

**CITY OF BELLFLOWER  
RESOLUTION NO. 15-72**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BELLFLOWER ESTABLISHING RULES FOR THE CITY OF  
BELLFLOWER MUNICIPAL WATER SYSTEM AND RESCINDING  
RESOLUTION NO. 14-36**

**WHEREAS**, the City Council did in 2007 establish the Municipal Water System; and

**WHEREAS**, the City Council has previously adopted rules for the operation and administration of the Municipal Water System; and

**WHEREAS**, the City Council wishes to establish water conservation rules pertaining to Ordinance No. 1289, which was adopted by City Council at its regularly scheduled meeting of June 8, 2015.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BELLFLOWER HEREBY RESOLVES AS FOLLOWS:**

**SECTION 1.** Resolution No. 14-36 is hereby rescinded in its entirety.

**SECTION 2.** The purpose of this Resolution is to set water rates and establish general rules for service and the extension of service from the City water system and to promote the public health, safety, and general welfare of the users of the system, in accordance with the standards established by the City, County, State, and Federal governments.

**SECTION 3.** The following water rates, charges, rules, and regulations are hereby established and adopted for the City's water service and for water provided to each active service connection served by the City:

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1. **DEFINITIONS.** For the purposes of this Resolution, certain words and phrases are defined. When not inconsistent with the context, words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the masculine pronoun shall include the feminine; and the word “shall” is mandatory and not merely permissive. Where used herein:

“Billing Cycle” means the interval between water bills. The established billing cycle is bimonthly.

“Billing Date” means the date printed on the bimonthly water bill, normally the same date as that on which the bill is mailed.

“Bimonthly” means the period consisting of two (2) months or approximately sixty (60) days.

“City Manager” means the City Manager of the City of Bellflower.

“City” means the City of Bellflower. As used in the Rules, “City” shall also include any Water System Operator for those items which have been contracted for or delegated to such Operator by the City.

“Commodity Charge” means the rate charged per one hundred (100) cubic feet of water used, as established by resolution of the City Council.

“City Council” means the City Council of the City of Bellflower.

“Cross-connection” means any connection, or possible connection, between any part of the water system and any source or system containing water or any substance that is not or cannot be approved as safe, wholesome, and potable for human consumption.

“Customer” means the owner, tenant, or other occupant of the property who has established the service connection.

- “Commercial Customer” means any customer who is neither a residential customer nor the customer for service to a multifamily residential structure served by a master meter.
- “Customer(s) of Record” means the person or persons named on the application for water service on file with the City and who is thereby responsible for paying the water bill.

- “Residential Customer” means any customer occupying a dwelling unit in any structure where each unit is served by a separate water meter.

“Dwelling unit” means one (1) or more rooms designed or used by an individual or family for residential purposes, including, without limitation, a house, apartment, condominium unit, or duplex unit having water use facilities equivalent in extent to a normal dwelling.

“Military Service” means either of the following: 1) Full-time active state service in the California National Guard, California Military Reserve or California Naval Militia, or 2) Full-time active federal service in the United States Military, or 3) Full-time active duty of a Reservist of the United States Military Reserve for a period of 30 consecutive days.

“Monthly” means the period consisting of one (1) month or approximately thirty (30) days.

“Multifamily dwelling” means a building designed or used to house two (2) or more families living independently of each other.

“Occupancy” means the purpose for which a building, or part thereof, is used or intended to be used.

“Owner” means the owner of the property at which the service connection is located, or his/her authorized agent.

“Person” means any individual, firm, company, public entity, association, society, corporation, partnership, or group.

“Projected Average Cost” means the cost of similar service to similar users as determined by the City at its sole discretion.

“Proposed Developments that Include Housing Units Affordable to Lower-Income Households” is as defined by California Government Code Section 65589.7(d)(1), as currently written or hereafter amended, and which currently provides as follows: “Proposed developments that include housing units affordable to lower income households’ means that dwelling units shall be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, at an affordable housing cost, as defined in Section 50052.5 of the Health and Safety Code, or an affordable rent, as defined in Section 50053 of the Health and Safety Code.”

“Qualified Military Customer” shall mean the customer of record of a Qualified Military Household.

“Qualified Military Household” shall mean a residential household for which income is reduced because the customer of record, the spouse of the customer of record, or the registered domestic partner of the customer of record, as defined by Section 297.5 of the California Family Code, is a service member called to full time active military service

by the President of the United States or the Governor of California during a time of declared national or state emergency or war.

“Rule” shall mean any of the rules and regulations enumerated herein that may be individually or collectively referred to as “Rule” or “Rules” (i.e., Rule 1, Rule 48.c, Rule 53.a.7, etc.).

“Service Charge” means a charge which is applicable to all metered service to provide reimbursement to the City for the costs of services related to the supplying of water to the property but which are not directly related to the amount of water utilized at a site but, instead, are otherwise appropriately apportioned to the customer, as established by resolution of the City Council.

“Service Connection” means the water line and appurtenant facilities used to extend water service from the water main to the meter box.

“Service Extension” means the water line and appurtenant facilities used to extend water service from the meter to the customer’s premises.

“Water Manager” shall mean that individual appointed by the City Manager to coordinate on behalf of the City with the Water System Operator for the day-to-day operation of the Water System and to represent the City in related regulatory matters.

“Water Service Area” means that area of the City in which the Water System provides water service.

“Water Service” or “Water Services” means supplying service through a pipe or other constructed conveyance for any purpose, but does not include the sale of water for human consumption by a water supplier to another water supplier for resale.

“Water System” means the infrastructure of the City’s water system only.

“Water System Operator” or “Operator” means any party with whom the City contracts for the operation of the water system or to whom the City has delegated specific responsibilities for the operation of the water system. The Water System Operator shall be deemed an authorized representative of the City for all purposes contracted for or delegated to such person.

2. **APPLICABILITY AND PURPOSE.** The Rules apply to all water services provided by the City and to all work performed on the water system. The purpose of these Rules is to set water rates and establish general rules for service and the extension of service from the City water system and to promote the public health, safety, and general welfare of the users of the system, in accordance with the standards established by the City, County, State, and Federal governments.

3. **WATER RATES FOR POTABLE WATER METERED SERVICE.** For all potable water metered service:

- a. A commodity charge of \$2.208 per one hundred (100) cubic feet of water used.
- b. A service charge as follows:

<b><u>Service Charge:</u></b>	<b><u>Per Meter Per Month</u></b>
For 5/8 x 3/4 inch meter	\$29.63
For 3/4 inch meter	\$49.29
For 1 inch meter	\$85.37
For 1 ½ inch meter	\$178.18
For 2 inch meter	\$289.61
For 3 inch meter	\$549.56

4. **WATER RATES AND RULES FOR RECLAIMED WATER METERED SERVICE.** For reclaimed water metered service:

- a. A commodity charge of \$1.469 per one hundred (100) cubic feet of water used.
- b. A service charge as follows:

<b><u>Service Charge:</u></b>	<b><u>Per Meter Per Month</u></b>
For 5/8 x 3/4 inch meter	\$29.63
For 3/4 inch meter	\$49.29
For 1 inch meter	\$85.37
For 1 ½ inch meter	\$178.18
For 2 inch meter	\$289.61
For 3 inch meter	\$549.56

- c. All users shall be approved to use reclaimed water by the City and the Los Angeles County Department of Health Services.
- d. By reason of circumstances beyond the control of the City or for the protection of the public, safety, and welfare of the users, service may be interrupted on a temporary basis. Reclaimed water will be supplied only as available from the Central Basin Municipal Water District.
- e. Backflow prevention devices must be installed on all potable water services supplying the premises using reclaimed water.
- f. Users must comply with all rules, regulations, and conditions set forth in the User Manual as reviewed and accepted by the California Department of Public Health and the Los Angeles County Department of Health Services.

