

Title 13

PUBLIC UTILITIES

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Chapter 13.04

UNDERGROUND UTILITIES*

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* For statutory provisions on the conversion of overhead electrical and communication facilities to underground locations, see Str. & Highway Code §5896.1 et seq.; for statutory provisions providing for the assessment of properties obtaining connections to underground facilities, see Gov. Code §38793.

13.04.010

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13.04.010 Definitions. Whenever in this chapter the words or phrases defined in this section are used, they shall have

the following respective meanings:

A. "Commission" means the Public Utilities Commission of the state of California.

B. "Person" means and includes individuals, firms, corporations, partnerships, and their agents and employees.

C. "Poles, overhead wires and associated overhead structures" mean poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above-ground within a district and used or useful in supplying electric, communication or similar or associated service.

D. "Underground utility district" or "district" means that area in the city within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 13.04.030.

E. "Utility" includes all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices. (Ord. 284 §1, 1969).

13.04.020 Public hearing by council. The council may, from time to time, call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the city and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service. The city clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least ten days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. If written protests objecting to the removal are received and the council finds such protests are signed by the owners of a majority of the property in the proposed district any further proceeding shall be barred for five years. (Ord. 284 §2, 1969).

13.04.030 District designation. If, after any such public hearing as set forth in Section 13.04.020, the council finds that the public necessity, health, safety or welfare requires removal and underground installation within a designated area, the council shall, by resolution, declare such designated area an "underground utility district" and order the removal and underground installation. This resolution shall include a description of the area comprising such district and fix the time within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. A reasonable time

shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for removal and for the installation of such underground facilities as may be occasioned thereby. (Ord. 284 §3, 1969).

13.04.040 Unlawful acts. Whenever the council creates an underground utility district and orders the removal of poles, overhead wires and associated overhead structures therein as provided in Section 13.04.030, it is unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when the overhead facilities are required to be removed by such resolution, except as the overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in Section 13.04.090, and for such reasonable time required to remove the facilities after the work has been performed, and except as otherwise provided in this chapter. (Ord. 284 §4, 1969).

13.04.050 Exception, emergency or unusual circumstances. Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period, not to exceed ten days, without authority of the council in order to provide emergency service. The council may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.

If the city prefers, this could be the director of public works or some other appropriate city official. (Ord. 284 §5, 1969).

13.04.060 Other exceptions. In any resolution adopted pursuant to Section 13.04.030, the city may authorize any or all of the following exceptions:

A. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the city engineer;

B. Poles, or electroliers used exclusively for street lighting;

C. Overhead wires (exclusive of supporting structures) crossing any portion of a district within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a district, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;

D. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of thirty-four thousand five hundred volts;

E. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street;

F. Antennae, associated equipment and supporting structures, used by a utility for furnishing communication services;

G. Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts;

H. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects. (Ord. 284 §6, 1969).

13.04.070 Notice to property owners and utility companies. Within ten days after the effective date of a resolution adopted pursuant to Section 13.04.030, the city clerk shall notify all affected utilities and all persons owning real property within the district created by this resolution of the adoption thereof. The city clerk shall further notify such affected property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to the applicable rules, regulations and tariffs of the respective utility or utilities on file with the Commission.

Notification by the city clerk shall be made by mailing a copy of the resolution adopted pursuant to Section 13.04.030, together with a copy of the ordinance codified in this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities. (Ord. 284 §7, 1969).

13.04.080 Responsibility of utility companies. If underground construction is necessary to provide utility service within a district created by any resolution adopted pursuant to Section 13.04.030, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the Commission. (Ord. 284 §8, 1969).

13.04.090 Responsibility of property owners. A. Every person owning, operating, leasing, occupying or renting a building or structure within a district shall construct and provide that portion of the service connection on his property between

the facilities referred to in Section 13.04.080 and the termination facility on or within the building or structure being served, all in accordance with the applicable rules, regulations and tariffs of the respective utility or utilities on file with the Commission.

B. In the event any person owning, operating, leasing, occupying or renting the property does not comply with the provisions of subsection A within the time provided for in the resolution enacted pursuant to Section 13.04.030, the city engineer shall post written notice on the property being served and thirty days thereafter shall have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to the property. (Ord. 284 §9, 1969).

13.04.100 Responsibility of city. The city shall remove at its own expense all city-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to Section 13.04.030. (Ord. 284 §10, 1969).

13.04.110 Extension of time. In the event that any act required by this chapter or by a resolution adopted pursuant to Section 13.04.030 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation. (Ord. 284 §11, 1969).

13.04.120 Violation--Penalty. The penalty for violations of this chapter shall be as prescribed in Section 1.20.010. (Ord. 334 §2(part), 1973: Ord. 284 §12, 1969).

II. SEWERS

Chapter 13.20

REGULATIONS, CONNECTIONS AND CONNECTION FEES*

Sections:

- 13.20.010 Definitions.
- 13.20.020 Deposit of wastes unlawful when.
- 13.20.030 Discharge to natural outlet unlawful when.
- 13.20.040 Sewage disposal facility unlawful when.
- 13.20.050 Connection with public sewer--Required.
- 13.20.060 Connection with public sewer--Permit required.
- 13.20.070 Encroachment permits--Necessary fees.
- 13.20.080 Sewer service permit--Classes designated.
- 13.20.090 Sewer construction to be by licensed contractor.
- 13.20.100 Costs to be borne by owner.
- 13.20.110 Correction of faulty work.
- 13.20.120 Separate building sewer for each structure--Exceptions.
- 13.20.130 Existing service laterals requiring backflow preventor--Inspection--Correction.
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- 13.20.140 Service sewer--Backflow preventors.
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- 13.20.160 Prohibited sewage--Toxic substances.
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- 13.20.190 Grease, oil and sand interceptors--Construction.
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- 13.20.210 Swimming or wading pools.
- 13.20.220 Preliminary treatment or flow-equalizing facilities--Maintenance.
- 13.20.230 Control manhole required when.
- 13.20.240 Payment to city for special treatment.
- 13.20.250 Outside users--Permitted when.
- 13.20.260 Outside users--Disconnection when.
- 13.20.270 Surety bond--contractor liability.

* Prior ordinance history: Ord. 198 as amended by Ord. 334, Ord. 210, Ord. 236 as amended by Ords. 260 and 334; Ord. 304 as amended by Ord. 334, and Ord. 371 as amended by Ords. 374, 379, 388, 411, 421, 436, 462, 485, 490 and 495.

- 13.20.280 Insurance coverage.
- 13.20.290 Inspectors--Powers and duties.
- 13.20.300 Facility participation charges.
- 13.20.310 Expansion allowance.
- 13.20.320 Penalty for violation.

13.20.010 Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as set forth in this section:

1. "Backfill" means replacement of earth material removed from any trench or excavation, and replacement of any and all road materials removed in order to lay sewer pipes or connections.
2. "Cesspool" means a tank, box or sump used for receipt of crude sewage, containing no provision for the purification, clarification or disposal of the sewage, or which discharges such sewage upon the open ground.
3. "City" means the city of Jackson, county of Amador, state of California.
4. "Council" means the city council.
5. "Engineer" means the city's engineer or person duly appointed to act in this capacity.
6. "Garbage" means solid waste from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
7. "Health officer" means the Amador County public health officer or his duly appointed representative.
8. "Industrial waste" means the liquid wastes from industrial processes as distinct from sanitary sewage.
9. "Natural outlet" means any outlet into a water-course, pond, ditch, lake, or other body of surface water or groundwater.
10. "Outside user" means any person responsible for payment of sewer service fees for premises served outside the city limits.
11. "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
12. "Public sewer" means a sewer designed to accommodate more than one service sewer and which is accepted and maintained by the city or other public authority.
13. "Sanitary sewer" means a sewer which carries sewage or industrial waste and to which stormwaters, surface waters and groundwaters are not intentionally admitted.
14. "Septic tank system" means a system of reservoirs or tanks which receive crude sewage and, by septic bacterial action, effect decomposition and settlement of settable solids and diversion of the septic liquid for clarification

and purification which takes place by further bacterial action in percolation ducts extending into natural or prepared porous subsoil beds.

15. "Service lateral" means a sewer line between the main and the building it serves.

16. "Sewage" means any waste discharging in the city sewage system and which contains human or animal excreta.

17. "Sewer" means a pipe or conduit for carrying sewage.

18. "Sewer main" means a pipe for carrying sewage, the inside diameter of which pipe is not less than six inches.

19. "Shall" is mandatory; "may" is permissive.

20. "Slug" means any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four-hour concentration or flows during normal operation.

21. "Storm sewer" or "storm drain" means a conduit which carried stormwaters and surface waters and drainage, but is intended to exclude sewage and polluted industrial wastes.

22. "Street" means any public highway, road, street, avenue, alley, way, easement, or right-of-way.

