid within the time provided for payment, water service at all locations may be discontinued. Domestic service, however, will not be discontinued for nonpayment of bills for other classes of service. The District will provide notice and otherwise comply with the provisions of Government Code sections 60370-60374 and Public Utilities Code sections 10007-10016, to the extent applicable, before discontinuing water service.

1201. Service Restoration Charge. A service restoration charge as set forth in Article 9 plus penalties will be made and collected prior to renewing service following a discontinuance.

1202. 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 Owners.

1203. Cross-Connections. Water service may be refused or discontinued to any Premises where there exists a cross-connection in violation of State or Federal laws.

1204. Fraud or Abuse. Service may be discontinued if necessary to protect the District against fraud or abuse.

1205. Noncompliance with Regulations. Service may be discontinued for noncompliance with this or any other ordinance or regulation related to the water service.

1206. Upon Vacating Premises. Owners desiring to discontinue service should so notify the District two business days prior to vacating the Premises. A new Owner shall notify the District of a transfer of ownership within two business days of close of escrow. Unless discontinuance of service is ordered, the Owner shall be liable for charges whether or not any water is used. Upon a transfer of ownership, the Owner as of the 16<sup>th</sup> day of the month shall be billed for service for the entire month. However, in accordance with section 412, a new Owner shall nonetheless be liable for unpaid charges incurred by a prior Owner for service to the same Premises. Failure to timely notify the District of a change in ownership shall be subject to the charge set forth in Article 9.

ARTICLE 13. COLLECTION

1300. Penalty. Rates and charges that are not paid on or before the 20<sup>th</sup> day of the month following the month for which the charge was made, will be subject to a penalty of ten percent and thereafter will be subject to interest of one half of one percent per month on the first day of each month following on the unpaid amount due.

1301. Collection. All unpaid rates and charges and penalties herein provided may be collected by the District through legal proceedings.

1302. Costs. In the event the District takes legal action to enforce any of the terms and conditions of this Ordinance, whether administrative or regulatory action, or a civil or criminal action filed in a court of competent jurisdiction, the District shall be entitled to recover its attorneys, fees, costs, expert witness fees and all other litigation expenses incurred.

This Ordinance was introduced at a regular meeting of the Board of Directors held on the \_\_\_ day of May, 2018 during which a public hearing was conducted, and testimony was received.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of Del Paso Manor Water District on this \_\_ day of \_\_, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DEL PASO MANOR WATER DISTRICT

By: \_\_\_\_\_  
Richard Allen, President

ATTEST:

\_\_\_\_\_  
Debra Sedwick, Board Secretary