5. **WATER RATES AND RULES FOR FIRE PROTECTION SYSTEMS.** For all water service furnished to privately owned fire protection systems:
- a. For each inch of diameter of service connection: \$15.67 Per Meter Per Month
  - b. The fire protection service and connection shall be installed by the City or under the City's direction. The cost for the entire fire protection installation including the connection at the main shall be paid for by the applicant. Such payment shall not be subject to refund.
  - c. The expense of maintaining the private fire protection facilities on the applicant's premises (including the vault, meter, and backflow device) shall be paid for by the applicant.
  - d. All facilities paid for by the applicant that are located on applicant's premises shall be the sole property of the applicant. The City and its duly authorized agents shall have the right of ingress to, and egress from, the premises for all purposes in relation to said facilities.
  - e. The minimum diameter for fire protection service shall be one inch (1") and the maximum diameter shall be not more than the diameter of the main to which the service is connected.
  - f. If a distribution main of adequate size to serve a private fire protection system in addition to all other normal service does not exist in the street or alley adjacent to the premises to be served, then a main extension from the nearest existing main of adequate capacity shall be required by the City. Such cost shall be borne by the applicant and shall not be refundable.
  - g. Service hereunder is for private fire protection systems to which no connections for other than fire protection purposes are allowed and which are regularly inspected by the underwriters having jurisdiction. All facilities are to be installed according to the City's specifications and maintained to the City's satisfaction. The City may require the installation of a backflow prevention device and a standard detector-type meter approved by the insurance carrier and California Department of Public Health.
  - h. No structure shall be built over the fire protection service and the owner shall maintain and safeguard the area occupied by the service from traffic and other hazardous conditions. The owner will be responsible for any damage to the fire protection service facilities.
  - i. Subject to the approval of the City, any change in the location or construction of the fire protection service as may be requested by public authority or the owner will be made by the City following payment to the City of the entire cost of such change.
  - j. Any unauthorized use of water through the fire protection service will be charged for at the applicable rates and may be grounds for the City's discontinuing fire protection

service without liability to the City or Water System Operator, and their officers, agents, employees, or contractors.

- k. The City will supply only such water at such pressure as may be available from time to time as a result of its operation of the system. The customer shall indemnify the City, the Water System Operator, and their officers, agents, employees, and contractors, and save and hold them harmless against any and all claims arising out of service under this schedule and shall further agree to make no claims against the City, the Water System Operator, or their officers, agents, or employees for any loss or damage resulting from service under this rate schedule.
- l. The owner shall be responsible for the periodic testing of any backflow prevention devices, as required by public authority or the City. Any repair or replacement of such devices or of any other facilities installed to provide private fire protection service shall be done at the owner's expense. Any refusal to comply with the above requirements may be grounds for the City's disconnecting private fire protection service without liability to the City or Water System Operator and their officers, agents, employees, and contractors.
- m. If any person shall use such fire service for other than fire purposes, the City is hereby authorized and directed to collect the sum of \$150.00 for each such use and to enforce this provision by cutting off all water service to the property whereon such use occurs. When water is cutoff by virtue of this provision, no further water shall be served to such property until the aforementioned sum is paid, provided that the City Manager may, on application of any person aggrieved by this action of the City hereunder, remit the charge or such part thereof as may appear just.
- n. Whenever private fire protection is provided, there shall be a monthly minimum charge of \$45.00 if domestic water service is not provided to the subject property by the City.

6. **ACCESS TO PROPERTY.** The City's authorized and identified representatives or employees shall have access to the customer's premises at all reasonable times for the purpose of reading meters, inspecting, testing, repairing, removing, exchanging, or otherwise giving necessary attention to all equipment belonging to the City. In case any authorized representative or employee is refused admittance to any premises, or after being admitted is hindered or prevented from making such examination, the City Manager, or his/her designee, may cause the water services to be turned off, to enforce the provisions of the Rules.

7. **APPLICATION FOR WATER SERVICE.**

- a. **Application - Generally.** Any person desiring to have water service turned on or premises connected with the water system shall make application to the City on printed forms to be provided for that purpose. Every application shall be signed by the owner of the property to be benefited or on which the water is to be used, or by

his authorized agent, and the applicant shall agree to comply with all applicable rules and regulations which have been established from time to time by the City. The applicant shall further agree, as a condition precedent to the furnishing of water, that the City shall have the right, after giving reasonable notice, to shut off the water supply for repairs, extensions, nonpayment of rates, or for any other reason relating to the operation of the water system and that the City shall not be responsible for any damage caused by the breaking, bursting, leaking, or collapsing of any boilers, pipes, fixtures, water heating appliance, or other thing, or by the stoppage or interruption of the water supply or any damage of any kind resulting directly or indirectly from the shutting off or interruption of water supply and/or service.

If a customer is sixty-five (65) years of age or older, or is a dependent adult as defined in paragraph (1) of subdivision (b) of Section 15610 of the Welfare and Institutions Code, such customer may designate in his/her application a third party to whom notification is to be sent when the customer's account is past due and subject to termination. The City shall provide a form for such third-party notification, which must be submitted with the written consent of the designated third party. Third-party notification shall not obligate the third party to pay any overdue charges, nor shall it prevent or delay termination of service.

- b. **Application – Existing Service.** Every application for water service to any premises previously served by the water system shall contain an address to which service is desired and fully state the purpose for which the water is to be used. At the time of filing such application, the applicant shall pay to the City 1) the actual cost for processing the application, and 2) the required security deposit.
- c. **Application – New Service.**
  - 1. Every application for water service to any premises not previously served by the water system shall contain a description of the premises where such water supply is desired, fully state the purpose for which the water is to be used, and state the size of the service pipe to be connected thereto. At the time of filing such application, the applicant shall pay to the City 1) the actual cost for processing the application, 2) the estimated actual cost for installation of water service, and 3) the required security deposit.
  - 2. Application for water for new houses or any premises not heretofore provided with water must be accompanied by a deposit in the amount prescribed herein for the particular size of service and meter required.
- d. **New Application Required for New Purpose.** Should the applicant or occupant of the premises desire to apply the water for a purpose not stated in the original application, a new application must be made.
- e. **Application – Form.** Application for service shall be on the forms as prescribed by the City. The application shall constitute a contract whereby the applicant agrees to conform to the provisions of the Rules, as now enacted or hereafter amended.

8. **RATES SUBJECT TO CHANGE.** Except for special contracts, which specify the length of time to which the contract rate shall be extended, all rates, rules, and regulations are subject to change or modification by the City in accordance with California law.
9. **WATER CONSUMPTION RESTRICTIONS.** No person supplied with water from the water system shall be permitted to use it for any purpose other than that stated in the application or to supply it in any way to other persons or premises, except as expressly provided by the Rules. Water service may be discontinued to any person or premises for violations of this section.
10. **EFFECT OF VACANCY.** When a location to which water service is provided is vacated, whether residential or commercial, the Service Charge shall be charged and collected from the customer of the account relating to such location, whether water is used or not, unless service is terminated by the customer in accordance with these Rules.
11. **FUTURE CONNECTIONS.** In making all future connections with the water system, each individual building shall be considered an individual consumer and shall be supplied through a separate service connection and meter except as provided for by the Rules. As used in this section, the term "future connection" shall include any and all connections hereafter made and may include, at the discretion of the City, the modification of existing connections.
12. **CONNECTION TO WATER MAIN.**
  - a. Upon the receipt of the connection charges, the City shall cause the premises described in the application to be connected with the City's water main by a service pipe extending from the main to the meter box, which connection shall thereafter be maintained and kept within the exclusive control of the City.