23. "Wastewater treatment plant" means any arrangement of devices and structures used for treating sewage.

24. "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.020 Deposit of wastes unlawful when. It is unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the city, or in any area under the jurisdiction of said city, any human or animal excrement, garbage, or other objectionable waste. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.030 Discharge to natural outlet unlawful when. It is unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, or any sanitary sewer, industrial wastes, or other polluted waters, except where suitable treatment has first been provided in accordance with subsequent provisions of this chapter. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.040 Sewage disposal facility unlawful when. Except as provided in this chapter, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the dis-

posal of sewage except pursuant to permit issued therefor which may be issued by the city only at locations permitted by city zoning regulations. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.050 Connection with public sewer--Required.

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purpose, situated within the city is required at his expense to install suitable toilet facilities therein, and to construct any required sewer extension and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.060 Connection with public sewer--Permit required. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer, service sewer or appurtenance thereof without first obtaining a permit for same from the city. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.070 Encroachment permits--Necessary fees. No sewer or service shall be constructed or any excavation made within the right-of-way of any street within the city until after a permit has been issued therefor by the superintendent as provided in this chapter. All work within dedicated public rights-of-way, or rights-of-way by prescriptive rights, is under the control of the city, Amador County, or the State Department of Transportation. The contractor actually doing the work must obtain all necessary encroachment permits from the city, county or the State Department of Transportation, and pay all fees required by the city, county, or the State. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.080 Sewer service permit--Classes designated.

A. There shall be three classes of service sewer permits:

1. For single-family residential service;
2. For service to commercial establishments; and
3. For service to establishments producing industrial wastes.

B. In each case, the owner or his agent shall apply to the city on a special form furnished by the city. The permit application shall be supplemented by plans, specifications or other information considered by the authorized city official to be pertinent. Facility participation (connection) charges as adopted by the city shall be paid at the time of obtaining a permit. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.090 Sewer construction to be by licensed contractor. Construction of sanitary sewer mains or sewer service laterals and related facilities in streets, public rights-of-way, or easements, shall be by persons holding a valid contractor's license issued by the state, authorizing the holder thereof to perform the work of constructing sewage systems and laying the pipes therefor. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.100 Costs to be borne by owner. All costs incidental to the installation and connection of sewer laterals and main extensions, on-site or off-site shall be borne by the owner. The owner shall indemnify the city from any loss of damage that may directly or indirectly be occasioned by the installation of sewer facilities. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.110 Correction of faulty work. All persons performing work under this chapter shall be responsible for any and all acts of their agents or employees in connection with said work. Upon being notified in writing by the city of any defect arising therefrom in any sewer or violations of the provisions of this chapter, the person or persons responsible for such work shall immediately correct such defect or violation. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.120 Separate building sewer for each structure--Exceptions. A separate and independent sewer service lateral shall be provided for each separate building or structure. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.130 Existing service laterals requiring backflow preventor--Inspection--Correction. The city may at any time issue a notice upon finding that a backflow hazard exists. The owner shall, at his expense, within ninety days from the date of issuance, install an approved backflow prevention device on the sewer service lateral, in such a manner as to correct the backflow hazard. All backflow prevention device installations shall be subject to city inspection. The property owner shall be responsible for testing backflow prevention devices and equipment, and for maintaining backflow prevention devices and equipment in working order at all times. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.131 Technical specifications. Technical specifications and minimum standards for construction of sanitary sewer facilities shall be provided as adopted by reso-

lution of the city council and amended from time to time. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.140 Service sewer--Backflow preventors. In all cases where the rim of the manhole or rodding inlet upstream from the service sewer connection is less than one foot below the finished floor level of the lowest floor having any plumbing fixtures, the property owner shall, at his expense, install an approved backflow prevention device. Maintenance and testing of the backflow prevention device or devices shall be the responsibility of the property owner. The property owner shall maintain all such backflow prevention devices and equipment in good working condition at all times. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.150 Insufficient gravity flow--Artificial lifting devices. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage may be lifted by approved artificial means and discharged to the building sewer. Where installed, such installations shall be maintained by the owner at his expense. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.160 Prohibited sewage--Toxic substances. It is unlawful to discharge any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two mg/l as CN in the wastes as discharged to the public sewer. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.170 Prohibited sewage--Stormwater or washwater. Stormwater or pavement washwater shall not be introduced into the sanitary sewer system. Connection of roof drains or surface water drains is prohibited. Any person, firm, or corporation having a roof or surface drain now connected shall disconnect the same within thirty days of the date of the ordinance codified in this chapter. The resultant opening left in the sanitary sewer shall be closed by city maintenance personnel. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.180 Prohibited sewage--Harmful or dangerous substances designated. A. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the city that such wastes can harm either the

sewers, sewage treatment process or equipment; have an adverse effect on the treatment plant; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming such opinion as to the acceptability of these wastes, the city will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit;
2. Any waters or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two and one hundred fifty degrees Fahrenheit;
3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths' horsepower or greater shall be subject to the review and approval of the superintendent;
4. Any waters containing synthetic detergents in sufficient quantity to injure or interfere with any sewage treatment process or create problems in the receiving waters of the sewage plant;
5. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;
6. Any noxious or malodorous gas or substance capable of creating a public nuisance;
7. Any waters or wastes containing strong acid ironpickling wastes, or concentrated plating solutions, whether neutralized or not;
8. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established for such materials;
9. Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations exceeding limits which may be established by the engineer as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharges to the receiving waters;
10. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established

by the engineer in compliance with applicable state or federal regulations;

11. Any waters or wastes having pH in excess of 9.5;

12. Materials which exert or cause:

a. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate),

b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions),

c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works,

d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined in Section 13.20.010;

13. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

B. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in subsection A of this section, and which, in the judgement of the engineer, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the city shall:

1. Reject the waste; or

2. Require pretreatment to an acceptable condition for discharge to the public sewers; and

3. Require control over the quantities and rates of discharge; and/or

4. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of this chapter.

C. If the city permits the pretreatment of the equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the city engineer and subject to the requirements of all applicable codes, ordinances and laws. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.190 Grease, oil and sand interceptors--Construction. A. Grease, oil and sand interceptors shall be provided when, in the opinion of the city, they are necessary for the proper handling of liquid wastes containing

grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the city, and shall be located so as to be readily and easily accessible for cleaning and inspection.

B. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.200 Grease, oil and sand interceptors--Maintenance. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.210 Swimming or wading pools. All swimming or wading pools over two thousand gallons in capacity with drain connection to the public sewers shall be provided with a recirculation system equipped with an approved filter. Where storm sewers or storm drains are available, discharge to the sanitary sewers shall be prohibited. Where discharge of swimming pool waters to public sewers is authorized, the following special conditions shall apply:

A. The maximum size of discharge pipe from pool to sump shall be limited to one and one-half inches, with a control valve provided for possible future regulation in the event the sanitary sewer capacity is exceeded.

B. Disconnection from sanitary sewer by the owner shall be mandatory if the sanitary sewer capacity becomes inadequate for both sanitary flows and swimming pool drainage waters.

C. An approved sand interceptor shall be provided for filter backwash and pool drainage waters.

D. Drainage of swimming pool waters to public sewers shall be limited to the hours between nine p.m. and seven a.m. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.220 Preliminary treatment or flow-equalizing facilities--Maintenance. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.230 Control manhole required when. When required by the city, the owner of any property serviced by a

building sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the engineer. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.240 Payment to city for special treatment. No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefore by the industrial concern. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.250 Outside users--Permitted when. Sewer service may be provided to users outside the corporate limits of the city only when there is sufficient capacity to serve those users and when such outside users are legally unable to annex to the city, in which case such users shall first have made or entered a binding annexation agreement with the city, agreeing to annex to the city upon such becoming legally possible. This section shall not preclude the city from contracting to receive and treat sewage for another public agency when found by the city council to be in the interest of public health and welfare. Outside users shall be subject to all rules and regulations of the city applicable to sewer service and related construction. Outside users shall make application for service and shall have first received approval thereof by the city prior to any connection to the city sewerage system. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.260 Outside users--Disconnection when. In the event that it develops, by reason of increased flow, change in character of discharge, or changes of any cause whatsoever, that the flow becomes adverse to the city's interest or that capacity in the sewage works is no longer available for outside users, such users may be disconnected ninety days after notice is given in writing that service is to be terminated. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.270 Surety bond--Contractor liability. A. All persons who intend to engage in any of the work covered by this chapter may first be required to execute a corporate surety bond made payable to the city, conditioned upon the

faithful performance of the terms and conditions of this chapter, which bond, if required, shall be filed with the city clerk. The amount of the surety bonds, when required, shall be related to the engineer's estimate of the cost of the improvement or work proposed. A cash bond may be deposited in lieu of the corporate surety bond.

