

ORDINANCE NO. 186

AN ORDINANCE OF THE VALLECITOS WATER DISTRICT
REPEALING ORDINANCE NOS. 72 AND 104 AND
ESTABLISHING RULES, REGULATIONS, AND MISCELLANEOUS FEES FOR
WATER AND WASTEWATER SERVICE

BE IT ORDAINED by the Board of Directors of the Vallecitos Water District as follows:

WHEREAS the Board of Directors wishes to establish rules and regulations for water and wastewater service activation, deposits, delinquent service charges, reconnection and miscellaneous charges:

SECTION 1, SERVICE ACTIVATION:

Service may be established for any water meter or fire service that has been accepted for service by the District in accordance with all rules and regulations of the District.

Section 1.1, Service Signup: By establishing service, the customer understands and agrees that they are responsible for prompt payment of costs associated with the services provided by the District. When signing up for service, customer shall designate whether they are property owners or tenants/renters. Termination of service may result from non-payment regardless of the occupant's status as a tenant/renter or an owner.

Section 1.1.1 Service Activation Fee: A service activation fee of \$10 will be added to the first billing statement for all new services established.

Section 1.2, Electronic Billing/Payment: Customers may choose to receive monthly billing statements through the mail or may elect to sign up for electronic billing and payment.

Section 1.3, Service Deposit: Deposits are required at the time services are established as follows:

Section 1.3.1, Tenants/Renters: A deposit of \$150 shall be provided for all rental units prior to the establishment of service. The deposit shall be held by the District and be returned upon termination of service by the tenant/renter if the account is satisfied in full upon termination of service. Any outstanding balance shall be deducted from the deposit up to the full amount of \$150 and any balance remaining returned.

Section 1.3.2, Owners: A deposit of \$150 shall be provided for all owner units prior to the establishment of service. The deposit shall be held by the District for a period of one year and returned upon a successful one year history of timely payments. If service is terminated prior to the return of the deposit, any outstanding balance shall be deducted from the deposit up to the full amount of \$150 and any balance remaining returned.

Section 1.4, Owner Service Required: In the event of multiple unpaid balances incurred by tenants/renters of a particular service address, the District may, per Water Code Section 31007.5, require that service for subsequent tenants/renters at the affected location be established and maintained through an account directly with the property owner. The District will notify the property owner in writing of this condition and service will not be provided until arrangements have been made for service in accordance with this policy.

Section 1.5, Additional Deposits: An additional deposit, determined by the General Manager or his designated representative, may be required for repeat delinquent accounts prior to service being restored.

SECTION 2, DELINQUENT SERVICE NOTIFICATION:

Service is considered due and payable upon presentation of the monthly billing statement and delinquent twenty (20) calendar days after the date of the monthly billing statement. Service to the customer may be discontinued immediately, with no further notice, after delivery of the following notifications:

Section 2.1, Courtesy Notice: Ten days after the statement is delinquent, the District will deliver a 48-hour courtesy notice to the customer at the service address. Payment in full including any additional charges or deposits that may be required in accordance with this policy must be received within 48 hours of delivery of the courtesy notice or service will be terminated.

Section 2.2, Courtesy Call: After issuance of a 48 hour courtesy notice, the District may provide the customer with a 24-hour courtesy call to the contact number on file that service will be terminated if payment is not received in full within 24 hours.

SECTION 3, DELINQUENT SERVICE AND RELATED CHARGES:

The following charges and fees may be imposed and collected by the District for each occurrence. The charges are in addition to the outstanding or delinquent water bill, including all late charges, and all charges must be paid in full prior to service being restored.

Section 3.1, Late Fee: A charge of 10% of the outstanding statement balance including miscellaneous charges, not to exceed \$78, will be charged for all delinquent accounts.

Section 3.2, Notification of Pending Lock Charge: A charge of \$25 will be imposed and collected for delivery of the 48-hour courtesy notice (door hanger) of pending discontinuance of service.

Section 3.3: Lock and Unlock Charge (Reconnection Fee): A charge of \$150 will be imposed and collected for each occasion.

Section 3.4, Cut Lock Charge: A charge of \$35 will be imposed and collected to replace cut or missing locks.

Section 3.5, Meter Removal and Replacement: A charge of \$200 will be imposed and collected to re-install a removed meter.

Section 3.6, Insufficient Funds: A charge of \$25 will be imposed and collected for the first instance of a returned check or insufficient ACH funds, and \$35 for each subsequent instance, per CA Civil Code 1719(a)(1).

Section 3.7, After Hours Reconnection: Service will only be restored during normal business hours. At the District's discretion, if service is restored by unlocking a meter after normal business hours, a \$75 charge, in addition to the \$150 reconnection charge, will be imposed and collected prior to restoring service.