Service pipes will be laid from the main to a point inside the nearest curb line where a curb cock and meter will be installed. Installation and maintenance of all pipes on the property side of the meter shall be performed by the owner.
  - b. Except as provided in Subsection c, below, each unit in a multi-unit structure or in multiple habitable structures on a single property shall have its own meter.
  - c. A single service line may be allowed to a multi-unit structure or multiple habitable structures on a single property, provided that one (1) customer has agreed in writing to assume and be responsible for and pay the total water bill without any deductions for vacancies or other reasons. Notwithstanding the foregoing, this Rule shall not be deemed to foreclose the City from requiring, in connection with any other discretionary review or permit, that each unit within a building obtain service through a separate customer and be supplied through a separate service connection and meter from any other unit in that building.

- d. Charges collected by the City for installation of services and meters are determined on the basis of the service provided and the service pipes and water meters installed shall remain at all times as property of the City. They shall be maintained, repaired, and renewed by the City when rendered unserviceable through ordinary wear and tear; provided, however, that where replacements, repairs, or adjustments are rendered necessary by any act, negligence, or carelessness of the customer or any member of his/her family or any representative or person in his/her employ or tenant, any expense caused to the City thereby shall be charged against and collected from the customer.
  - e. Charges for installation of water services and meters shall be on an actual cost basis as determined by the City Manager, or his designee, in his sole discretion, and to reimburse the City for the full cost of material, labor, and equipment used, including supervision and overhead. A payment equal to the estimated actual cost of installations shall be made with the City before any work is commenced. Upon completion of work, a final accounting of cost will be made and any amount over or under the amount collected be refunded to or collected from the applicant.
13. **SERVICE CONNECTION DEEMED ACTIVE.** A service connection shall be deemed active unless the customer has notified the City in writing that the service connection is to be rendered inactive.
14. **SECURITY DEPOSITS FOR WATER SERVICE.**
- a. **Existing Customers in Good Standing.** Existing customers in good standing will not be required to make any security deposits in addition to that (if any) previously made.
  - b. **Existing Customers Whose Water Service is Turned Off for Nonpayment.** A customer whose water service is turned off for nonpayment will be required to make a security deposit the same as required of a new customer prior to restoration of water service.
  - c. **New Customers – Commercial.** All new commercial customers will be required to make a security deposit equal to the projected average cost of two (2) billing cycles. If the actual use significantly exceeds the projected average cost, an additional security deposit equal to two (2) billing cycles of actual use may be required.
  - d. **New Customers – Master Metered Residential Over Four Units.** Any new customer for a multifamily residential building of over four (4) units which is served by a master meter may be required to make a security deposit of up to six (6) months of the projected average cost of services. The City may also waive the security deposit requirement, at its sole discretion.
  - e. **New Customers – Residential and Master Metered Residential Four or Fewer Units.** All new residential customers and all new customers for a multifamily residential building of four (4) or fewer units which is served by a master meter will

be required to make a security deposit based on their individual creditworthiness, as determined by the City and otherwise governed by the provisions of Section 10009.6 of the California Public Utilities Code (i.e., the amount of the security deposit may not exceed twice the estimated average periodic bill).

- f. **Amount of Security Deposit – Residential Customers and Master Metered Residential Customers of Four or Fewer Units.** The Water System Operator will determine the amount of the security deposit for new and existing residential customers and master metered residential customers of four (4) or fewer units required to make a security deposit, not to exceed twice the estimated average periodic bill.
  - g. **Determination of Credit Worthiness.** The Operator, acting for the City, will establish the creditworthiness of new and existing customers by conducting a credit check using a nationwide consumer credit reporting service as determined by the Operator. Customers with a FICO score of seven hundred fifty (750) or above will not be required to make any security deposit, those with a score of seven hundred forty-nine (749) and below will be required to make a security deposit. The Operator will recover its direct costs to conduct any credit check from the prospective customer. Customers unwilling or unable to furnish the information needed to determine their creditworthiness will be required to pay a security deposit.
  - h. **Refund of Security Deposits to Creditworthy Customers.** Security deposits will be refunded upon request to customers able to demonstrate creditworthiness per Rule 14.g.
  - i. **Refund of Security Deposits at Termination of Service – Voluntary.** Security deposits of customers who voluntarily terminate service per Rule 46 will be refunded, less any money owed, within 60-days of the effective date of termination.
15. **UNAUTHORIZED CONNECTIONS.** Unless the prior written approval of the City is first obtained, it is unlawful for any person to make any direct or indirect connection with any City water main, conduit, or pipe belonging to or under control of the City or to turn water service provided through the municipal water system on or off (BMC 13.04.010). Any such unauthorized connections are subject to an administrative fine in an amount not to exceed \$500.00 and to criminal penalties under BMC 13.04.010 and California Penal Code Section 498.
  16. **SPECIAL CONTRACTS.** The City reserves the right to make special contracts, the provisions and conditions of which may be different from or have exception to the regular published rates. Such special contracts shall be in writing, approved by the City Council, and signed by proper officials and the customer to be served.
  17. **UNUSUAL CUSTOMER REQUIREMENTS.** When a customer's requirements for water are unusual, or large, or necessitate considerable special or reserve equipment or special consideration, the City may require a contract for an extended period and may also require the customer to furnish security satisfactory to the City to protect the City

against loss and guarantee the performance of the provisions of the contract. The City shall require or cause to be prepared a capacity analysis performed by an engineer licensed by the State of California for requests for water service for new development that would create an undue hardship on the existing water system's ability to provide adequate supply. Based on information presently available to the City, including the size and condition of the water system, this is generally four (4) units or greater. The criteria to be used and goals to be achieved through the capacity analysis shall be established by the City. The cost of the capacity analysis shall be the sole responsibility of the property owner.

18. **MAIN EXTENSIONS.** Where a reimbursement agreement exists between the City and any person providing for recovery by that person of part or all of the costs of a main or extension of a main paid for and installed by such person from persons utilizing the main (other than the City), in addition to the standard connection charges, a charge shall be made in such amounts as may be determined by the agreement or otherwise determined by a separate resolution of the City Council for each service connection to such main or extension of the main.
19. **MAINTENANCE OF SERVICE CONNECTIONS AND EXTENSIONS.** The City will maintain all existing, and construct all new, service connections, including the meter facilities, except as otherwise set forth in these Rules. The service extension shall be installed and maintained by the customer at his own expense and in accordance with the standards established by the City.
20. **INSTALLATION AND MAINTENANCE RESPONSIBILITIES.**
  - a. The customer shall, at his own risk and expense, furnish, install, and maintain in safe condition all equipment constituting the service extension that may be required for receiving, controlling, and utilizing water. The City shall not be responsible for any loss or damage caused by the improper installation, maintenance, wrongful acts, or negligence of the customer or any of his tenants, agents, employees, contractors, or licensees in installing, maintaining, using, or operating such equipment.
  - b. The City and the Water System Operator shall not be responsible for any damage to property caused by spigots, faucets, valves, and other equipment that may be open when service is turned on at the meter in the original installation or when restoration of service is made after a temporary shutdown.
21. **WATER METERS—OWNERSHIP.** All meters installed on water service connections by the City shall be and remain the property of the City whether installed on public or private property and shall be operated or removed only by the City.
22. **WATER METERS—PLACEMENT—INSPECTION.**
  - a. The location of the meter or meters used in measuring the customer's use of water must be in a place satisfactory to the City before service will be supplied.