B. The city or its representatives shall not be answerable or accountable in any manner for any loss or damage that may happen to the work or any part thereof; or for any of the materials or other things used or employed in performing the works; or the injury to any person or persons, either workmen or the public; or for damage to property from any cause which might have been prevented by the contractor, or his workmen, or anyone employed by him; against all of the injuries or damages to persons and property the contractor having control over such work must properly guard. The contractor shall be responsible for any liability imposed by law for any damage to any person or property resulting from defects or obstructions or from any cause whatsoever during the progress of the work or at any time before its completion and final acceptance, and shall indemnify and save harmless the city and its representatives from all suits or actions of every name and description, brought for or on account of any injuries or damages received or sustained by any person or persons by or from the contractor, his servants or agents, in the construction of the work, or by or in consequence of any negligence in guarding the same, in improper materials used in its construction, or by or on account of any act or omission by the contractor or his agents, and in addition to any remedy authorized by law, so much of the money due the contractor under and by virtue of the contract as shall be considered necessary by the city may be retained by the city until disposition has been made of such suits or claims for damages as aforesaid. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.280 Insurance coverage. All persons who intend to engage in any of the work covered by this chapter shall furnish the city with a certificate or certificates substantiating the insurance coverage as follows:

A. Public liability insurance shall be in the amount of not less than two hundred thousand dollars for one person injured in one accident, and not less than four hundred thousand dollars for more than one person injured in one accident, to protect the contractor against loss from liability imposed by law for damages on account of bodily injuries, including death resulting therefrom accidentally suffered or alleged to have been suffered by any person or persons not employed by the contractor, that may have been

caused directly or indirectly by the performance of the contract.

B. Property damage insurance shall be in the amount of not less than fifty thousand dollars for any one accident, to protect the contractor against loss from liability imposed by law for damages on account of injuries to or destruction of property, including the loss of use thereof, resulting from any act of commission or omission by the contractor, or otherwise resulting directly or indirectly from the contractor's operation in the performance of the contract.

C. The public liability and property damage insurance shall also name the city as an insured and shall directly protect the city as well as the contractor and his subcontractors, and shall assume the defense of the city, its officers, employees and agents, including the engineer, from all suits, actions, damages or claims of every type and description to which they may be subjected or put by reason of or resulting from the contractor's operations in the performance of the contract, and all insurance policies shall so state.

D. If the contractor fails to maintain such insurance, the city may take out insurance to cover damages of the above-mentioned classes for which the city might be held liable on account of the contractor failing to pay such damages, and deduct and retain the amount of the premiums for such insurance from any sums due the contractor under the contract. The contractor shall carry full workmen's compensation insurance coverage either through the State Compensation Insurance Fund or a standard approved policy obtained from a licensed carrier, for all persons employed, either directly or through subcontractors, in carrying out the work under this contract, in accordance with the Workmen's Compensation and Insurance Act, Division IV of the Labor Code of the state of California and any acts amendatory thereof.

E. If the contractor fails to maintain such insurance the city may take out insurance to cover any compensation which the city might be liable to pay under the provisions of said Act as amended by reason of an employee of the contractor being injured or killed while engaged in the work covered by this contract, and deduct and retain the amount of the premiums for such insurance from any sums due the contractor under this contract. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.290 Inspectors--Powers and duties. A. The duly authorized employees of the city, having proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspections, observation, measurement, sampling and testing in accordance with the provisions of this chapter. The superintendent or his representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil,

refining, ceramic, paper or other industries, beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

B. The duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling repair and maintenance of any portion of the sewage works lying within such easement. All entry and subsequent work, if any, on the easement shall be done in full accordance with the terms of property involved. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.300 Facility participation charges. A. There are enacted the following facility participation charges for new connections to the city sewerage system. The purpose of such charges is to establish a capital fund from such proceeds, as the new users' share of the existing system cost, to be the replacement cost of capacity consumed, and which charges may be amended from time to time by city council resolution.

B. All connection charges, both residential and commercial new construction, will be based upon individual building permits. Any modifications or addition to an existing building, or change in the use of a building, which would increase the expected sewage output from the building, will be considered as new construction, for the purposes of determining connection fees. However, if a developer proposes to phase construction and submits building plans showing such unit phasing, he may prepay the connection charge based upon full development at the time of his first unit submittal and thereby possibly avail himself of lesser connection charges per unit.

C. Should connection to the city sewer system require connection to be made by city forces, the cost thereof shall be not less than 1.50 times actual city cost.

D. Should connection to the city sewer system require extension, replacement or enlarging of existing off-site trunk or main sewers to serve a new development or annexation to the city, an agreement for reimbursement of portions of the cost thereof may be entered into between the city and the sewer service applicant. Such an agreement may contain an "area of benefit" provision prescribing limits and terms of any such reimbursement to the applicant. (Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.310 Expansion allowance. The city's sewer design and construction specifications shall define a maxi-

mum allowable infiltration/exfiltration rate for new sewers.(Ord. 548 §1(part), 1992: Ord. 334 (part), 1973).

13.20.320 Penalty for violation.

- A. Any person found to be violating any provision of this chapter except Section 13.20.280 shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Any person who shall continue any violation beyond the time limit provided for in subsection A of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined an amount not exceeding two hundred fifty dollars, or be imprisoned for not more than ninety days in the county jail, or penalized by both said fine and imprisonment for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- C. Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss, or damage occasioned the city by reason of such violation. (Ord. 548 §1(part), 1992:Ord. 334 (part), 1973).

Chapter 13.24

SEWER SERVICE CHARGES, CONNECTION AND FACILITY PARTICIPATION CHARGES*

Sections:

13.24.010	Service charges authorized.
13.24.020	Metering facilities.
13.24.030	Billing and payment.
13.24.032	Time and place when bills are due and payable.
13.24.033	Delinquent Account and reinstatement.
13.24.040	Reserves to be placed in fund.
13.24.050	Outside city limits

13.24.010 Service charges authorized.

Within and outside the city, each person, firm, individual business, or corporation using the city sewer system shall pay for the use of such facilities a sewer service charge as shall be set from time to time by resolution or ordinance of the city council. The default customer shall be the owner of the property as shown on the latest Amador County secured assessment roll. However, to the extent required by law or permitted by the city, tenants may obtain service subject to section 13.24.030.

13.24.020 Metering facilities.

Sewage metering facilities may be required, in which case, service will be governed by terms of a special agreement. (Ord. 548 §2 (part), 1992; Ord. 374 § 1(part), 1975).

13.24.30 Billing and payment.

- A. The procedure for rendering bills for sewer service, the payment thereof, and the penalties for failure to pay, if not otherwise provided in this chapter, shall be governed by resolution.
- B. Sewer service charges shall be billed in advance of the billing period as provided in regulations and rules for billing and charges set by resolution or ordinance of the council,
- C. Customers shall be responsible for paying all sewer service charges. Moreover, any delinquency may be collected on the latest Amador County secured assessment roll in the manner permitted by law.
- D. In the event that the city establishes a variable sewer charge based in whole or in part on water usage, the customer shall ensure city receives current and accurate water usage information, including if water service is provided by a different public or private entity.

13.24.032 Time and place when bills are due and payable.

Bills are due and payable upon receipt. Payment shall be made at the commercial office or other place or places designated by the city manager. The city accepts no responsibility for no receipt of bills, except in circumstances which are under its direct control. (Ord. 559 §2, 1993).³ Delinquent accounts.

13.24.033 Delinquent accounts.

All sewer bills become delinquent fifteen days following the billing date and if not paid by the delinquent date a ten percent delinquency charge will be charged and added to the notice. Such delinquencies shall also be subject to a penalty of not exceeding 1 and one-half percent per month for nonpayment of the charges and basic penalty.

13.24.040 Reserves to be placed in fund.

All moneys collected by the city as sewer service charges and participation (connection) charges set forth in this chapter shall be placed in a restricted special enterprise fund and shall thereafter be expended only for the acquisition, construction, maintenance and operation of water/wastewater related facilities. (Ord. 548 §2 (part), 1992: Ord. 374 § 1(part), 1975).

13.24.050 Outside city limits.

Users outside the corporate limits of the city shall pay sewer service charges related to rates charged to users within the corporate limits plus costs incurred by the city to provide service outside the corporate limits in excess of the charges to users within the corporate limits, and shall pay connection and/or facility participation charges established to reimburse portions of city costs incurred for the existing sewage system, and to replace capacity consumed, as established by resolution or ordinance of the city council, and updated from time to time. Facility participation charges and sewer service charges for outside users shall not be less than 1.25 times the amount or rate charged sewer users inside the corporate limits.

