

Chapter 13.04

WATER DEPARTMENT

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Section 13.04.010 Water department established.

Unless the context specifically indicates otherwise, the meanings and terms used in this Chapter shall be as stated in section 13.04.030 of this code. (Ord. 2004-07, Repealed and Replaced, 10/19/2004)

Section 13.04.020 Service area.

The area in which service is or will be furnished by the department is that area lying within the City limits as the limits now prevail or may from time to time exist, and those areas outside the City limits which have been approved for such service by the City Council. (Ord. 2004-07, Repealed and Replaced, 10/19/2004)

Section 13.04.030 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used throughout Title 13 shall be as follows:

- A. Air-gap - means the physical break between the supply pipe and a receiving vessel.
- B. Applicant - means the owner, or the agent of the owner, of property for which a service connection or a specific permit is requested.
- C. Auxiliary supply - means any water supply located on or available to a premise other than the public water system.

D. AWWA standard - means an official standard developed and approved by the American Water Works Association.

E. Backflow - means a flow condition caused by a differential in pressure that causes the flow of other liquids, gases, mixtures, or substances into the distribution lines of a potable water supply from any source or sources other than the public water system supply source.

F. Backflow prevention device - means devices which have passed laboratory and field evaluation tests performed by a backflow testing technician certified by the California Department of Health Services.

G. Commercial service - means provision of service to premises where the customer primarily is engaged in a business, trade or profession and includes all services not defined as domestic services. The term shall be used interchangeably with "industrial service".

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

I. Cross-connection - means any unprotected actual or potential connection between a potable water supply including the public water system and any source or system containing unapproved water or any substance that is not or cannot be approved as safe, wholesome, and potable.

J. Customer - means the owner, or agent of the owner, tenant, or lessee of the property receiving service, who has applied for and is the account holder for the service. For the purposes of this Title, a tenant (such as a tenant of a master-metered multi-unit building) is not the "customer" if the owner is the account holder.

K. Director - means the Director of Public Works for the City of Galt, or his/her authorized representative.

L. Domestic service - means provision of service for household residential purposes to single-family and multiple-family dwelling units.

M. 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.

N. Finance Director - means the Director of the Finance Department for the City of Galt or his/her representative. O. Flat-rate service - means provision of water in unmeasured quantities for a fixed periodic charge.

P. Health agency - means the California Department of Health Services or its designee.

Q. Industrial service - means provision of service to premises where the customer primarily is engaged in a business, industry, trade, or profession and includes all services, not defined as domestic services. The term shall be used interchangeably with "commercial service."

R. Local health agency - means the Sacramento County Environmental Management Department.

S. Mains - means distribution pipelines located in streets, highways, public ways, or private rights-of-way which are used to serve the public.

T. Metered service - means provision of water in measured quantities for a periodic charge based upon the quantity delivered.

U. Person - means any individual, firm, company, association, society, corporation, or group.

V. Premise - means the integral property or area, including improvements thereon, to which service is or will be provided. For residential units, a premise shall be a building or part of a building with its appurtenances.

W. Public water system - means the portion of the water system owned and operated by the City.

X. Reduced pressure principle assembly - means a backflow prevention device incorporating two independently acting check valves, a hydraulically operating and mechanically independent pressure relief valve, a shutoff valve at each end of the device, and necessary testing appurtenances. Y. Service connection - means the pipe, valves and other facilities by means of which service is conducted to or from the premises and the City's distribution system. Z. Service box - means the valve box, curb stop, or meter box at the point of connection to the public water system typically located near the curb or behind the sidewalk.

(Ord. 2004-07, Repealed and Replaced, 10/19/2004)

Section 13.04.040 Application for service.

All applications for the beginning, changing or discontinuing of water service shall be made to employees of the Finance Department on forms provided by the Finance Department and new customers may be required to pay a deposit in an amount not to exceed three times the monthly service charge as a deposit in advance of the start of service. The deposit requirement may be waived or reduced upon a finding of good credit or extreme financial hardship by the Finance Department. For purposes of this section, new customers shall include commercial, industrial, and residential customers, excluding tenants of master-metered multi-unit buildings, and those whose service has been discontinued due to nonpayment. (Ord. 2009-10, Amended, 07/07/2009; Ord. 2004-07, Add, 10/19/2004)

Section 13.04.050 Charges.

A. There is levied and assessed upon each premises having any water connection with the public water system of the city or otherwise receiving water from the public water system, a service charge payable as provided in this Chapter, in an amount determined as set forth in this section. Fees will also be charged for services rendered in accordance with Title 13 for special water permits.

B. Rates and charges for water service shall be fixed, from time to time, by resolution of the City Council.

C. Outside the City limits each person, firm, individual business or corporation using the City water system shall pay for the use of such facilities, a water service charge in accordance with this section.

D. When service is rendered for a period less than one billing cycle due to registering or terminating service, the charge will be prorated for the time the service was rendered. There shall be no proration for service discontinued for less than one billing cycle for lack of payment.

E. For periods of absence, during which services are discontinued, which exceed two weeks, any customer who provides at least twenty-four hours notice to City of such absence, shall be provided a credit for a period of nonuse upon payment of the discontinuation of service fee. Upon return, the customer shall

be responsible for notifying City within twenty-four hours of such return and the necessity of recommencing service.

F. When more than one flat, dwelling unit, or apartment building, or one premise, is supplied through one water tap, the charges by meter or by flat rate, as applicable, shall be to the owner and any applicable flat rates shall be charged in full for each and every premise connected with the water supply and capable of receiving service. If the premises have different owners, the water service shall be separated and separate service tap lines installed at the owner(s) expense prior to service being started. (Ord. 2004-07, Added, 10/19/2004)

Section 13.04.060 Metered flows.

A. All commercial and industrial services and all new residential units shall be metered and shall be charged based on the metered rates. Existing unmetered residential units will be metered when the City Council so directs. The Director of Public Works shall determine, for accounts and special uses not susceptible of classification under the resolutions adopted pursuant to this Chapter, whether exemptions to installing meters and/or metering water flow shall be granted. The rates for metered flow shall be fixed, per section 13.04.050.

B. Should the applicant desire a water meter installed in his water service or should the code require that one be installed, the applicant shall pay the rental of the same together with all costs of installation in accordance with the metered rate schedule. (Ord. 2004-07, Added, 10/19/2004)

Section 13.04.070 Billing.

A. The billing period will cover one month in arrears and one month in advance. Bills are due on receipt. Payment of bills shall be in cash and where payment is made by check, acceptance of the check does not constitute payment until honored by the bank drawn upon. If the check is dishonored, it will be considered as if no payment has been made.

B. If the bill is not paid when due, or by the fifth day of the calendar month following the billing period for which the bill is rendered, a penalty of ten percent of the delinquent amount shall be added. However, only one penalty of ten

percent of delinquent amount per billing period will apply.

C. Upon application to the Finance Director by any person to whom a penalty is assessed, the Director may waive or refund a penalty or service charge upon showing of excusable neglect, error by parties other than the person to whom the penalty is assessed, or extreme hardship. Such application must be made within thirty (30) days of notification of the assessment of the service charge or penalty. A refusal to waive or refund a service charge or penalty, after application is made, may be appealed by submission of a written appeal hearing request to the City Clerk within thirty (30) days of the date of the notification of the Finance Director's decision. The hearing shall be set and conducted pursuant to section 21.03.060. The hearing officer's decision is final.

D. Commercial property owners and owners of all master-metered multi-unit residential buildings shall be responsible for all bills for water used on their premises and any and all unpaid bills for water service shall become a lien on the real property and may be collectible by legal action or by refusal of service to the premises until the account is paid in full, or by application of all or a portion of the deposit amount set forth in this Chapter to the unpaid bill, or by any combination of these methods.

E. The customer for water service for residential property, excluding master-metered multi-unit residential buildings, who may be either the property owner or tenant, shall be responsible for all bills for water used on their premises and any and all unpaid bills for water service. Unpaid bills may be collectible by application of all or a portion of the deposit money to the unpaid bill, by recordation of a lien on the real property, by other remedies as allowed by law, or by any combination of these methods.

F. The City may refuse service for outstanding unpaid bills. When service has been discontinued for nonpayment, a charge as established by resolution of the City Council as adopted from time to time must be paid in addition to the bill before service will be restored. In addition, in the event the Finance Department has applied any portion of the deposit to unpaid bills prior to the restoration of

service, the customer may be required to replenish the deposit up to the maximum amount provided in this Chapter. The deposit requirement may be waived or reduced upon a finding of good credit or extreme financial hardship by the Finance Department. (Ord. 2009-10, Amended, 07/07/2009; Ord. 2006-07, Amended, 06/06/2006; Ord. 2004-07, Add, 10/19/2004)

Section 13.04.080 Revenue use.

The revenues generated thereof from the water fund may be used only for providing water services through the management, construction, operations, and maintenance of the water system and related support services. (Ord. 2004-07, Added, 10/19/2004)

Section 13.04.090 Authority to inspect premises.

The Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted access to any premises where water is used at reasonable hours for the purpose of inspection and observation of any water connections, pipes, taps, or other water apparatus or equipment. If consent is not granted, the City shall have the right forthwith to discontinue such water service. (Ord. 2004-07, Add, 10/19/2004)

Section 13.04.100 Inspection and work on properties subject to easements.

The Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the water works lying within such easement. All entry and subsequent work, if any on such easement, shall be done in full accordance with the terms of the easement and any agreements pertaining to the private property involved. (Ord. 2004-07, Add, 10/19/2004)

Section 13.04.110 Discontinuance of service.

The City reserves the right to discontinue water services consistent with applicable law to

any customer who does not observe the rules or regulations set forth in this Title. (Ord. 2004-07, Add, 10/19/2004)

Section 13.04.120 Violation.

The Director or designee shall enforce the provisions of this Title. Violation of any of the provisions of this Title is unlawful and an offense. Each day during which any violation of the provisions of this Title exists shall be deemed a separate and distinct violation. Such violations shall be punished as provided by Chapter 21.01 of Title 21. (Ord. 2006-07, Amended, 06/06/2006; Ord. 2004-07, Add, 10/19/2004)