- b. The applicant, as a condition of his contract for water service, guarantees access to the meter for purposes of reading and maintenance thereof.
  - c. The City will pay no rent or other compensation to install or maintain meter and appurtenant facilities located on customer's premises.
23. **DEFECTIVE SERVICE EXTENSION.** The City may immediately shut off any service whenever such service extension lines develop leaks, or their condition is such as to constitute a danger to the domestic water supplies of the City. Such service shall remain shut off until such lines are properly repaired and replaced.
24. **INSUFFICIENT PRESSURE AND CAPACITY.** When the premises for which water is sought does not abut a main with sufficient pressure and capacity to provide the required flow to the property line, the application for service may be rejected. The City does not guarantee any pressures or flows to be provided to any premises.
25. **CHANGE IN SIZE OR LOCATION OF SERVICE CONNECTION.** When the expansion, replacement, or removal of an existing building results in a need to increase or decrease the size or change the location of the existing service connection or where a service connection to any premises is abandoned or no longer used, the City may remove the existing service connection; after which, should a service connection be required to the premises, a new service shall be placed only upon the owner making an application and paying for a new service connection in accord with all requirements of the Rules.
26. **NONSTANDARD WATER SERVICE.**
- a. Where the customer is being served by a nonstandard water service and a standard water main is thereafter installed, within six (6) months after City's acceptance of the standard main, the customer shall discontinue the use of the nonstandard water service and shall relocate the service line from the new permanent main to the nearest property line at the customer's expense. The customer shall further be responsible for connecting to the new service line and paying all costs associated with said connection. A new connection charge shall not be due for the relocation and reconnection from a nonstandard water service to a standard water service.
  - b. All work undertaken by a customer associated with the repair of a nonstandard service in the utility right-of-way shall require a permit and all work shall comply with City construction standards.
27. **OWNERSHIP, REPAIR AND REPLACEMENT OF FACILITIES.** The City shall not be required to renew or replace water mains which are outside the established boundaries of the water system.
28. **CONFORMING PRIVATE PIPES.** Before water will be turned on to any premises not previously served by the water system, the service pipes upon such premises must be made to conform to all applicable laws and regulations, including such specifications as

may be promulgated from time to time by the City. Conformity must be verified by an inspection by the City prior to the covering of the trench containing such pipe.

29. **SHUT-OFF VALVE REQUIRED.** The customer shall install, as close to the meter location as practicable, a suitable shut off valve in the service connection to the meter that will shut off all service to the premises.
30. **NEW PIPES.** All new service pipes shall be placed not less than twenty-four inches (24") below the surface of the ground.
31. **REFUSAL OF SERVICE.**
  - a. **Unsafe or Unlawful Apparatus.** The City may refuse to furnish water or may discontinue service to any premises where any apparatus, application, or equipment using water is dangerous, unsafe, or unlawful.
  - b. **Excessive Demand by Customer.** The City may, in the public interest, refuse to furnish water or may discontinue service where excessive demand by one (1) customer may be detrimental to the water service furnished to other customers.
32. **CITY METER VALVE.** All shut-off valves on the City's side of the water meter are installed by the City for use by the City. Such shut-off valves shall not be used, or in any way tampered with, by the customer or any agent or contractor of the customer.
33. **DAMAGE TO CITY PROPERTY.** The customer shall provide a space for, and exercise proper care to protect the property of, the City on its premises, and in the event of loss or damage to the City's property arising from neglect of the customer to care for same or from any willful act of the customer, the cost of necessary repairs or replacement shall be paid for by the customer.
34. **EMERGENCY SERVICE TO OTHER PROPERTY.** The furnishing of water by a customer to premises other than that served by the customer's service is prohibited, except as may be approved by the City during emergencies, provided that an application for emergency service shall be made to the City within forty-eight (48) hours of the onset of the emergency.
35. **DAMAGE BY HOT WATER.** If a meter is damaged by hot water from the customer's line, the customer will be required to pay for the cost of repair and for the loss of revenue occasioned by the damage, and the customer shall immediately make the necessary corrections to his own water line to prevent further damage to the City meter.
36. **REMOVAL, REPLACEMENT, AND REPAIR.** No person other than the City may remove a meter. In all cases where meters are lost, damaged, or broken by carelessness, negligence, or willful act of the customers, owners, or occupants of the premises, or their employees, contractors, or agents, they shall be replaced or repaired by or under the direction of the City, and the cost shall be charged against the customer,

and in the case of nonpayment, the water shall be shut off and will not be turned on until such charges and the charge for turning on the water are paid.

37. **EFFECTIVE DATE OF CONTRACT AND RATES.** All contracts shall take effect from the day they are signed and rates shall be charged from the day the premises are connected with the water system and the meter is installed.
38. **TURN ON NEW INSTALLATION.** When the City installs the new water service connection for any premise, the valve at the meter shall be turned to the “off” position unless the owner has specifically requested the water be turned “on” in the contract.
39. **LOCATION CHANGE—COST.** Except as otherwise provided in the Rules, when it is necessary for the convenience of the City or because of the City’s installation of new water mains to change an existing domestic water meter or domestic water service location, such new location shall be made at the cost and expense of the City, except that the property owner shall reinstall his service extension to connect with the water meter as relocated at his own expense.
40. **CHARGES FOR METERED SERVICE.** The charges for metered service shall be the applicable Commodity Charges plus the Service Charges.
41. **METER READING AND BILLING.** Meters will be read bimonthly at two-month (2-month) intervals for the preparation of regular bills and at intermediate dates as required for the preparation of opening, closing, or special bills. In the event the meter fails to register or is blocked or inaccessible, the customer shall be charged for such period on an estimate based upon the last three (3) billing cycles during which the meter was in good order, or such other information as may be most reliable under the circumstances. In addition, any customer who covers, or in any way obstructs, City’s access to the water meter will be charged an additional penalty of \$100.00 for each billing cycle the obstruction remains over the meter.
42. **BILLS — MINIMUM CHARGE.** If the total period of water service is less than a full bimonthly billing cycle, the Service Charge will be prorated to reflect the actual period of service. If a meter fails to register during any period or is known to register inaccurately, the customer shall be charged for such period based on an average yearly consumption as shown by the meter when in use and registering accurately.
43. **APPLICATION OF PAYMENT.** All payments received by the City shall be applied to payment of the months or month furthest in arrears for the property which the payment is received.
44. **TERMINATION OF SERVICE FOR UNPAID CHARGES.** The City has the right to terminate water services to any customer for reason of nonpayment. Prior to termination, the City shall comply with the applicable procedures of California Public Utilities Code Sections 10009, 10009.1, 10010, and 10011 as they then exist. All bills for water services are due and payable upon receipt and become delinquent twenty (20) days from the billing date. At the end of the grace period of no more than fifteen (15)

days following the date of first delinquency of any such charges, the City shall turn off the water service in accordance with the following procedure:

- a. **Restrictions on Termination of Residential Service for Unpaid Charges.** Restrictions on termination of residential water service for nonpayment are set forth in Section 10010 of the California Public Utilities Code. Additional situations where service may not be terminated to a multiunit residential structure serviced through a master meter are set forth in Subsection (e) of Section 10009.1 of the California Public Utilities Code.
- b. **Military Families Shut-off Protection.** In accordance with Section 827 of the California Military and Veterans Code, a Qualified Military Customer may apply for and shall receive shut-off protection as further detailed in Rule 45.
- c. **Small Balance Accounts.** In any billing, if \$40.00 or less remains unpaid, it may be carried over to, and added to, the next billing period.
- d. **Delinquent Notice of Nonpayment.** If payment for a billing period is not made on or before the 20th day after the billing period invoice date, a Delinquent Notice of Nonpayment and Disconnection of Service ("Delinquent Notice") will be mailed, postage prepaid, to the water service customer fifteen (15) days prior to actual disconnection. The Delinquent Notice will include a late charge in an amount established herein, which must be paid in order for service to be continued. A customer may request an amortization payment plan described herein, provided such request is made within thirteen (13) days of the date the Delinquent Notice is mailed.
- e. **Turn-Off Deadline.** Unless an amortization payment plan is approved, all charges for water service charges and late charges must be paid on or prior to 4:30 p.m. on the day specified in the Delinquent Notice to avoid disconnection of service.
- f. **Contents of Termination Notice.** The Delinquent Notice shall specify the following information in a clear and legible format:
  1. Customer's name and address;
  2. Amount in arrears;
  3. Date by which payment must be made;
  4. Procedures for initiating a complaint or requesting an investigation of the charges;
  5. Procedures for requesting amortization of the unpaid balance;
  6. Procedures for obtaining information on financial assistance; and
  7. Telephone number of the City representative who can provide additional information.
- g. **Forty-Eight-Hour Notice of Discontinuation.** At least forty-eight (48) hours prior to actual termination as set forth in the Delinquent Notice, the City shall make a reasonable, good faith effort to contact an adult of each residence served by the account for which the Delinquent Notice has been prepared by telephone, or in

person, and provide them with the information set forth above. At least one (1) attempted personal contact, coupled with use of a "door hanger," shall be deemed to be a reasonable, good faith effort at contacting an adult of the residence.