III. WATER

Chapter 13.50 MUNICIPAL WATER SYSTEM*

Sections:

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- 13.50.020 Purpose of chapter – Rates and charges adopted by resolution – Payment there of as conditions to obtaining water.
- 13.50.030 Fire precautions.
- 13.50.040 Unauthorized tampering with water pipes or distribution system.
- 13.50.050 Right of entry to customer's premises.
- 13.50.060 Notice required for removal of displacement of water facilities for construction or street work.
- 13.50.070 Liability of water system for damages.
- 13.50.080 Conditions of service.
- 13.50.090 Permission for selling water.
- 13.50.100 Application for service and required payment.
- 13.50.110 Refusal of service.

II. WATER SERVICES

- 13.50.120 Using water without making prior applications.
- 13.50.130 Liability for service.
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- 13.50.180 Facility participation charges – New construction.
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- 13.50.220 Service connections – Outside city.
- 13.50.230 Connection charges – New meter and box.
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- 13.50.750 Requirements.

I. IN GENERAL

13.50.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

"Administrative regulations" means the regulations ("the regulations") adopted by resolution of the city council which, in addition to the provisions of this chapter, govern the operation of the water system.

"Applicant" means the property owner applying for water service, water service connection, or water main extension.

"City" means the city of Jackson, a municipal corporation, and its duly authorized representatives.

"Commercial office" means the business office of the city of Jackson, department of water resources.

"Construction water permit" means the permit required for anyone using water for construction purposes prior to installation of permanent meter.

"Consumer" means a person or entity of record as a customer receiving water service or other services from the water system.

"Demand" means the rate of draft of water for specified time; the total quantity of water delivered or received.

"Fire Chief" means the chief officer of the Jackson fire department.

"Jackson municipal water system, 11 "water system," "the water department" or the "department" means the water sys- tem acquired by the city of Jackson from Jackson water works effective January 1, 1993, together with such additions and improvements thereto as may be made from time to time.

"Main extension" means extension of transmission or distribution pipelines, exclusive of

service connections, beyond existing facilities.

"Mains" means the transmission or distribution pipelines of the water system.

"Owner" means the person owning fee title 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 of buildings under claim of, or exercising acts of ownership over the property for himself or, as executor, administrator, guardian or trustee for another.

"Premises" means that separate, identifiable and transferable lot or parcel of real property, including the improvements thereon; except that, any portion thereof having well defined boundaries such as walls, fences or hedges, which prevent the common use of the property by all occupants, for the purpose of this chapter shall be considered separate premises.

"Services" means the delivery or receipt of water; a water service connection; and act or duty performed by the water system.

"Superintendent" means the water superintendent charged with the responsibility of operation and maintenance of the water system in the field.

"Water service" means the delivery or receipt of water from the water system; a water service connection.

"Water service connection" means the connection including service pipes, meters and appurtenances through which water delivery is made to an individual occupancy.

"Water system" means the water facilities and the entire physical plant of the water resources division of the city public works department, up to user's meter. (Ord. 578 §2 (part), 1995).

13.50.020 Purpose of chapter--Rates and charges--Payment thereof as conditions to obtaining water.

- A. Rules as set forth herein are adopted to govern the general operation of the Jackson water system to provide an efficient and commercial water supply.
- B. The city council shall adopt by resolution or ordinance, rates, fees, charges and administrative and operating regulations to further the purposes of this chapter, and which do not conflict with the provisions herein.
- C. The payment of rates, fees and charges as set forth and adopted by resolution or ordinance of the city council pursuant to the provisions of this chapter are adopted as conditions to obtaining water and other services from the Jackson water system.

13.50.30 Fire precautions.

In case of fire, or alarm of fire, should circumstances warrant:

- A. The water system shall have the right to shut off water from any customer or number of customers without notice and to keep it shut off as long as necessary;
- B. The fire chief or incident command officer shall have the authority, should the need arise, to request the setting of gates and valves in water mains to secure the greatest possible pressure at the points required. When the need for such changes has passed, the requesting fire officer shall notify the superintendent in order that the system may be restored to its normal operating status. (Ord. 578 §2 {part}, 1995).

13.50.040 Unauthorized tampering with water pipes or distribution system.

No person except an authorized employee of the water system shall open or close any valve

or tap, or modify any regulator on water system, or insert tees, stopcocks or ferrules therein. Where service pipes are found disconnected at the corporation stop, they shall be reconnected only by an authorized employee of the water system. (Ord. 578 §2 (part), 1995).

13.50.050 Right of entry to customer's premises.

Provided that an inspection warrant is obtained when necessary, authorized employees of the water system or its duly authorized agents shall at all reasonable times have the right of ingress and egress to a customer's premises for any purposes reasonably associated with providing services to the customer, conservation of water, or inspection of the water system.

13.50.060 Notice required for removal or displacement of water facilities for construction or street work.

All persons engaged in construction or street work shall give at least ten days' written notice to the water system for removal or displacement of water system facilities that may interfere or conflict with street work and any damage resulting to such facilities from such failure to give notice shall be charged against the person engaged in such work. All costs involved in the removal or displacement of water facilities shall be paid by the person engaged in such work, except where provisions of city permits or contracts state otherwise. (Ord. 578 §2(part) , 1995).

13.50.70 Liability of water system for damages.

The city shall not be liable for damages resulting from:

- A. Any interruption of service or damage caused by spigots, valves or other equipment or fixtures that are open when water is turned on, whether when water is turned on originally .or when turned on after a temporary shutoff;
- B. Any increase or decrease in delivery pressure. (Ord. 578 §2 (part), 1995).

13.50.80 Conditions of service.

- A. Every person accepting delivery of water from the water system shall be considered as having expressed his consent to be bound by this chapter and the administrative or operating regulations adopted pursuant to *this* chapter. Whenever any of the provisions of this chapter and administrative regulations are violated, the city reserves the right to discontinue water service for noncompliance. Unless otherwise provided, the water system shall discontinue water service if the customer fails to comply within five days after the date of written notice of violation. If such noncompliance affects matters of health or safety, or affects the operation, maintenance or other costs of the water system, water service may be discontinued immediately without prior notice.
- B. Water service shall not be resumed unless and until all unpaid fees and charges are paid, and other requirements of this chapter and administrative regulations are fulfilled. (Ord. 578 §2 (part), 1995).

13.50.090 Permission for selling water.

It is unlawful for any person or entity other than the water system to sell water within the corporate limits and service area of the city without having first received authorization to do so by resolution of the city council. Bottled water and vending machines are exempted from this provision. (Ord. 578 §2(part), 1995).

13.50.100 Application for service and required payment.

- A. Before water shall be supplied to any premises, the customer shall make written application to the city for water service on a form provided by the city. The default customer shall be the owner of the property as shown on the latest Amador County secured assessment roll. However, to the extent required by law or permitted by the city, tenants may obtain service

subject to section 13.50.130.

- B. New applications for service shall be accompanied by a deposit as set forth in the administrative regulations. Deposits, less any amount for unpaid fees and charges, shall be returned upon discontinuance of service. The administrative rules and regulations shall provide for the establishment of credit ratings to minimize or eliminate the need for deposits in appropriate cases.
- C. Receipt of any application shall not obligate the water system to provide service until the application is approved and all deposits received.

13.50.110 Refusal of service.

The city shall have the right to refuse to furnish water or may discontinue water service to any premises for the following reasons:

- A. The requested water service demand may be detrimental or injurious to the water service of other customers;
- B. The distribution facilities are inadequate to supply the requested water service demand;
- C. The premises are not cleared for occupancy by the issuance of (1) a certificate of occupancy; (2) a final sign-off of the building permit; or (3) planning and zoning clearance or use permit authorizing the activity or occupancy proposed. (Ord. 578 §2(part), 1995).

II. WATER SERVICES

13.50.120 Using water without making prior applications.

A person taking possession or occupancy of premises and water without having made application for water service shall be held liable for all water used from the date of the last recorded meter reading. If application for service is not made within seven calendar days after notification to do so or if accumulated water bills are not paid upon presentation, the water service shall be discontinued without further notice. (Ord 578 §2(part), 1995).

13.50.130 Liability for service.

Upon commencement of water service, the applicant shall be liable for all water delivered through that particular service and all other charges applicable to such service. When two or more persons jointly make application for service, they shall receive a single periodic bill, but shall be jointly and individually liable for payment of all charges incurred. Moreover, any delinquency may be collected on the latest Amador County secured assessment roll in the manner permitted by law.

13.50.140 Discontinuance of service.

Requests to discontinue water service shall be submitted at the commercial office and shall stipulate a definite date, the same being a working day, during which water service shall be discontinued, and a proper forwarding address at which the customer will receive a closing bill. After effective date of discontinuance, all water use charges shall cease for the period during which service shall be shut off, providing the shutoff is for a period not less than one month. No credit shall be allowed on shutoffs for a period of less than one month. (Ord. 578 §2(part), 1995}.