SECTION 4, INACTIVE ACCOUNTS:

A customer may request that their service be turned off and considered inactive. Although inactive, the District must verify this status and still incurs monthly expenses to maintain the service. A monthly inactive fee of \$12.50 shall be charged for all inactive accounts and is due and payable on a monthly basis.

Section 3 fees and charges will not apply to outstanding inactive fees. However, any outstanding balance must be paid in full prior to service reactivation.

SECTION 5, OUTSTANDING BALANCE COLLECTION:

In accordance with Water Code Section 31007.5, the District may not recover past outstanding balances, incurred by renters/tenants, from new customers; however the District will pursue payment in full for outstanding balances as follows:

Section 5.1, Rental/Tenant: Outstanding balances may be paid in full through the deposit provided by the customer and any balance returned to the customer. In the event the balance exceeds the deposit, the District may elect to recover the balance through a collection agency.

Section 5.2, Owner: Outstanding balances may be recovered in full through the deposit provided by the customer and any balance returned to the customer. In the event the balance exceeds the deposit, the District may elect to recover the balance by placing a lien against the property in accordance with Government Code Section 31032, et al, or the District may elect to recover the balance through a collection agency.

SECTION 7, FIRE SERVICE CONNECTIONS

In the event a dedicated fire service account is delinquent in accordance with Section 2 of this Ordinance, all appropriate charges in Section 3 will be applied. The District will not terminate service until the following actions have been taken:

Section 7.1, Owner Notification: The District will notify the owner of the property that the account is overdue in accordance with Section 2, and termination of service is pending. An additional notice will be sent to the owner and site address by registered return receipt mail notifying them of the pending service termination.

Section 7.2, Fire Department Notification: Prior to termination of service, the District will notify the Fire Department with jurisdiction that the fire service may be terminated.

SECTION 8, CROSS CONNECTION CONTROL (BACKFLOW) ADMINISTRATION:

Section 8.1, Monthly Administration Charge: A monthly charge of \$2.50 per backflow device will be added to each account required to maintain a backflow device. The charge will be subject to the provisions of Sections 2 and 3 of this Ordinance.

Section 8.2, Charge for Notification Letters of Noncompliance: A charge of \$10 will be assessed and subject to the provisions of Sections 2 and 3 of this Ordinance for each of the third and fourth non-compliance notification letters prepared and sent.

Section 8.3, Charge for Hand Delivered Courtesy Notice: A charge of \$25 will be assessed and subject to the provisions of Sections 2 and 3 of this Ordinance for hand delivered notifications of non-compliance.

SECTION 9, TEMPORARY METERS

Section 9.1, Construction Meter: Upon application to the District and the payment of applicable fees as noted under "deposit" below, a construction meter may be installed to provide water service for construction purposes. Construction meters shall be available to the applicant for 90 days; however, this time may be extended at the discretion of the General Manager.

Section 9.2, Deposit: A deposit of \$1,100 for any size construction meter is required at the time application is made. This deposit, less any outstanding accrued charges, will be refunded when the meter is returned to the District in good working order.

Section 9.3, Installation: A fee of \$150 is charged for the installation and removal of the fire hydrant construction meter.

Section 9.4, Change of Location: A fee of \$150 is charged for the relocation of a fire hydrant construction meter. Only duly authorized employees or agents of the District will be permitted to move a construction meter.

SECTION 10, METER TESTS:

If a customer desires to have the meter serving the customer's premises tested, the customer shall pay a \$100 fee plus the actual cost of the contractor providing the test. Should the meter not register within American Water Works Association (AWWA)

standards, the \$100 fee plus meter test contractor costs paid by the customer will be refunded, but should the meter register within AWWA standards, the \$100 fee and amount paid for the meter test contractor will be retained by the District.

SECTION 11, ONE-DAY PERMITS:

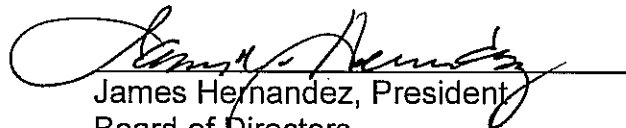
One-day permits may be issued as a convenience to the applicant in lieu of a construction water meter. The fee for a one-day permit is \$65 per day. The applicant shall not use more than 10,000 gallons per day; shall keep their permit on the person using the fire hydrant during working hours; and shall provide adequate traffic fire hose protection when applicable.

ALL OTHER ORDINANCES, ARTICLES OR SECTIONS OF ORDINANCES, OR AMENDMENTS IN CONFLICT HEREWITH ARE HEREBY REPEALED.


This ordinance shall become effective upon adoption.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Vallecitos Water District at a regular meeting held this 2nd day of October, 2013, by the following roll call vote:

AYES: EVANS, MARTIN, POLTL, HERNANDEZ
NOES:
ABSTAIN:
ABSENT: FERGUSON


James Hernandez, President
Board of Directors
Vallecitos Water District

ATTEST:


Dennis O. Lamb, Secretary
Board of Directors
Vallecitos Water District