In the event the account is for a multiunit residential structure served through a master meter, the "door hanger" shall also contain information regarding the occupants' rights under Public Utilities Code Section 10009.1, including the right to establish service through the acceptance of responsibility for the property, or of a portion of the property, if a physical means is legally available to selectively terminate service to other portions, the right to offset payments made for such charges against rent due if water had been included as a service provided, and the right to commence action to recover damages from the property owner. Such additional information shall be provided in "plain English," Spanish, Tagalog, Chinese, Korean and Vietnamese printed in a large and boldface type, and shall include comprehensive instructions as to actions which may be taken by the occupant(s).

- h. **No Termination Except on Business Days.** Water service will not be terminated by reason of nonpayment on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the City's water system are not open to the public.
- i. **Restoration of Service.** Water service which has been turned off for nonpayment shall not be turned on again until all delinquent charges, the late charge, and the additional sum set forth herein for turning the water on shall have been paid.

45. **MILITARY FAMILIES SHUT-OFF PROTECTION.** In accordance with Section 827 of the California Military and Veterans Code, a Qualified Military Customer may apply for and shall receive shut-off protection for a period of 180 days as follows.

- a. The Qualified Military Customer shall provide the MWS with written Notification he or she is in need of assistance because of a reduction in household income as a result of a member of a Qualified Military Household being called to active duty status in the military. The Notification must be accompanied by a copy of the activation or deployment order of the customer that specifies the duration of the active duty status. The MWS will provide customers with a Military Service Notification Form for that purpose, but any other writing which includes all the required information will be accepted. The Notification shall include self-certification the Qualified Military Household of the Qualified Military Customer will be occupied by the Qualified Military Customer's legal dependent(s) during the duration of the shut-off protection period.
- b. A Qualified Military Customer receiving shut-off protection under this Rule must notify the MWS if the active duty status of the service member will be extended.
- c. The Qualified Military Customer who is receiving shut-off protection under this Rule must notify the MWS if he or she moves out of the residence that is receiving the

shut-off protection including i) the date of termination of water service and ii) a forwarding address.

- d. The shut-off protection under this Rule does not void or limit the obligation of the Qualified Military Customer to pay for water service received during the time of assistance. Rather, after release from Military Service, the Qualified Military Customer may request and will be granted a repayment plan of no more than one year to pay charges accrued during the time of military service.

46. **TERMINATION OF SERVICE FOR NONCOMPLIANCE.** Water service may be terminated to any customer who fails to comply with any Rule.

- a. **Imminent Risk to Public Health, Safety, or Welfare.** In any case where the customer's failure to comply with any Rule is deemed in the sole discretion of the City to present an imminent risk to the public health, safety, or welfare, the City may immediately terminate water service to the customer without prior notice. Concurrent with or as soon as possible after termination of service, the City shall mail to the customer and hand deliver to the service address a Notice of Noncompliance and Disconnection of Service as described below. Additionally, the City shall make a reasonable, good faith effort to contact an adult of the residence by telephone or in person, and provide them with the information set forth above. At least one (1) attempted personal contact coupled with use of a "door hanger" shall be deemed to be a reasonable, good faith effort at contacting an adult of the residence.
- b. **Procedure for Termination of Service – No Imminent Risk.** When any customer fails to comply with any Rule but where no imminent risk is deemed to exist, a Notice of Noncompliance and Disconnection of Service will be mailed to the Customer and hand delivered to the service address 48 hours prior to actual disconnection. In addition to the foregoing, the City shall make a reasonable, good faith effort to contact an adult of the residence by telephone, or in person, and provide them with the information set forth above. At least one (1) attempted personal contact, coupled with use of a "door hanger," shall be deemed to be a reasonable, good faith effort at contacting an adult of the residence.
- c. **Contents of Notice.** The Notice of Noncompliance shall specify the following information in a clear and legible format:
  - 1. Customer's name and address;
  - 2. Reason for Termination (including the Rule[s] the customer has not complied with);
  - 3. Date by which corrective action must be taken;
  - 4. Procedures for appealing the determination of noncompliance;
  - 5. What fees and penalties, if any, must be paid; and
  - 6. Telephone number of the City representative who can provide additional information.

- d. **Restoration of Service.** Water service shall not be turned on again until the customer is in full compliance with the Rules, and all delinquent charges, penalties, if any, and the additional sum established herein by the City Council for turning the water on shall have been paid.

47. **TERMINATION OF SERVICE - VOLUNTARY.**

- a. Should any customer desire to terminate water service, he shall be provided a closing bill stating the date of such termination and shall pay all unpaid charges at the address set forth on such closing bill within twenty (20) days. The customer shall be responsible for all charges accruing prior to the stated date of termination. If the customer fails to give notice, the customer shall remain liable for all charges applicable to the account, including, but not limited to, commodity charges and service charges, until the date of actual disconnection by the City.
- b. If service has been voluntarily terminated, upon proper application, the payment of all unpaid water charges, and the additional payment of any turn-on fee established herein for new service, the City will turn on water service again. No change of ownership or occupancy shall affect the application of this Rule.

48. **PENALTIES FOR LATE PAYMENT.** Water bills paid after the twentieth day from the billing date will incur a \$5.00 late payment penalty. Water bills paid after the date of the delinquent notice of nonpayment will incur an additional \$10.00 delinquent payment penalty. In accordance with the California Military and Veterans Code Section 827 (g) (2), the late payment penalty will be waived for a Qualified Military Customer during the period of military service up to 180 days and, if a repayment plan has been established for the Qualified Military Customer following release from military service, then also during the repayment period up to one year.

49. **FEES AND PENALTIES FOR TERMINATION OR RESTORATION OF WATER SERVICE.**

- a. **Fee for Turn On.** When a customer's water is turned off for nonpayment or noncompliance, the customer shall pay the amount due plus any late fee or other penalties plus a turn-on fee as established in Rule 57 herein.
- b. **Fee for Voluntary Temporary Turn Off.** If a customer has his water service shut off at his own request for a temporary period of time of more than fifteen (15) days, then a turn-off fee of \$30.00 shall be paid.
- c. **Penalty for Unauthorized Turn On or Turn Off.** If a customer turns on or turns off his water at the curb cock (at the meter), then a penalty of \$150.00 shall be charged to the customer.

50. **COLLECTION OF UNPAID CHARGES - UNPAID CHARGES DEEMED LIEN.** To the extent allowed by California law, all charges for connection and service, as provided in these Rules, or as may be hereafter amended, together with penalties and interest

thereon, if any, shall, in addition to being a personal liability of the applicant, be a lien upon the property with which such connection is made. Enforcement of such lien or liens shall be in any manner provided by State law.

51. **BILLING DISPUTES—RESPONSIBLE PARTY—REDUCED WATER CHARGES IN SPECIAL CASES.** Upon application by a customer, the City Manager, or his/her designee, is empowered to resolve billing disputes, on a case-by-case basis, in the following circumstances: If a private water line, valve, fixture, or other appurtenance is verified to be leaking as a result of accidental damage or natural deterioration of the same, and not as a result of abuse or willful neglect, and provided that the damage is repaired within five (5) days of the discovery of such, the water bill may be reasonably and equitably reduced; provided that a customer shall be required to pay the service charge plus a commodity charge based on not less than the highest usage of that account in the previous twelve (12) months. If the leak is recurring, the bill will be reduced for a single event only.
52. **METER TESTING—ADJUSTMENT OF BILL.**
- a. Upon request from a customer, based upon a complaint that the water bill for any period has been excessive, the City shall have the meter reread.
  - b. If a meter is tested at the request of a customer, a charge of \$60.00 shall be made. If the meter is found to be over two percent (2%) fast, then the charge shall be refunded.
53. **CITY LIABILITY.**
- a. **Liability - Shut-Off for Repair or Nonpayment.** The City may at any time shut off water to any premises connected with the water system for repairs, extensions, failure to pay charges as provided by the Rules, or other necessary purposes. The City and the Water System Operator shall not be liable for any damage which may occur as a result of water being shut off to any premises, including, without limitation, the bursting of boilers supplied by direct pressure, the breaking of any pipes or fixtures, stoppage or interruption of water supply, or any other damage resulting from the shutting off of water. It is the responsibility of customers who have any machinery, material, process, or plant which requires a constant supply of water to install upon their premises such water storage facilities as will prevent any damage in case the City water supply may for any reason be interrupted or discontinued and to provide backflow devices to protect against loss from the interruption or discontinuance of water service.
  - b. **City Not Liable for Damages.** The City and the Water System Operator shall not be liable for damages, nor will allowances be made for loss of production, sales, or service, in case of water pressure variation, or in case the operation of the City's source of water supply or means of distribution fails, or is curtailed, suspended, diminished, or interrupted for any cause. Such pressure variations, failure, curtailment, diminishment, suspension, interruption, or interference shall not be held

to constitute a breach of contract on the part of the City or in any way affect any liability for payment for water made available or for money due on or before the date of such occurrence.

- c. **Liability Disclaimer.** The City and the Water System Operator shall not be liable for any damage to persons or property resulting from a turn off or turn on of the water service, including, but not limited to, situations where water service is left on between a change of customers occupying the premises, at the request of one (1) of the customers, or the service is disconnected for nonpayment for failure to have a current water service application.
- d. **Liability for Damage to Equipment and Property.** The customer shall be liable for any damage to the meter or other equipment or property owned by the City which results from any intentional or negligent act by the customer, his tenants, agents, employees, contractors, licensees, or invitees. The City shall be reimbursed by the customer for any such damage promptly on presentation of a bill therefor.

54. **DISHONORED CHECKS.** In the event the check given by the customer is not honored by the financial institution appearing on the check, the City will initiate termination of water service procedures as provided herein for delinquent payment on the same day it receives notice from the financial institution serving the City. Service shall not be turned on again until a return check charge, in addition to all other charges required by the Rules, shall have been paid.

Any customer who has given the City a dishonored check must thereafter pay all charges for such account by cash, money order, or certified check. The return check charge will be \$25.00 for the first returned check and \$35.00 for any subsequent re-submittal of that returned check from the same customer.

55. **FIRE HYDRANTS; UNAUTHORIZED USE OF WATER.** It is unlawful for any person to open, operate, close, turn on, turn off, interfere with, attach a pipe or hose to, or connect anything with any fire hydrant, stop valve, or stopcock belonging to the City, except when duly authorized by the City or unless such person is acting in an official capacity as a member of the Los Angeles County Fire Department or the City. If customer uses a fire hydrant without permission, an inspection charge of \$150.00 shall be paid in addition to the charges for any water used. Any such unauthorized use of water is subject to a fine in an amount not to exceed \$500.00 and to criminal penalties under California Penal Code Sections 624 and 625.

56. **FIRE HYDRANT FOR CONSTRUCTION PURPOSES.** Whenever in the opinion of the City it is necessary to install a meter on a fire hydrant for construction purposes, there shall be a \$115.00 charge for the initial installation and an \$850.00 deposit for the meter, refundable when the meter is returned in the same condition as when installed. If the meter should be moved to other locations from the original installation site, an additional fee of \$46.00 shall be charged each time the meter is moved. Rates for water used will be charged as follows:

Service Charge per week	\$25.00
Commodity Charge per 100 cubic feet	Same as rate charged for potable water metered service

The contractor shall pre-pay for all water and service charges based on estimates.

57. **WATER TURN-ON AND TURN-OFF FEES.** Whenever a request is made to turn on water, the customer must first pay any charges past due.
- a. **Turn On or Turn Off Incident to Establishment or Termination of Service.** No fee will be charged to turn on or turn off water service to any premises incident to the normal establishment of new service or the permanent, voluntary termination of an existing service.
  - b. **Scheduled Turn On or Turn Off.** For turn on or turn off other than as incident to the normal establishment of new service or the permanent, voluntary termination of an existing service, whenever a request is made at least two (2) working days in advance for the turn off or turn on, or temporary discontinuance of water service to any premises for a period of fifteen (15) days or less, the customer shall pay a fee of \$25.00 if the turn on/off is made between 8:00 a.m. and 4:45 p.m., Monday through Friday (except holidays). If the turn on or turn off is made at any other time, the fee for turn on/off shall be \$45.00.
  - c. **Unscheduled and Emergency Turn On or Turn Off.** Notwithstanding any provisions of the Rules to the contrary, whenever a request is made for a turn off or turn on with less than two (2) prior working days' notice, or for an unscheduled or emergency turn off or turn on, or temporary discontinuance of water service to any premises, the customer shall pay a fee of \$35.00 if the turn on/off is made between 8:00 a.m. and 4:45 p.m., Monday through Friday (except holidays). If the turn on/off is made at any other time, the fee for turn on/off shall be \$55.00.
58. **ORDERS FOR TURNING WATER ON AND OFF.** All orders for turning water on or off must be made in writing to the City and must be signed by the owner of the property, or a duly authorized customer, from which the water is ordered shut off or turned on..
59. **TAMPERING OR DESTRUCTION OF EQUIPMENT PROHIBITED.** It is unlawful for any person to break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the City's municipal water system, unless the prior written consent of the City is first obtained (BMC 13.04.020). Each violation thereof shall be charged a minimum of \$100.00, plus the cost for time and materials for repair of the damage to the water system. The provisions of this Rule shall not be deemed to waive any criminal liability otherwise established by law.
60. **VIOLATION-CORRECTION OF CONDITIONS.** Any person who shall violate any of the provisions of the Rules shall become liable to the City for any expense, loss, or damage occasioned by reason of such violation.

61. **LOSS OR DAMAGE IN LINE.** The City and the Water System Operator shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer's line, plumbing, or equipment, and the City may, without notice, discontinue service to any customer when a defective condition of plumbing or equipment upon the premises of the customer results, or is likely to result, in interference with proper service or is likely to cause contamination of the water. The City and the Water System Operator do not assume the duty of inspecting the customer's line, plumbing, or equipment and shall not be responsible therefore, and will not be liable for failure of the customer to receive service on account of defective plumbing and apparatus on the customer's premises, or for excessive consumption.
62. **CROSS-CONNECTIONS – BACKFLOW PREVENTION – BMC 13.04.030.** The City has by ordinance adopted rules and regulations for cross-connection control and backflow prevention purposes.
63. **WATER MAINS.**
  - a. **Submittals.** Plans and specifications for the installation of water mains, services, and fire hydrants in new subdivisions or areas shall be submitted and filed in duplicate with the City, and its approval in writing shall be obtained before any work of installation or construction is commenced thereon.
  - b. **Design Standards.** All water facilities installed in the City shall be designed and constructed to withstand, with ample safety factors, the physical stresses to which they will be subjected and shall be free from structural and sanitary hazards. All equipment used therein shall be of adequate size and capacity and shall be correlated with available supply from the source facilities and storage to meet the requirements of Subsection c. below.
  - c. **Total Water Flow Required.** The required total water flow in new water mains shall be the total sum of the minimum fire flow requirements, as set forth in Subsection e below, plus the maximum daily water flow requirements as set forth in Subsection d. For the purposes of this section, the maximum daily water flow requirement shall be deemed to be two (2) times the average daily water flow requirement as defined in Subsection d below.
  - d. **Daily Flow Required.** The average daily water flow requirement, in gallons per minute, as required in Subsection c, above, shall be obtained by multiplying the estimated daily water consumption in gallons per capita, times the total estimated population to be served by the new water facilities or unit thereof, and dividing the sum by one thousand four hundred forty (1,440 being the minutes in a twenty-four-hour day). In no case shall there be permitted average daily design flow consumption per capita for any new water facilities or unit thereof of less than one hundred (100) gallons per day at a normal operating pressure of not less than twenty-five (25) pounds per square inch.

- e. **Fire Flow.** The minimum fire-flow water requirement for any new water facilities or unit thereof shall be determined by the Fire Chief of Los Angeles County, or his designated representative, in accordance with the following formula. The computation shall be:

<b>Minimum Fire Flow Requirements</b>	<b>Minimum Duration Fire Flow</b>
1,500 gal. per minute	2 hours
2,000 gal. per minute	2 hours
2,500 gal. per minute	2 hours
3,000 gal. per minute	3 hours
3,500 gal. per minute	3 hours
4,000 gal. per minute	4 hours
4,500 gal. per minute	4 hours
5,000 gal. per minute	5 hours

- f. **Circulation.** All new water facilities shall be so designed to permit circulating water flows except where impractical because of cul-de-sacs and like conditions or the incomplete development of the grid system.
- g. **Pipe Design.** All water pipe and fittings used in water distribution mains or lines hereafter laid or replaced shall be designed to withstand the maximum internal and external pressures and forces to which they may be subjected under normal operating conditions and with an ample safety factor all in accordance with and as set forth in the written standards of required design for pressures and forces established by the American Waterworks Association (AWWA), copies of which standards are on file at the business office of the City's water system.
- h. **Main Size.** For all water mains or systems hereafter installed or replaced, the minimum size shall be six (6) inches in diameter, on which or where fire hydrants are located.
- i. **Service Pipe Size.** In all future subdivisions of property or lot splits, the diameter of the water service pipe and connection to the water main shall not be less than the service pipe required by the Plumbing Code for the building served thereby. The service pipe shall be equipped with a valve at the inlet to the meter. In order to provide adequate water service to large parcels or lots, the City may require larger water service pipe and connections as determined in its discretion.
- j. **Valve Location.** All new water main line valves or distribution mains or lines shall be installed on not less than a three-valve (3-valve) pattern at street intersections having a single intersecting main.
- k. **Fire Hydrant Size, Type and Location.**

1. The size, type, and location of new fire hydrants shall be designated by the Los Angeles County Fire Department or the City.
  2. Any new fire hydrant pipeline from the street water main to the fire hydrant shall have a minimum diameter of six (6) inches and shall have a shut-off valve.
- I. **Temporary Mains.** No temporary mains shall be permitted to be installed as part of the City's water system.

64. **NEW SUBDIVISIONS.**

- a. **Owner Responsibility.** Responsibility for the installation, repair, replacement, or up-grading of water facilities to service any new lots or parcels, including, but not limited to, water mains and fire hydrants, shall be determined by the City at the time an application for subdivision is submitted. When such facilities are installed by a private party, and thereafter accepted by the City, they shall become part of the water system and be the property of the City and be dedicated to the public for the purpose of distributing water to the lands. Facilities of the water system installed on private property or in private streets shall be placed in public utility easements dedicated to the City.
- b. **Oversize Mains.** In the event that the City elects to require installation of mains or other water facilities of greater size than in the opinion of the City are adequate to supply any new subdivision with water and fire protection, the City shall enter into a reimbursement agreement relating to such facilities.

65. **RESTRICTIONS.**

- a. **Restrictions During Emergency.** In the event of any emergency, the City Manager shall have the right, power, and authority to turn off the water from any main or mains or pipes of the water system of the City with or without notice. The City Manager shall have the power or authority to determine when an emergency exists and such determination shall be final or until revised at a meeting of the City Council. In addition to the power given in this section, the City Council reserves the right in the event of any emergency to turn off the water from any main or mains or pipes of the City either with or without notice and for so long a time as the City Council may deem advisable.
- b. **Unauthorized Use or Injury Prohibited.** No person shall open a fire hydrant or hydrants, tap, a water main, or mains, or in any manner willfully damage or injure the water system, or any part thereof, or take water therefrom, or use the water system in violation of the Rules without the written permission of the City. Any such unauthorized use of water is subject to a fine in an amount not to exceed \$500.00 and to criminal penalties under California Penal Code Sections 624 and 625.

c. **Tampering with Equipment Prohibited.** No person shall tap, open, connect with, or otherwise tamper with any main, pipe, valve, or any other equipment which forms part of the system of the water system.

66. **WATER CONSERVATION MEASURES.** The City has by ordinance adopted certain water conservation measures. The following extracts from the Bellflower Municipal Code are quoted for information.

a. **13.16.010 - Hose Watering Prohibition.** No person shall hose water or wash down any sidewalks, walkways, driveways, parking areas, or other paved surfaces, except as is required for the benefit of public health and safety.

b. **13.16.020 - Watering of Lawns and Landscaping.**

A. No person shall water or cause to be watered any lawn or landscaping between the hours of 10:00 a.m. and 5:00 p.m.

B. No person shall water or cause to be watered any lawn or landscaping more than once a day.

C. No person shall water or cause to be watered any lawn or landscaping more than two (2) days per week.

D. No person shall water or cause to be watered any lawn or landscaping to such an extent that there is excessive runoff into adjoining streets, parking lots, or alleys that occurs due to incorrectly directed or maintained sprinklers or excessive watering.

E. No person or entity shall use potable water to irrigate ornamental turf on public street medians.

F. No person shall use potable water to irrigate landscaping outside newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community.

G. No person shall use potable water to irrigate outdoor landscaping during and within forty-eight (48) hours following measureable rainfall.

H. Adherence with the provisions of this subsection shall not relieve any person of the legal obligation to maintain landscaping as otherwise required by the provisions of this Code.

c. **13.16.030 - Indoor Plumbing and Fixtures.** It shall be the duty of all persons to inspect all hoses, pipes, faucets, plumbing fixtures, sprinklers, and other portions of plumbing systems for leaks and to cause all leaks to be repaired as soon as is reasonably practicable (with all required City approvals, permits, and inspections).

- d. **13.16.040 - Washing Vehicles.** No motor vehicle, boat, trailer, or other type of mobile equipment may be washed, except at a commercial carwash or with reclaimed water, unless such vehicle is washed by using a hand-held bucket or water-hose equipped with an automatic shut-off nozzle. No person shall leave a water hose running while washing a vehicle or at any other time.
  - e. **13.16.050 - Public Eating Places.** No restaurant, hotel, cafeteria, café, or other public place where food is sold or served shall serve drinking water to any customer unless specifically requested to do so by such customer.
  - f. **13.16.055 - Businesses.** Hotels and motels must post signage that offers their guests the option to not have their linens and towels laundered daily. This signage must be prominently displayed in each guest room.
  - g. **13.16.060 - Decorative Fountains.** No person shall use water to clean, fill, or maintain levels in decorative fountains, ponds, lakes, or other similar aesthetic structures unless such water flows through a re-circulating system.
  - h. **13.16.070 - Water Efficient Landscaping.** The City Council may by resolution or ordinance establish certain provisions requiring a selection of water-efficient plants and irrigation systems which foster long-term water conservation while respecting the economic, environmental, and aesthetic and lifestyle choices of individuals and property owners.
  - i. **13.16.080 - Adoption of Additional Water Conservation Measures.** In addition to the foregoing regulations, the City Council may adopt, by resolution, additional water conservation measures designed to reduce water consumption by reason of any emergency, shortage of water supply, or water facility damage.
  - j. **13.16.090 - Violations.** Violation of any water conservation measure established pursuant to Chapter 13.16 shall be subject to a written warning for the first violation and shall be punishable pursuant to Chapter 1.08 and/or Chapter 1.12 of this Code for each subsequent violation. For persons not served by Bellflower's Municipal Water System, the City will endeavor to provide the water purveyor of a person receiving a warning a copy of that warning.
  - k. **13.16.100 - Procedural Requirements.** The Director of Public Works shall periodically review the provisions of this Chapter and recommend necessary updates to the City Council. The review of these provisions and preparation of resulting recommendations, if any, shall be performed, at a minimum, every two (2) years following the first review, which shall be completed by December 31, 2010.
67. **WATER SERVICE TO PROPOSED DEVELOPMENTS THAT INCLUDE HOUSING AFFORDABLE TO LOWER-INCOME HOUSEHOLDS.**

- a. **Copies of Housing Element.** As required by State law, the City Clerk has delivered copies of the adopted Housing Element of the City's General Plan to all local water and sewer service providers. The City Clerk will deliver copies of any amendments to the Housing Element to all local water and sewer service providers.
- b. **Government Code Requirements.** Pursuant to Government Code Section 65589.7, the City of Bellflower adopts the policies and procedures in Subsections c. and d., below, to provide for the granting of priority for the provision of water services to proposed developments that include housing units affordable to lower-income households pursuant to a mandate set forth in Government Code Section 65589.7.
- c. **Priority Policy.** Subject to availability of the water supply, as determined by the City Engineer pursuant to an urban water management plan adopted pursuant to Water Code Sections 10610, et seq., and subject to any water shortage emergencies as provided by Water Code Sections 350, et seq., the City Manager, or his designee, shall ensure that a priority for water services be given to proposed developments that include housing units affordable to lower-income households. For purposes of this policy and the priority provided herein, it shall be the obligation of the development project applicant to demonstrate that the applicant's development project includes housing units affordable to lower-income households.
- d. **Restrictions on Denial of Approval; Exceptions.** As provided by Government Code Section 65589.7(c), the City shall not deny or condition the approval of an application for water services to, or reduce the amount of water services applied for by, a proposed development that includes housing units affordable to lower-income households, unless specific written findings are made by the City Council or City Manager, or his designee, finding that the denial, condition, or reduction is necessary due to the existence of one (1) or more of the following:
  1. The City does not have "sufficient water supply" as defined in Government Code Section 66473.7(a)(2), or is operating under a water shortage emergency as defined in Water Code Section 350, or does not have sufficient water treatment or distribution capacity to serve the needs of the proposed development, as demonstrated by a written engineering analysis and report.
  2. The City is subject to a compliance order issued by the State Department of Public Health that prohibits new water connections.
  3. The applicant has failed to agree to reasonable terms and conditions relating to the provision of water service generally applicable to development projects seeking water service from the City, including, but not limited to, the requirements of local, State, or Federal laws and regulations or payment of a fee or charge imposed pursuant to Government Code Section 66013.
- e. **Incorporation into Housing Element of General Plan.** It is the intent of the City Council that this Rule be incorporated into the next change to the Housing Element

of the City's General Plan, subject to the notice and hearing requirements applicable to any amendment thereof.

68. **RESIDENTIAL RATEPAYER ASSISTANCE PROGRAMS.** The City will establish and maintain the following ratepayer assistance programs for qualified residential customers:
- a. **Amortization Payment Plan.** Any residential customer who, on the certification of a licensed physician or surgeon that the termination of water service will be life threatening to the customer, and upon the customer providing information to demonstrate that the customer is financially unable to pay for service within the normal payment period, and who is willing to enter into an amortization agreement with the City with respect to all charges that the customer is unable to pay prior to delinquency shall, upon request, be permitted to amortize, over a period not to exceed twelve (12) months, the unpaid balance of any bill asserted to be beyond the means of the customer to pay within the normal period for payment. If a residential customer fails to comply with an amortization agreement, the City shall not terminate service without giving notice to the customer at least forty-eight (48) hours prior to termination of the conditions the customer is required to meet to avoid termination, but the notice does not entitle the customer to further investigation by the City nor an extension of the amortization agreement.
  - b. **Low-Income Assistance Program for Water Rate Increases.** At any time that the City implements an increase in the water rate(s) charged, qualified low-income residential customers may be determined by the City to be exempt from payment of fifty percent (50%) of the increase for a period not to exceed two (2) years. The City Manager will establish additional rules and regulations necessary to administer this program.
  - c. **Low-Income Assistance Program for Service Line Repairs.** Subject to the availability of funds, qualified low-income residential customers may receive a deferred loan under the City's Home Improvement Program for the purpose of repairing service lines (i.e., the line connecting the meter to the house, up to the customer's turn-off valve). The City Manager will establish additional rules and regulations necessary to administer this program.
69. **ANNUAL RATE REVIEW.** Annually, or as otherwise required, the City Council will review the water rates then in force and consider such changes as may be appropriate.
- a. **Public Noticing of Water Rate Increases.** Pursuant to California Government Code Section 53755, the City elects to give public notice of proposed water rate increases only to the actual customers and not to property owners who are not also customers.
    - 1. For multi-tenant buildings that have individual water meters for each unit, the notice of the meeting shall be sent to the address to which the water bills are sent. For such individually metered units, each unit shall be considered to be a separate "parcel" entitled to one (1) protest for purposes of determining whether a

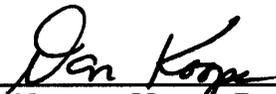
majority protest exists for purposes of Article XIID, Section 6(a)(2), of the California Constitution. If the units at a multi-tenant building are not separately metered and the bill is sent to a central address, then the notice of the proposed water rate increase shall be sent to the address to which that bill is sent and that entire property shall be considered one (1) "parcel" and entitled to one (1) protest pursuant to said Article XIID, Section 6(a)(2).

2. In electing to not provide notice of a proposed rate increase to the actual property owner(s), the City waives its right of enforcement of nonpayment with a lien on the property as per Rule 50 as to any property owner who is not provided with notice of the proposed rate increase.
3. Only those persons who are customers may formally "protest" a proposed rate increase. Property owners who are not also customers shall not be allowed to make a formal protest.

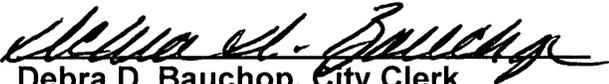
**SECTION 4.** This Resolution shall become effective upon adoption.

**SECTION 5.** The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Bellflower, and the City Clerk, or her duly appointed deputy, is directed to attest thereto.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER THIS 14<sup>th</sup> DAY OF SEPTEMBER 2015.**

  
\_\_\_\_\_  
Dan Koops, Mayor Pro Tem

ATTEST:

  
Debra D. Bauchop, City Clerk

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES   )SS  
CITY OF BELLFLOWER       )

I, **Debra D. Bauchop**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 15-72 was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of the Bellflower City Council of September 14, 2015, by the following vote to wit:

**AYES:** Council Members – Dunton, Santa Ines, Schnablegger, and  
Mayor Pro Tem Koops  
**ABSENT:** Council Member – Mayor Larsen

**Dated: September 15, 2015**

  
**Debra D. Bauchop, City Clerk**  
**City of Bellflower, California**

**(SEAL)**