13.50.150 Present or former customer owing bills.

When the applicant for water service is a customer or former customer who has failed to pay bills for previous water service or charges for any other service received from the water system, the city shall refuse water service to the applicant until all legally collectable outstanding bills or charges are paid and may also require a cash deposit as a guarantee for the payment of future bills.

13.50.160 Changes in customer's facilities.

Customers making any change in the size, character or extent of the structure or facilities on their premises utilizing the water service, shall notify the water department not less than sixty days before making such change. Where the water department determines that the proposed changes will result in a significant increase in water usage, the department may require increase in service. (Ord. 578 §2(part), 1995).

13.50.180 Facility participation charges - -New construction.

Facility participation charges, as set by resolution of the city council, shall be paid to the city for all new connections to the system. Said facility participation charges shall represent and be for the purpose of each increment of new development and construction of new premises as new customers requiring service, paying its fair share of the existing system, replacing capacity consumed, and reimbursing acquisition and improvement cost obligations in place. Such charges shall be due prior to issuance of any building permit. Said funds collected shall be held and accounted for in a separate fund, the use of which shall be restricted to water treatment, storage and transmission facilities. (Ord. 578 §2 (part), 1995).

13.50.190 Service connections--Standard.

The standard single-family residential water service shall be a three-fourth-inch service pipe and three-fourths by five- eighths inch meter, and the same shall be the minimum required to provide service to a single-family dwelling. (Ord. 578 §2(part), 1995)

13.50.200 Service connections--Location.

- A. Water service connections shall be installed only in public streets, easements or rights-of-way under the control of the water system.
- B. Where the premises to be served in front on more than one street, the city has the right to designate on which frontage the service connection shall be installed.
- C. New or relocated meters shall be installed in the public right-of-way behind and adjacent to the public side-walk or as otherwise designated by city. All meters must be installed at the minimum distance of three feet from any driveway unless a variance is granted pursuant to Chapter 17.38 of this code. (Ord. 578 §2(part), 1995).

13.50.210 Service connections.

A single service connection shall not service more than one parcel, lot or premises. Separate lots and premises under a single ownership, control or management shall be supplied water through separate service connections, but billing shall be through a master meter and the property owner shall be liable for and responsible to pay all charges for service imposed by this chapter. The master meter billing method shall only apply to residential and residential/commercial combination accounts. Notwithstanding the foregoing, the city shall permit individual tenants in master meter situations to become individual customers to the extent required by law or permitted by the city.

13.50.215 Commencement of liability for charges for new buildings.

- A. Single-Family Residence. Liability for charges under this article shall commence with respect to new single-family residences upon issuance of a perm.it by the city building official or onset of water use, whichever occurs first.
- B. Multiple Buildings Include Duplexes. Liabilities for charges under this article shall commence with respect to .new multiple buildings upon issuance of a building permit or onset of water use, whichever occurs first.

- C. Commercial and Industrial Buildings. Liabilities for charges under this article shall commence with respect to new commercial and industrial buildings upon issuance of a building permit or onset of water use, whichever occurs first. (Ord. 578 §2 (part), 1995).

13.50.220 Service connections--Outside city.

Applications for new or revised water service connections to supply premises which are wholly or partly outside the city water service area shall not be accepted or approved nor ordered installed, unless the city council has approved such application. Before granting approval, the city council shall cause an investigation and obtain surety adequate to assure that:

- A. The provision of water service by the city will not conflict with the provisions of service by another water service agency;
- B. There will be full compliance with the provisions of this chapter and administrative regulations adopted pursuant to this chapter;

13.50.230 Connection charges--New meter and box.

Charges for meter and box are to be added to the charges for service installation and are held as a separate charge for the convenience of subdividers or contractors where all pipe is installed by the owner. (Ord. 578 §2(part), 1995).

13.50.240 Changes in location of meters and connections at expense of customers.

When a customer requests the relocation of an existing meter or service connection which is requested for the customer's convenience, the relocation shall be at the customer's expense. (Ord. 578 §2 (part), 1995).

13.50.250 Title to connections--Transfer of service-- Refunds.

- A. Title to all meters, service pipes and appurtenances used in providing a water service connection shall remain with the water system and the charges set forth are for connections and do not convey any right of title. The water service connection is for a water supply to the premises stipulated on the application and is not transferable to any other properties or premises.
- B. If a water service is discontinued or abandoned, there shall be no right or refund of connection charges, or credit in any manner, accrue to the applicant, customer or successor. (Ord. 578 §2 (part), 1995).

13.50.260 Service connections requiring main extensions.

In no event shall a water service connection be installed unless a water main of adequate capacity and delivery pressure extend in a public street or right-of-way, across the entire frontage of the property to be served. Wherever as a condition of service a water main must be extended, the same shall be installed by the applicant in compliance with the provisions of this chapter. The inside diameter of every main to be installed shall not be less than eight inches unless otherwise determined by the city engineer. (Ord. 578 §2(part), 1995).

13.50.270 Water main extensions--Generally.

- A. When the city council determines it to be in the public interest for the city to extend water lines, in advance of development or for any other purpose, the city may proceed with such extensions to the extent and in the manner determined by the city council. Such extension may be installed at the cost of the city or pursuant to appropriate assessment district proceedings.
- B. If the city council determines at the time of ordering any such main extension that this section shall be applicable thereto, accurate records of the costs thereof shall be maintained

thereby. Such allocation shall be based on such formula as will result in such costs being apportioned to such parcels in proportion to the benefits thereof, severally and respectively. (Ord. 578 §2(part), 1995).

13.50.280 Water main extension--Special connection charges.

At the time of installation of any water service which will be served in whole or in part by a water main to which this section is applicable, the water system shall collect a special connection charge, in addition to all other charges and fees provided for by this chapter and administrative regulations. Such charge shall be in an amount equal to the total cost allocated to that parcel of property by the city as provided in Section 13.50.240 of this chapter.

13.50.290 Fees for plan checking and inspection.

- A. In addition to all other charges specified in other ordinances of the city, there shall be collected the following fees with respect to the plan checking, inspection and related services performed by the city with regard to permit applications for water connections to city's systems:
1. Plan Checking. A deposit in the amount determined by resolution or ordinance of the council shall be submitted at the same time the application, plans and specifications are filed with the city.
 2. Inspection. A deposit in the amount determined by resolution or ordinance of the council shall be submitted prior to commencement of construction of the water system.
- B. No checking of plans or specifications shall be commenced, no inspection undertaken until the respective deposit has been made. Upon completion of the plan checking, or upon completion of the inspection, the fee for such plan checking or such inspection shall be set by the city in the amount necessary to reimburse the city of the engineering fees and other costs incurred plus reimbursement for the time the city manager or his or her designee is devoted to such checking or inspection. Upon computation of the plan checking or inspection fee of the basis specified in this chapter, such fee shall be charged against the respective deposit required above. If the deposit exceeds the fee, a refund shall be made to the applicant. If the fee exceeds the deposit, the applicant shall pay the balance to the city within ten days after notice of such deficiency.

13.50.300 Fire service connections.

- A. When an application is made for fire service connections, such sprinkler and fire service installation must be approved by the fire chief. Each fire service shall be no less than four inches in diameter and shall have a detector check valve installed therein.
- B. Water furnished through fire services shall be used only for extinguishing fires or for authorized testing of the fire system. Whenever a consumer wishes to test, he shall notify the superintendent at least three working days in advance.
- C. If it is found that an unauthorized connection or use has been made, the customer shall be notified to dis- continue such connection or use, and if the customer fails or refuses to do so, the water to such service shall be shut off and remain so until the fire service connection acquires compliance and approval. (Ord. 578 §2(part), 1995).

II. TEMPORARY SERVICE CONNECTION

13.50.320 Deposit--Required.

- A. The applicant shall deposit, in advance, an amount as determined by resolution of the council to establish the desired service. Upon discontinuance of service, the actual cost of

installing and removing the facilities required to furnish the service, exclusive of the cost of salvageable material, shall be determined and an adjustment made as an additional charge, refund or credit.

- B. If service is supplied through a fire hydrant, the applicant will be charged in accordance with the rate schedule established by resolution of the council. The charges will apply to installation and relocation of the connection and for water used. (Ord. 578 §2(part), 1995).

13.50.330 Temporary service customers--Responsibility for meters and installation.

The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of the city which are involved in furnishing the temporary service from time of installation until removal, or until forty-eight hours' notice in writing has been given to the city that the installation is no longer required. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the customer. (Ord. 578 §2(part), 1995).

13.50.340 Temporary service from a fire hydrant.

If temporary service is supplied through a fire hydrant, a permit for the use of the 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 this purpose. All control of flow by the user shall be by use of the valve provided. (Ord. 578 §2(part), 1995).

13.50.350 Unauthorized use of hydrant.

Tampering with any fire hydrant for the unauthorized use of water therefrom, or for any other purpose, is a misdemeanor, punishable by law. (Ord. 578 §2 (part), 1995).

13.50.360 Rates.

The rates for temporary service shall be as set forth in the resolution or ordinance of the council setting forth bulk water rates in effect at the time of use.

13.50.370 Credit.

The applicant shall pay the estimated cost of service in advance or shall be otherwise required to establish credit. (Ord. 578 §2 (part), 1995).

13.50.375 Fire hydrants--Relocation.

Property owners and/or others desiring the removal or changes in location of a fire hydrant shall first make a request, in writing, of the water department. After consultation with the fire chief of the proposed removal or relocation, the superintendent shall prepare an estimate of cost of the proposed work. Before the water system can proceed with the work or order materials for same, the person requesting the removal or relocation must deposit the amount equal to the estimated cost with the finance officer. Upon completion of the work, the actual cost shall be compiled and any difference between the actual and estimated cost shall be billed or refunded for the applicant's account. (Ord. 578 §2(part), 1995)

13.50.380 Use of water by contractors and other persons in construction work.

Contractors or any person, desiring to use water in construction work where connections must be made other than through a meter, shall in each and every case make written application for, and obtain a written permit for the same from the water system before connecting with any water main, standpipe or using water therefrom, and shall make the deposit, as shall hereafter be established by resolution or ordinance of this council deemed sufficient to cover the estimated cost of water to be used. Such permit shall be exhibited upon the work for which it has been issued during the full time the water is being used pursuant to such permit.

13.50.390 Fire hydrants--Operation.

To insure the safety of fire hydrants for fire protection, any person authorized to open fire hydrants shall use only an approved spanner wrench and shall replace the caps on the outlets when not in use. (Ord. 578 §2 (part), 1995).

IV. EXTENSION OF FACILITIES

13.50.400 Plans.

Any applicant for water service which will require main extension shall install the same at his own cost and expense. Plans for such extension shall be submitted to and approved by the city engineer, and, shall be also subject to first acquiring an encroachment permit from the agency having jurisdiction over the streets and/or easements of record. (Ord. 578 §2 (part), 1995).

13.50.410 Surety bond.

In the event the applicant installs water main extension facilities, he shall furnish the city a surety company bond in an amount equal to at least sixty percent of the city engineer's estimate of the installation labor costs, to guarantee faithful performance by the applicant, and a separate surety company bond in an equal amount to guarantee claims of persons employed by the applicant and claims of persons who furnish materials, supplies and implements used by the applicant on such work. (Ord. 578 §2(part), 1995).

13.50.420 Evidence of title transfer to city.

When water main extension facilities are installed and upon presentation of proven evidence confirming the execution and delivery by the applicant of good and sufficient recordable documents evidencing transfer of title of the facilities to the city, water shall be furnished to the applicant's property. (Ord. 578 §2 (part), 1995).

V. SUBDIVISIONS

13.50.430 Application--Requirements.

A person desiring to provide a water system within a tract of land which he proposes to subdivide shall make written application therefor. The application shall state the number of the

tract, the name of the subdivision and its location. It shall be accompanied by a copy of the tentative map, and of the plans, profiles and specifications for the street work, sanitary sewers, storm drains and other underground utilities. (Ord. 578 §2 (part), 1995).

13.50.440 Investigation.

Upon receiving the application, the city manager or his authorized representative shall make an investigation and survey of the proposed subdivision and shall report his findings to the council, including a recommendation as to the facilities required and the estimated cost of the proposed water system there- for. To assist the city manager in making the investigation and report, the council may engage the services of a consulting engineer. The size, type and quality of materials shall be in accordance with the city's standards and specifications in effect at the time of application. (Ord. 578 §2(part), 1995).

13.50.450 Specifications and construction.

Location of the lines shall be specified by the city. The actual construction will be done at the expense of and by the subdivider and inspected by the city manager or his authorized representative. Plans and engineering costs will be the responsibility of the property owner. Fire hydrants shall be located at locations designed by the city. (Ord. 578 §2 (part), 1995).

13.50.460 Property of city.

All water mains, water service, and fire hydrant facilities installed by a subdivider shall become the property of the city and shall be conveyed to the city by a property instrument in writing at the time the facilities are compiled and accepted by the city. (Ord. 578 §2 (part), 1995).

13.50.470 Service connections.

The subdivider shall, at his cost, provide and install the service connection to each house or proposed house in the tract, including the corporation stop, meter valve, and meter box, but not including the meter. No deposit will be required. Each connection shall be inspected by the water superintendent or his authorized representative. {Ord. 578 §2 (part), 1995).

13.50.480 Costs and expenses.

All costs and expenses incurred by the city under this chapter, including the cost of investigation, inspection, legal and consulting engineer's services, shall be paid to the city by the sub- divider prior to final approval and acceptance of the facilities by the city. {Ord. 578 §2 (part), 1995).

13.50.490 Further requirements.

In granting an application, the council may make whatever further requirements as may appear to it to be necessary. (Ord. 578 §2(part), 1995).

VI. WATER METERS

13.50.500 Maintenance.

Where replacements or adjustments for any water meters are necessary by the act, neglect or

carelessness of the owner or occupancy of any premises or anyone in their employ, any expense thereby caused to the water system shall be placed on the water bill and collected from the customer.

13.50.510 Testing.

Customers shall have the right to request a test to be made of the meter serving their premises upon paying an amount making all service charges current, in the manner provided by administrative regulations. If the results of the meter test determine that the meter is:

- A. Registering not more than three percent faster or slower than the actual quantity of water passing through it, the meter shall be retained by the water system.
- B. Registering more than three percent over registration, an accurate meter shall be installed and the water bills for the preceding three months adjusted to correct the error discovered.
- C. Registering more than two percent under registration, an accurate meter shall be installed, the deposit refunded and the customer billed for the amount of the undercharge for the preceding three months.
- D. In any event, the adjustment for overcharge or undercharge shall not exceed a period of three months from the date the customer requests a test or that during which it was measuring service to the customer, whichever is the lesser. (Ord. 578 §2 (part), 1995).

13.50.520 Meters--Temporarily out--Distribution of meters.

- A. Whenever a meter cannot be read, or is temporarily obstructed or temporarily out of commission the customer shall be charged for an estimated amount of water used, based upon the customer's consumption during the same season of the prior year if conditions were unchanged, or, upon a reasonable comparison with use of other customers during the same period receiving the same class of service under similar circumstances.
- B. Obstructing Water Meters. It is unlawful for anyone to enclose a water meter with a fence, wall, hedge, or otherwise obstruct access to water service meters. Upon the failure or refusal of the owner or customer to remove any such unlawful obstruction within a reasonable length of time, thirty days, unless prevented by extenuating circumstances, after written notification to do so, the superintendent may discontinue water service to the premises until the obstruction is removed or otherwise impose fines and penalties as provided in this code.

VII. CUSTOMER'S EQUIPMENT

13.50.530 Customer's responsibility.

The customer shall, at his own risk and expense, furnish, install and keep in good and safe condition all equipment that may be required for receiving, controlling, applying and utilizing water, and the water system shall not be responsible for any loss or damage caused by the improper installation of such water equipment, or the negligence, want of proper maintenance or wrongful act of the customer or of any of his tenants, agents, employees, contractors, licensees or permittees installing, maintaining, using, operating or interfering with such equipment. The customer shall be responsible for determining the pressure operation limits of his fixtures and equipment and shall properly protect the same from a variance of water

delivery pressures, including periods when for any reason whatsoever there is: no water available. (Ord. 578 §2(part), 1995).

13.50.540 Control valve.

The owner of premises *to* be served shall install a control valve on the house piping between the water meter and the first valve outlet on the premises. Prior to the issuance of a building permit to do work on any premises not having a control valve, a control valve shall be installed as provided in this section. When old premises, to which a service connection has previously been installed, are being altered, a control valve shall be installed by the owner, if such is not already provided. The customer shall not operate or tamper with the meter stop or valve *in* the meter box at any time.(Ord. 578 §2 (part), 1995).

13.50.550 Pressure relief valve.

Each water heater shall be equipped with a suitable pressure relief valve of a type and nature required by the Uniform Plumbing Code and Building Code. {Ord. 578 §2(part), 1995}.

VIII. BILLING

13.50.560 Generally.

The procedure for rendering bills for water service, their payment and the consequences on nonpayment, unless otherwise provided elsewhere in this chapter, shall be governed by administrative regulations adopted pursuant to the provisions of this chapter. {Ord. 578 §2 (part), 1995}.

13.50.570 Disputed bills.

In case of dispute as to payment of bill previously rendered, the customer will be required to present the paid receipt bill, cancelled check or other satisfactory evidence before adjustment or corrections shall be made .(Ord. 578 §2(part), 1995).

13.50.580 Billing period.

Bills for all metered service will be rendered monthly or bimonthly as determined by the city. Meters shall be read at approximately equal intervals for the preparation of periodic billing. Special reading shall be taken for opening or closing bills. (Ord. 578 §2 (part), 1995).

13.50.590 Billing of separate meters.

Each meter on a customer's premises shall be billed separately, and the readings of two or more meters will not be combined unless the water department shall, for operating convenience or necessity, install two or more meters in place of one. (Ord. 578 §2 (part), 1995}.

13.50.600 Back billing.

If a customer is found to be using water for which no bills have been issued, the water department shall install a meter and bill the customer for such past water use to the extent applicable.

13.50.610 Period of service less than billing period.

If the total period of service is less than the billing period, it shall be billed on the basis of fifteen-day increments or portions thereof. Current minimums will apply. However, in any case, if the quantity of water consumed is greater than that of the periodic minimum, the charges shall be calculated on the actual water consumption. (Ord. 578 §2 (part), 1995).

13.50.620 When and where bills due and payable.

Bills are due and payable on presentation. Payment shall be made at the commercial office or other place or places designated by the city manager. The water system accepts no responsibility for nonreceipt of bills, except in circumstances which are under its direct control. (Ord. 578 §2 (part), 1995).

13.50.630 Delinquent accounts.

All water bills become delinquent fifteen days following the billing date and if not paid by the delinquent date a ten percent delinquency charge will be charged and added to the notice. Such delinquencies shall also be subject to a penalty of not exceeding 1 and one-half percent per month for nonpayment of the charges and basic penalty. Reconnection shall be in accordance with administrative regulations.

13.50.640 Delinquent one-service locations.

If a customer receives service at more than one service location and the bill for any one of that customer's accounts becomes delinquent and service is discontinued, service at all other locations may also be discontinued. (Ord. 578 §2 {part}, 1995).

13.50.650 Turning on water after shutoff.

When water service has been discontinued because of delinquency of payment of a water bill, the service shall not be turned on until all delinquent and turn-on charges have been paid and a cash deposit to reestablish credit has been made in accordance with administrative regulations. {Ord. 578 §2 {part}, 1995).

13.50.660 Unauthorized turn-on after delinquency.

If after a service is discontinued for delinquency in payment, service is resumed without authorization, the meter may be removed following which a reinstallation charge will be made for restoring service. Such charge is to be in addition to all charges and deposits and in accordance with administrative regulations. {Ord. 578 §2 {part}, 1995).

13.50.670 Adjustment to bill due to leaks or loss.

- A. Bill adjustments ordinarily will not be made because of excess delivery of water. However, when evidence clearly shows that such excessive delivery is due to concealed leaks in underground or unexposed pipes and not otherwise from wasteful use or due to the consumer's acts, omissions or negligence, adjustments will be considered upon request.
- B. If it is determined by the city that an adjustment is warranted, the water department shall determine the amount of excess delivery by calculating the average bill in accordance with

their standard method. Maximum of one- half of the excessive delivery may be allowed. Any adjustment must be first approved by the finance officer.

- C. An adjustment will only be made after repairs have been made and it is certain such leak or loss will not again occur. No adjustment or allowance will be made covering more than the single billing period in which the same is requested. Not more than one adjustment or allowance shall be made to the same customer for the same premises in any twelve-month period. (Ord. 578 §2 (part), 1995).

13.50.680 Outside rates.

Every customer being supplied water from the water system to premises outside the city limits shall pay water rates and charges which represent full cost recovery by the city, which is to be one hundred fifty percent of the rates and charges established for the purpose of this chapter for water users within the corporate limits of the city. (Ord. 578 §2 {part}, 1995).

13.50.690 Violation--Penalty.

Whenever in this chapter or any rule or regulation created under the authority of this chapter an act is made or declared unlawful or prohibited any violation thereof shall constitute a misdemeanor or infraction as determined by the City.

IX. RATE ADJUSTMENT PROCEDURES

13.50.700 Annual rate adjustment.

Annually, effective July 1st of each year, beginning July 1, 1997, the finance officer shall recompute the service charges and volume charges set forth in Section 13.50 .020 or as subsequently adjusted, concurrent with the budget approval process. {Ord. 578 §2 (part)}, 1995).

13.50.710 Notices to customers.

Notices from the city to a customer will normally be given in writing, and either delivered or mailed to him at his last known address. Where conditions warrant, and in emergencies, the city may resort to notification either by telephone or messenger. (Ord. 578 §2(part), 1995).

13.50.720 Notices from customers.

Notices from customers to the city may be given by him or his authorized representative in writing (A) at the principal offices of the city; (B) to the city manager; or (C) to an officer or agent duly authorized by the council to receive notices. (Ord. 578 §2(part), 1995).

X. CROSS-CONNECTION CONTROL

13.50.730 Responsibility.

The city manager or his designated agent shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in the judgement of the city manager, an approved backflow prevention assembly *is* required (at the consumer's water service connection) for the safety of the water system, the city manager or his designated agent

shall give notice in writing to said consumer to install such an approved backflow prevention assembly(s) at a specific location (s) on his premises. The consumer shall immediately install such an approved backflow prevention assembly (s) at the consumer's own expense; and, failure, refusal or inability on the part of the consumer to install, have tested and maintain said assembly(s), shall constitute grounds for discontinuing water service to the premises until such requirements have been satisfactorily met. Provided, however, that the requirements mandated by this chapter shall not take effect until January 1st, 1996. (Ord. 578 §2 (part), 1995).

13.50.740 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

“Approved”

1. The term "approved" as herein used in reference to a water supply means a water supply that has been approved by the health agency having jurisdiction.
2. The term "approved" as herein used in reference to an air gap, a double check valve assembly, a reduced pressure principle backflow prevention assembly or other backflow prevention assemblies or methods means approved by the administrative authority having jurisdiction.

"Auxiliary water supply" means any water supply on or available to the premises other than the purveyor's approved public water supply will be considered as an auxiliary water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source (s) such as a well, spring, river, stream, harbor, etc., or used waters or industrial fluids. These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

"Backflow" means the undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the distribution pipes of the potable supply of water from any source or sources. See terms "back siphonage" and "backpressure."

"Backflow preventer" means an assembly or means designated to prevent backflow.

1. "Air gap" means a physical separation between the free flowing discharge end of a potable water supply pipe- line and an open or nonpressure receiving vessel. An "approved air gap" shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the v vessel--in no case less than an inch (2.54 cm).
2. "Reduced pressure principle backflow prevention assembly" means an assembly containing two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located resilient seated test cocks and tightly closing resilient seated shutoff valve at each end of the assembly. This assembly is designed to protect against a nonhealth (i.e., pollutant) or a health hazard (i.e., contaminant). This assembly shall not be used for backflow protection of sewage or reclaimed water.
3. "Double check valve backflow prevention assembly" means an assembly composed of two independently acting, approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted with properly

located resilient seated test cocks. This assembly shall only be used to protect against a nonhealth hazard (i.e., pollutant).

"Contamination" means an impairment of the quality of the water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids, waste, etc.

"Cross-connection" means any unprotected actual or potential connection or structural arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices and other temporary or permanent devices through which or because of which backflow can or may occur are considered to be cross-connections.

1. The term "direct cross-connection" means a cross-connection which is subject to both backsiphonage and backpressure.
2. The term "indirect cross-connection" means a cross-connection which is subject to backsiphonage only.

Cross-connection, Controlled.

"Controlled cross-connection" means a connection between a potable water system and a nonpotable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

Hazard, Degree of.

"Degree of hazard" means either a pollution (nonhealth) or contamination (health) hazard and is derived from the evaluation of conditions within a system.

1. Hazard, Health. "Health hazard" means an actual or potential threat of contamination of a physical or toxic nature to the public potable water system or the consumer's potable water system that would be danger to health.
2. Hazard, Plumbing. "Plumbing hazard" means an internal or plumbing type cross-connection in a consumer's potable water system that may be either a pollutional or a contamination type hazard. This includes but is not limited to cross-connections to toilets, sinks, lavatories, wash trays and lawn sprinkling systems. Plumbing type cross-connections can be located in many types of structures including homes, apartment houses, hotels and commercial or industrial establishments. Such a connection, if permitted to exist, must be properly protected by an appropriate type of backflow prevention assembly.
3. Hazard, Pollutional. "Pollutional hazard" means an actual or potential threat to the physical properties of the water system or the potability of the public or the consumer's potable water system but which would not constitute a health or system hazard, as defined. The maximum degree or intensity of pollution to which the potable water system could be degraded under this definition would cause a nuisance or be aesthetically objectionable or could cause minor damage to the system or its appurtenances.
4. Hazard, System. "System hazard" means an actual or potential threat of severe danger to the physical properties of the public or the consumer's potable water system or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

"Industrial fluids" means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration which would constitute a health, system, pollutional or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated used waters; all types of process waters and "used waters" originating from the public potable water system which may deteriorate in sanitary quality; chemicals in fluid form; plating acids and alkalies; circulated cooling water connected to an open cooling tower and/or cooling waters that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; oils, gases, glycerin, paraffins, caustic and acid solutions and other liquid and gaseous fluids used industrially, for other processes, or for the firefighting purposes.

"Pollution" means an impairment of the quality of the water to a degree which does not create a hazard to the public health but which does adversely and unreasonably affect the aesthetic qualities of such waters for domestic use.

Service Protection. "Service protection" means the appropriate type or method of backflow protection at the service connection, commensurate with the degree of hazard of the consumer's potable water system.

Water Commissioner or Health Official. The city manager is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this chapter.

Water, Nonpotable. "Nonpotable water" means a water supply which has not been approved for human consumption by the health agency having jurisdiction.

Water, Potable. "Potable water" means any public potable water supply which has been investigated and approved by the health agency. The system must be operating under a valid health permit. In determining what constitutes an approved water supply, the health agency has final judgment as to its safety and potability.

Water--Service connection. "Service connection" means the terminal end of a service connection from the public potable water system (i.e., where the water purveyor may lose jurisdiction and sanitary control of the water at its point of delivery to the consumer's water system). If a water meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the water meter.

Water, Used. "Used water" means any water supplied by a water purveyor from a public potable water system to a consumer's water system after it has passed through the service connection and is no longer under the control of the water purveyor. (Ord. 578 §2 (part), 1995).

13.50.750 Requirements.

A. Water System.

1. The water system shall be considered as made up of two parts: the water purveyor's system and the consumer's system.

2. Water purveyor's system shall consist of the source facilities and the distribution system; and shall include all those facilities of the water system under the complete control of the purveyor, up to the point where the consumer's system begins.
3. The source shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the distribution system.
4. The distribution system shall include the net- work of conduits used for the delivery of water from the source to the consumer's system.
5. The consumer's system shall include those parts of the facilities .beyond the .termination of the water purveyor's distribution system which are utilized in conveying potable water to points of use.

B. Policy.

1. No water service connection to any premises shall be installed or maintained by the water purveyor unless the water supply is protected as required by California state laws and regulations and this chapter. Service of water to any premises shall be discontinued by the water purveyor if a backflow prevention assembly required by this chapter is not installed, tested and maintained, or if it is found that a backflow prevention assembly has been removed, bypassed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
2. The consumer's system should be open for inspection at all reasonable times to authorized representatives of the city to determine whether unprotected cross- connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the city manager shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the consumer has corrected the condition (s) in conformance with the statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto.
3. An approved backflow prevention assembly shall also be installed on each service line to a consumer's water system at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:
 - a. In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the health officer, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line commensurate with the degree of hazard.
 - b. In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line commensurate with the .degree of hazard. This shall include the handling of process waters and waters originating from the water purveyor's system which have been subject to deterioration in quality.
 - c. In the case of premises having (1) internal cross-connections that cannot be permanently corrected or protected against, or (2) intricate plumbing and piping arrangements or 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 dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line.

B. Policy. The type of protective assembly required shall depend upon the degree of hazard which exists as follows:

1. In the case of any premises where there is an auxiliary water supply as stated in this section and it is not subject to any of the following rules, the public water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly.
2. In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved double check valve backflow prevention assembly.
3. In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly. Examples of premises where these conditions will exist include sewage treatment plants, sewage pumping stations, chemicals manufacturing plants, hospitals, mortuaries and plating plants.
4. In the case of any premises where there are unprotected cross-connections, either actual or potential, the public water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly at the service connection.
5. In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow from the premises by either an approved air gap or an approved reduced pressure principle backflow prevention assembly on each service to the premises.

D. Any backflow prevention assembly herein shall be a make, model and size approved by the city manager or his designated agent. The term "approved backflow prevention assembly" means an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association entitled:

AWWA/ANSI CS10-92 Standard for Double Check Valve
Backflow Prevention Assemblies;

AWWA/ANSI CS11-92 Standard for Reduced Pressure
Principle Backflow Prevention Assemblies;

and, have met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California (USCFCCCHR) established:

Specifications of Backflow Prevention Assemblies--
Section 10 of the most current edition of the Manual of
Cross-Connection Control.

Said AWWA and USCFCCCHR standards and specifications have been adopted by the city. Final approval shall be evidenced by a "Certificate of Compliance" for the said AWWA standards; or "Certificate of Approval 11 for the said USCFCCCHR Specifications; issued by an approved testing laboratory.

The following testing laboratory has been qualified by the city to test and approve backflow prevention assemblies:

Foundation for Cross-Connection Control and Hydraulic Research
University of Southern California KAP-200 University Park MC-2531 Los Angeles, California
90089-2531

Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the city manager or his designated agent.

Backflow preventers which may be subjected to backpressure or backsiphonage that have been fully tested and have been granted a Certificate of Approval by said qualified laboratory and are listed on the laboratory's current list of approved backflow prevention assemblies" may be used without further test or qualification.

- E. It shall be the duty of the consumer at any premises where backflow prevention assemblies are installed to have a field test performed by a certified backflow prevention assembly tester upon installation and at least once per year. In those instances where the city manager or his designated agent deems the hazard to be great enough he may require field tests at more frequent intervals. These tests shall be at the expense of the water user and shall be performed by water department personnel or by a certified tester approved by the city. It shall be the duty of the city manager to see that these tests are made in a timely manner. The consumer shall notify the city in advance when the tests are to be undertaken so that an official representative may witness the field tests if so desired. These assemblies shall be repaired, overhauled or replaced at the expense of the consumer whenever said assemblies are found to be defective. Records of such tests, repairs and overhaul shall be kept and made available to the city manager.
- F. All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the testing and maintenance requirements, be excluded from the requirements of these rules so long as they will satisfactorily protect the water purveyor's system. Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the city manager finds that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of this section.
- G. The city manager or his designated agent is authorized to make all necessary and reasonable rules and policies with respect to the enforcement of this chapter. All such rules and policies shall be consistent with the provisions of this chapter and shall be effective upon adoption. (Ord. 578 §2(part), 1995).

III. WATER

Chapter 13.55

WATER CONSERVATION MEASURES

Sections:

- 13.55.010 - Purpose
- 13.55.020 - General Provisions
- 13.55.030 – Drought Regulations

13.55.010 – Purpose

The following regulations are intended as design guidelines for all commercial and industrial projects utilizing fresh water. (Ord. 661, 2009; Ord. 554, 1993)

13.55.020 - General Provisions

- A. A minimum of seventy-five percent of the plants selected shall be drought tolerant, as listed in either of the following two sources:
 - 1. “Drought Tolerant Landscape”... for Amador County, published by Amador Water Agency; and/or
 - 2. “New Western Garden Book” list of Drought Tolerant Plants, published by Sunset Magazine.
- B. Proposed turf and/or nondrought tolerant plants areas shall be limited to a maximum of twenty-five percent of the total landscaped area.
- C. Turf shall not be allowed within a city parkway strip or right-of-way, in landscaped areas less than eight feet in width, and on berms.
- D. Turf and/or nondrought tolerant plant material shall be grouped together.
- E. The irrigation system shall incorporate multiple water lines in order to separate drought-tolerant plants from nondrought-tolerant plant material. Minimum water consumption shall be the primary objective in the design of the irrigation system, which should include (but not limited to) drip emitters, bubbler heads, micro spray units, etc.
- F. An electric control box shall operate the irrigation system, and shall have the capability to accept ground moisture sensors and/or automatic rain shut-off devices.

- G. Ground moisture sensors and/or automatic rain shut-off devices are strongly recommended accessories for the irrigation system.
- H. A minimum of two inches of mulch or secure synthetic mulch membrane shall be added to the entire landscaped ground surface in all non-turf landscape areas.
- I. Open water bodies (including but not limited to ponds, decorative fountains, basins reflective pools, and spray/mist fountains, etc.) are not recommended as landscaping features. (Ord. 661, 2009; Ord. 554, 1993)

13.55.030 – Drought Regulations

The following regulations and use of water must be adhered to by any person, business, entity, association, institution or any other user of water provided by the City of Jackson:

- a. Outdoor irrigation is limited to two days per week.
- b. No one shall water lawns and gardens or conduct any other irrigation between the hours of 9:00 a.m. and 7:00 p.m.
- c. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures is prohibited.
- d. Automatic shut off nozzles or valves are required when washing vehicles.
- e. Washing sidewalks, driveways, patios, parking lots and tennis courts with water is prohibited.
- f. Irrigation is prohibited during the 48 hours following measureable precipitation.
- g. Water features (such as fountains) must have re-circulating water.
- h. Restaurants and other eating or drinking establishments shall only serve water when requested.
- i. Hotel or motel patrons shall be given the option of not having their linens washed daily if staying more than one day. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood