

RESOLUTION NO. 2005- 86

**RESOLUTION ADOPTING RULES AND REGULATIONS REGULATING
THE SALE OF WATER IN THE CITY OF ROHNERT PARK**

WHEREAS, The City Council of the City of Rohnert Park did, on the 16th day of January 1967 adopt Ordinance No. 76 of said City; and,

WHEREAS, Section 3 of said ordinance No. 76 does provide that the City Council shall adopt rules and regulations, rates, penalties and charges, from time to time by resolution, regulating the sale of water produced by facilities owned and operated by said City; and,

WHEREAS, Title 13 has been amended to provide that the City Council shall ordinance establish rates for the sale of water, and by resolution establish such other charges, rules and regulations as may be necessary for the administration and operation of the Rohnert Park city water system; and,

WHEREAS, the City council has adopted a Per Acre Development Fee and Special Water Connection Fees per Resolution Nos. 98-22 and 98-24, respectively; and

WHEREAS, the City Council has previously adopted Resolution 2003-118 and subsequent amendments thereto adopting rules and regulations regulating the sale of water:

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rohnert Park does hereby rescind Resolution 2003-118 and subsequent amendments thereto, except as to section 8 thereof, and does hereby adopt the following Rules and Regulations relating to the administration and operation of the water system owned and operated by said city.

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1. GENERAL PROVISIONS:

- 1.1 The City of Rohnert Park will furnish water service in accordance with the Rules and Regulations hereinafter contained, and in accordance with applicable ordinances, to any property within the corporate limits of the City and to such other premises, properties, areas, or locations as the City Council may from time to time designate.
- 1.2 Applications for water service will be made. Such application will signify the applicant's willingness and intention to comply with all regulations or rates duly adopted by the City, and to make payment for services rendered.
- 1.3 If application is made for service to property where no service connection has been installed, but a distribution main is adjacent to the property, the applicant, in addition to making application for service, shall comply with the regulations governing the installation of service connections.
- 1.4 No consumer shall permit the use or resale of any of the water received by him on any premises other than those specified in his application for service, except by special arrangement with this City.
- 1.5 Representatives of the City shall carry proper identification upon exhibition of which, they shall have the right of ingress and egress to the customer premises at reasonable hours for any purpose reasonable connected with the furnishing of water service.

- 1.6 No person shall drill, construct or cause to be constructed any well within the City of Rohnert Park.

2. TAMPERING WITH CITY PROPERTY:

- 2.1 No one except an employee or representative of the City shall at any time in any manner operate the curb or main valves, or remove and/or tamper with locking devices of the City's system; or interfere with meters or their connections, street mains or other parts of the water system.

- 2.2 Fees for tampering:

| | |
|---------------------|----------|
| First Offense | \$100.00 |
| Second Offense | \$250.00 |
| Third Offense | \$500.00 |
| Subsequent Offenses | \$500.00 |

3. NONCOMPLIANCE:

- 3.1 The City may, unless otherwise provided, discontinue water service to a customer for noncompliance with any of the regulations outlined in this resolution if the customer fails to comply with said regulations within five (5) days after receiving written notice of the City's intention to discontinue service.

- 3.2 The City may discontinue water service immediately and without notice to the customer when the customer's noncompliance with any of the regulations outlined in this resolution constitutes an immediate danger to the health, safety and welfare of the public and/or to the operation, maintenance, or costs of operation and maintenance of the City's water or sewage systems.

4. UNSAFE APPARATUS OR PROHIBITED APPARATUS:

- 4.1 The City may refuse to furnish water and may discontinue service to any place or premises on the water system where apparatus, appliances, or equipment using water furnished by the City are dangerous, unsafe, or not in conformity with any laws, ordinances and/or rules of the City, County, State or Federal Government. The City of Rohnert Park assumes no liability for inspecting apparatus on the customer's property. The City reserves the right to inspection.

5. DETRIMENTAL SERVICE:

- 5.1 The City may refuse to furnish water and may discontinue service to any customer whose current demand greatly exceeds past averages or seasonal use, and where such current demand threatens the public health, safety of welfare and the City's ability to provide water service to one or more other customers.

- 6. WATER WASTING: Regulations for water wasting shall be governed by Title 13 of the Rohnert Park Municipal Code Section 13.62, "Water Waste Regulations."**

7. **RESPONSIBILITY FOR EQUIPMENT:**

- 7.1 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 City shall not be responsible for any loss or damage caused by the improper installation of such equipment, or the negligence or wrongful act of the customer or of any of his tenants, agents, employees, contractors, licensees, or permittees in installing, maintaining, operating or interfering with such equipment
- 7.2 The City shall not be responsible for damage to property caused by faucets, valves and other equipment that are open when water is turned on at the meter, either originally or when turned on after a temporary shutdown.

8. **[RESERVED]**

9. **EXTENSION OF DISTRIBUTION MAINS:**

- 9.1 The extension of distribution mains may be accomplished by either the applicant or the City, but in all cases must be approved as to design and location by the City Engineer prior to installation. Where installation is made by the applicant, plans must be prepared by a licensed professional only, and the City will provide inspection services to assure installation according to approved plans. The cost of the extension shall be borne by the applicant. The cost of City inspection shall be borne by the applicant.
- 9.2 When the City requires the installation of a water main which is larger than that necessary to serve the applicant, the City may, in its sole discretion, enter into an agreement with the applicant whereby the applicant shall recover the excess cost through a refunding arrangement. The refunds may be by way of credits against monies due from applicant for connection charges; from front foot charges received from other persons for connection to said main; or the City may contribute a portion thereof.
- 9.3 Applicant shall make cash payment or other approved guarantee of the charges specified herein prior to commencement of work. Such deposit or security shall be in an amount equal to the estimated cost, as approved by the City Engineer plus ten percent (10%). Any cash balance remaining upon completion of the work shall be refunded to the applicant.
- 9.4 The City may enter into an agreement with one or more individuals constructing a water main extension at their own expense whereby a sum not to exceed seventy-five percent (75%) of all charges which the City may collect from other applicants for service off the subject main for a period not to exceed five (5) years may be refunded to the contributor. The total refunds, including any paid under the provisions of Paragraph 9.2, shall in no event exceed the actual cost of the construction of the main.

10. MAINS OUTSIDE CITY LIMITS:

- 10.1 The extension of water service beyond City limits shall only be permitted upon approval of the City Council. The City council shall not approve the extension of water service unless it finds the City has sufficient water supply and sewer treatment capacity to accommodate its current customers and the growth anticipated per the General Plan.

11. UNLAWFUL TO EXCAVATE:

- 11.1 It shall be unlawful for any person, firm or corporation to make or cause to be made any connection with or to the City water system unless authorized by the City.

12. OWNERSHIP:

- 12.1 All meters, meter fittings and reading equipment located on public or private property, are the property of the City and no part of the cost thereof will be refunded to the applicant. The City reserves the right to repair, replace and maintain said service connections, as well as to remove them upon discontinuance of service
- 12.2 The City owns all distribution pipelines located in streets, highways, public ways, alleys, or right-of-ways which are used to serve the general public, and the owner of the lands upon which future pipelines are to be located, shall as a prerequisite to service grant easements unto the City for said purposes.

13. INSTALLATION OF SERVICE CONNECTIONS:

- 13.1 Water service connections will be installed in the size and at the location desired by the City and applicant where distribution mains exist and where such requests are in accordance with all regulations. Service connections will be made only to property abutting on public streets, alleys, right-of-ways, or easements.
- 13.2 Installation charge for meters and laterals if done by the City will be: Actual cost plus fifteen percent (15%).
- 13.3 Applicant will deposit with the City the estimated cost for installations before installation is made by the City.
- 13.4 Applicant may arrange for the installation of the water service connections by an approved contractor. Said installation will be in accordance with the standards set forth by the City and will be subject to City approval.
- 13.5 Where the distribution main was previously installed and applicant or property to be served did not participate in the cost thereof, applicant shall be required to pay his or her pro-rata portion of the installation cost of said main prior to receiving service.

14. METERS:

- 14.1 Meters will be required as a prerequisite to receiving service for all users. For commercial and industrial development, separate meters shall be installed for each portion of the property that is or could be used or occupied by a different customer class.
- 14.2 Meters will be installed at accessible locations at the curb, or at the property line, or when approved, in other suitable locations, when required under this resolution. Owners shall be responsible for maintaining area around meter to provide adequate access.
- 14.3 Upon installation, meters will become the property of the City. No rents or other charges will be paid by the City for a meter or other facilities, including housing and connections, located on a customer's premises.
- 14.4 All meters may be sealed by the City at the time of installation, and no seal shall be altered or broken except by an authorized City employee.
- 14.5 Meters or services moved for the convenience of the customer will be relocated at the customer's expense. Meters or services moved to protect the City's property will be moved at the City's expense.
- 14.6 The cost of a change in the size of a meter on an existing service will be paid for by the customer.
- 14.7 Customers, other separate businesses on the same premises, now receiving water service without meters, shall install meters within a reasonable length of time upon written request to do so from the City.
- 14.8 All meters will be tested prior to installation by the water meter manufacturer and no meter will be installed unless the accuracy is within one and one-half percent (1.5%) of one hundred percent (100%) accurate.
- 14.9 If a customer desires to have the meter serving their premises tested, he/she shall pay a deposit of twenty dollars (\$20.00) prior to testing. Should the meter register more than one and one-half percent (1.5%) "fast", the deposit will be refunded, but should the meter register less than one and one-half percent (1.5%) "fast", the deposit will be retained by the City.
- 14.10 If a meter tested at the request of a customer is found to be more than five percent (5%) slow, the City may bill the customer for the amount of the undercharge based upon corrected meter readings for the period, not exceeding six months, that the meter was in use.
- 14.11 If a meter is found to be non-registering due to any cause, except the non-use of water, the charges for service will be based on the estimated consumption. Such

estimates shall be made from previous consumption for a comparable period or by such other method as is determined by the City Utility Billing Supervisor.

15. RESPONSIBILITY FOR METERS AND INSTALLATION:

- 15.1 The customer shall use all reasonable care to prevent damage to the meter or any other facilities loaned by the City that are used in furnishing the service from the time they are installed until they are removed. If meters or other facilities are damaged by the customer, the cost of making repairs shall be paid by the customer, except to the extent that the City caused or contributed to the damage.

16. DAMAGE TO WATER SYSTEM FACILITIES:

- 16.1 The customer shall be liable for any damage to the City-owned customer water service facilities when such damage is from causes originating on the premises by an act of the customer or his tenants, agents, employees, contractors, licensees or permittees, including the breaking or destruction of locks by the customer or others on or near a meter, and any damage to a meter that may result from hot water or steam from a boiler or heater on the customer's premises. The City shall be reimbursed by the customer for any such damage promptly on presentation of a bill.

17. MAINTENANCE:

- 17.1 The service connection, including the meter and the meter box, will be repaired and maintained by the City at its own expense. The City, however, shall not be responsible for the installation and maintenance of water lines beyond the end of its service connection. Water lines beyond the City's service connections must be maintained in proper condition by the property owner.

18. GROUNDWIRE ATTACHMENTS:

- 18.1 All persons are forbidden to attach any ground wire or wires to any plumbing which is or may be connected to a service connection or main belonging to the City; the City will hold the customer liable for any damage to its property occasioned by such ground wire attachments.

19. CONTROL VALVE ON THE CUSTOMER PROPERTY:

- 19.1 The customer shall provide a valve on his side of the service installation as close as is practical to the meter location, street, highway, alley or easement in which the water main serving the customer's property is located, to control the flow of water to the piping on his premises. The customer shall not use the service curb stop to turn the water on and off for his convenience.

20. **CROSS-CONNECTION REGULATIONS:**

20.1 The purpose of these regulations are (1) to protect the public water supply against actual or potential cross-connection by isolating within the premises contamination or pollution that may occur because of some undiscovered or unauthorized cross-connection on the premises; (2) to eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption; (3) to eliminate cross-connection between drinking water systems and other sources of water or process water used for any purpose whatsoever which jeopardize the safety of the drinking water supply; (4) to protect the public potable water supply from the possibility of contamination or pollution by potential intermittent, temporary, and emergency users of the water system, including but not limited to use of fire hydrants and blow-offs; (5) to prevent the making of cross-connections in the future; (6) to provide for the maintenance of a continuing cross-connection control program to effectively prevent the contamination or pollution of the City's potable water system by cross-connections.

20.2 **DEFINITIONS FOR CROSS-CONNECTION REGULATIONS:**

APPROVED: Accepted by the City as meeting applicable specifications stated in this resolution, or as suitable for the proposed use.

APPROVED WATER SUPPLY: Any water supply approved by or under the public health supervision of a public health agency of the State of California, or its political subdivisions. In determining what constitutes an approved water supply, the State Department of Public Health reserves final judgment as to its safety and potability.

AUXILIARY WATER SUPPLY: Any water supply on or available to the premises other than the public water supply.

AWWA STANDARD: An official standard developed and approved by the American Water Works Association (AWWA).

BACKFLOW: The flow of water or other liquids, mixtures or substances, under positive or reduced pressure in the distribution pipes of a potable water supply from any sources other than its intended source.

BACKFLOW PREVENTION ASSEMBLY: An assembly or means designed to prevent backflow or back-siphonage.

(A) AIR-GAP SEPARATION (AG) – A physical break between a supply pipe and a receiving vessel. The air-gap shall be at least double the diameter of the supply pipe measured vertically above the top rim of the vessel, in no case less than one inch.

(B) REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION ASSEMBLY (RP) – An assembly consisting of two (2) independently operating check valves with an automatically operating differential relief valve located between the two (2) checks, a tightly closing shut-off valve on each side of the check valve assembly, and properly located test cocks for the testing of each check valve and the relief valve.

(C) DOUBLE CHECK VALVE ASSEMBLY (DC) – An assembly of two (2) independently operating, spring loaded check valves with tightly closing shut-off valves on each side of the check valve assembly and properly located test cocks for the testing of each check valve.

BACKPRESSURE: A Condition in which the owner's system pressure is greater than the suppliers' system pressure.

BACK-SIPHONAGE: The flow of water or other liquids, mixtures or substances into the distributing pipes of a potable water supply system from any source other than its intended source caused by a sudden reduction of pressure in the potable water supply system.

CONTAMINANT: A substance that will impair the quality of the water to a degree that it creates a serious health hazard to the public.

CROSS-CONNECTION: As used in this resolution means any unprotected actual or potential connection between a potable water system and any other water source or system, including without limitation by-pass or changeover devices, or other devices through which backflow could occur.

CUSTOMER/USER: Any person obtaining water from the City of Rohnert Park water supply system.

DEGREE OF HAZARD: Derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

PUBLIC WORKS UTILITIES SERVICES SUPERVISOR: The Utilities Services Supervisor is hereby vested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of these regulations.

HEALTH AGENCY: The California Department of Health Services.

LOCAL HEALTH AGENCY: The county or city health authority.

OWNER: Any person, who has legal title to, or a right to the use or occupancy of, a property upon which a cross-connection inspection is to be made or upon which a cross-connection is present.

PERSON: Any individual, partnership, company, public or private corporation, political subdivision or agency of the United States State of California or other governmental entity.

POLLUTANT: A foreign substance that, if permitted to get in the public water system, will degrade its quality so as to constitute a moderate hazard, or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such water for domestic use.

RECLAIMED WATER: A wastewater which, as a result of treatment, is suitable for uses other than potable use.

SERVICE CONNECTION/USER CONNECTION: The terminal end of a service connection from the public potable water system; i.e., where the City may lose jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. There should be no unprotected takeoffs from service line ahead of any meter or backflow prevention assembly located at the point of delivery to the customer's water system. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

WATER, NONPOTABLE: Water which is not safe for human consumption or which is of questionable potability.

WATER, POTABLE: Any water which, according to federal, state and local regulations and standards, is safe for human consumption.

20.3 CROSS-CONNECTION AND PROTECTION REQUIREMENTS:

20.3.1 The regulations of the California State Department of Health and the Drinking Water Standards of the United States Public Health Service prohibit unprotected cross-connections between the public water supply and any unapproved source of water. All water cross-connections must be approved by the City and a permit issued by the City Building Official prior to installation. To comply with the regulations of the health agencies, the City will require the installation of approved backflow prevention assemblies by and at the expense of the Owner for continued services or before a new service will be granted.

20.3.2 The City will operate a cross-connection control program to include the keeping of necessary records which fulfill the requirements of the California Department of Health Services (CDHS).

20.3.3 If the City requires that the public water supply be protected by a backflow prevention assembly, the Owner shall be responsible for water quality beyond the outlet end of the backflow prevention assembly and should utilize fixture outlet protection for that purpose.

20.4 PERMIT REQUIRED FOR CROSS-CONNECTIONS:

20.4.1 A permit shall be required from the City Public Works Utilities Services Supervisor for any customer requesting connection to the water supply on an intermittent or temporary basis including but not limited to the use of fire hydrants or blow-offs for construction water, flushing lines, or similar purposes.

20.5 WHERE PROTECTION IS REQUIRED:

20.5.1 Each service connection from the City water system for supplying water to premises having an auxiliary water supply shall be protected against backflow of water from the premises into the public water system unless the auxiliary water supply is accepted as an additional source by the City, and is approved by the public health agency having jurisdiction.

20.5.2 Each service connection from the City water system for supplying water to any premises on which any substance is handled under pressure in such fashion as to permit entry into the water system shall be protected against backflow of the water from premises into the public system. This shall include the handling of process waters and waters originating from the City water system which have been subjected to deterioration in sanitary quality.

20.5.3 Backflow prevention assemblies shall be installed on the service connection to any premises that have internal cross-connections unless such cross-connections are abated to the City's satisfaction and approved by the state or local health department.

20.5.4 Backflow prevention assemblies shall be installed on tank trucks and spray tanks of 49 gallons or more, that will connect to the City's system, and shall be inspected and approved by the City prior to making connection.

20.6 TYPE OF PROTECTION REQUIRED:

20.6.1 The type of protection that shall be provided to prevent backflow into the public water supply shall commensurate with the degree of hazard that exists on the customer's premises. The type of protective assembly that may be required (listing in an increasing level of protection) include: Double Check Valve Assembly (DC),

Reduced Pressure Principle Backflow Prevention Assembly (RP), and an Air-Gap Separation (AG). The Owner may choose a higher level of protection than required by the City. The minimum types of backflow protection required to protect the public water supply, at the customer's water connection to premises with varying degrees of hazard are given in Table 1. Situations which are not covered in Table 1 shall be evaluated on a case by case basis and the appropriate backflow protection shall be determined by the City Public Works Utilities Services Supervisor and/or health agency.

**TABLE 1
TYPE OF PROTECTION REQUIRED**

| Degree of Hazard | Minimum Type of Backflow Prevention |
|--|-------------------------------------|
| (A) Sewage and Hazardous Substances | |
| (1) Premises where the public water system is used to supplement the reclaimed water supply. | AG |
| (2) Premises where there are wastewater pumping and/or treatment plants and there is no inter-connection with the potable water system. This does not include a single family residence that has a sewage lift pump. A RP may be provided in lieu of an AG if approved by the City Public Works Utilities Services Supervisor and the health agency. | AG |
| (3) Premises where reclaimed water is used and there is no interconnection with the potable water system. A RP may be provided in lieu of an AG if approved by the City Public Works Utilities Services Supervisor and the health agency. | AG |
| (4) Premises where hazardous substances are handled in any manner in which the substances may enter a potable water system. This does not include a single family residence that has a sewage lift pump. A RP may be provided in lieu of an AG if approved by the City Public Works Utilities Services Supervisor and the health agency. | AG |
| (5) Premises where there are irrigation systems into which fertilizers, herbicides, or pesticides are, or can be, injected. | RP |

- (B) Auxiliary Water Supplies:
- (1) Premises where there is an unapproved auxiliary water supply which is interconnected with the public water system. A RP or DC may be provided in lieu of an AG if approved by the City Public Works Utilities Services Supervisor and the health agency. AG
- (2) Premises where there is an unapproved auxiliary water supply and there are no interconnections with the public water system. A DC may be provided in lieu of a RP if approved by the City Public Works Utilities Services Supervisor and the health agency. RP
- (C) Fire Protection Systems:
- (1) Premises where the fire system is directly supplied from the public water system and there is an approved auxiliary water supply on or to the premises (not interconnected). DC
- (2) Premises where the fire system is supplied from the public water system and interconnected with an unapproved auxiliary water supply. A RP may be provided in lieu of an AG if approved by the City Public Works Utilities Services Supervisor and the health agency. AG
- (3) Premises where the fire system is supplied from the public water system and where either elevated storage tanks or fire pumps which take suction from the private reservoirs or tanks are used. DC
- (D) Premises where entry is restricted so that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure that cross-connections do not exist. RP
- (E) Premises where there is a repeated history of cross-connections being established or re-established. RP
- (F) In the case of tankers and spray tanks of 49 gallons or more, including but not limited to fire tankers. AG/RP

20.7 BACKFLOW PREVENTION ASSEMBLY— Installation & Maintenance:

20.7.1 Wherever backflow protection has been found necessary on a water supply line entering a customer's premises, then any and all water supply lines from the City's mains entering such premises, buildings, or structures shall be protected by an approved backflow prevention assembly. Installation and maintenance of approved backflow prevention assemblies must comply with the following:

- A. A permit shall be obtained from the City Building Official prior to installing any backflow prevention assembly.
- B. Only backflow prevention assemblies which have been constructed to the applicable AWWA standards and have passed laboratory and field evaluation tests performed by a recognized testing organization which has demonstrated their competency to perform such tests to the State Department of Health Services shall be approved for installation.
- C. Backflow prevention assemblies shall be installed per City standards. The City shall have the final authority in determining the required location of a backflow prevention assembly.
- D. Section 7605, Title 17 of the California Administrative Code and City of Rohnert Park Rules and Regulations, Section 20, requires that the owners of any premises which, or on account of which, backflow prevention assemblies are installed, shall have the assemblies tested by a person who has demonstrated their competency, according to Section 20.9, in testing of these assemblies to the City. Backflow prevention assemblies must be tested annually and immediately after they are installed, relocated or repaired and they must not be placed back in service unless they are functioning as required. A report of inspection shall be filed with the City each time an assembly is tested. These assemblies shall be serviced, overhauled or replaced whenever they are found to be defective and all cost of testing, repair and maintenance shall be borne by the Owner.
- E. Approved backflow prevention assemblies may be inspected and tested periodically by the City.
- F. All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved assemblies for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the maintenance and inspection

requirements under subsections 20.7.1 D., and E., of this resolution, be excluded from the requirements of these rules unless the degree of hazard is such as to supersede the effectiveness of the present backflow prevention assembly as determined by the City Public Works Utilities Services Supervisor. Whenever the existing assembly is moved from the present location or fails initial field tests, the unit shall be replaced at the cost of the Owner by a backflow prevention assembly meeting all requirements of this resolution.

20.8 Timing of installation and responsibility for backflow prevention assemblies for services with existing connections:

20.8.1 The City will conduct a survey of existing connections to determine if an actual or potential cross-connection exists. The owner of existing connections shall allow his/her property to be inspected for possible cross-connections and shall follow the provisions of the City's Cross-Connection Control Program and CDHS regulations if a cross-connection is present.

20.8.2 The City will notify the Owner of these properties by letter if an approved backflow prevention assembly is required. The backflow prevention assembly must be installed within sixty (60) days of notification per City Standards. This time period may be shortened depending upon the degree of hazard involved.

20.8.3 After said sixty (60) days, if the property Owner has not installed the required backflow prevention assembly, the City will have the assembly installed and bill the Owner for the entire amount of installation including all materials, equipment and labor. This amount will become a lien on the real property to which said service was provided per Section 30.13 herein.

20.8.4 The owner, after installation is completed, shall, at his/her expense, maintain, repair and annually test any and all backflow prevention assemblies on his premises according to City Regulations and Standards governing the Cross-Connection Control Program.

20.9 Requirements for Certification as a Backflow Prevention Assembly Tester:

20.9.1 Each applicant for certification as a tester of backflow prevention assemblies shall have a City of Rohnert Park Business License.

20.9.2 Competency in all phases of backflow prevention assembly testing and repair must be demonstrated by means of education and/or experience in order to obtain certification.

20.9.3 The following are minimum requirements:

- A. Applicants shall have had at least two (2) years experience in plumbing or pipe fitting or equivalent qualifications.
- B. Hold a valid Backflow Prevention Assembly Tester certification from the American Water Works Association (AWWA) California-Nevada Section, or USC Foundation for Cross-Connection Control & Hydraulic Research.
- C. Each applicant shall furnish evidence to show that he has available the necessary tools and equipment to properly test such assemblies. He shall be responsible for the competency and accuracy of all tests and reports prepared by him. He shall provide an annual equipment calibration certification to the City for each piece of testing equipment.

20.9.4 The certification issued to any tester is valid for a period of one year and may be revoked, suspended, or not renewed by the City for improper testing, repairs, and/or reporting; or for failure to provide proof of Backflow Prevention Assembly Tester certification and/or annual equipment calibration certification.

21. **[RESERVED]**

22. **PROTECTION AGAINST INTERSTREET MAIN FLOW:**

22.1 Two or more services supplying water from different street mains to the same building, structure or premises through which an interstreet main flow may occur, shall have a standard check valve on each water service to be located adjacent to and on the property side of the respective meters. Such check valves shall not be considered adequate if backflow prevention is deemed necessary to protect the City's mains from pollution or contamination but installation of approved backflow assemblies at such meters shall be required to satisfy the requirements for standard check valves.

23. **INTERRUPTIONS IN SERVICE:**

23.1 The City will not be liable for interruption, shortage, or insufficiency of supply, or for any loss or damage occasioned thereby caused by accidents, or acts of God, fire, strikes, riots, war, power outages or any other causes.

23.2 The City, whenever it shall find it necessary or convenient for the purpose of making repairs or improvements to its system shall have the right to temporarily suspend delivery of water and it shall not be liable for any loss or damage occasioned thereby.

24. **WATER PRESSURE CONDITIONS:**

24.1 All applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection, and to hold the City harmless for any damages arising out of low pressure or high pressure conditions or interruptions in service.

25. **RATES FOR WATER SERVICE:** Rates for water service shall be adopted by ordinance of the City Council.

26. **OUTSIDE CITY SERVICE CHARGE:** Service charges shall be adopted by ordinance of the City Council.

27. **MULTIPLE UNITS:**

27.1 Separate houses, buildings, or business quarters on the same premises, under a single control of management, may be serviced at the option of the applicant, and with City approval, by either of the following methods:

(1) Through a single metered service connection to the entire premises, on which only one minimum charge will be applied.

(2) Through separate connections to each or any unit provided that the pipeline system for each service is independent of the other, and is not interconnected.

27.2 Nothing in this section will be construed as preventing the City from requiring, when it deems appropriate, that separate residential or commercial units even though owned by the same customer be supplied with water through separate meters for each such unit.

28. **DEPOSITS:**

28.1 Each new applicant for water service shall establish and maintain credit to the satisfaction of the City by a cash guarantee deposit or otherwise, before service is rendered.

28.2 The amount of the cash guarantee deposit required by the preceding paragraph shall be an amount determined to be adequate by the Finance Director, but shall be \$ 100.00 for all customers. No interest will be paid on cash guarantee deposits.

28.3 Deposits required by this resolution shall be deemed sufficient to cover any deposits required for City sewer service or garbage and trash collection service.

28.4 Deposits made by property owners are refundable after the expiration of one year if the property owners' account has not been in arrears at anytime during the first year of said deposit. If the service is discontinued in less than one year, the

deposit will be applied to the account to offset any outstanding amount due. Credit balances after all charges have been invoiced will be refunded.

- 28.5 Deposits made by other than property owners shall be applied on account upon termination of service. Credit balances after all charges have been invoiced will be refunded.
- 28.6 No refunds will be made on the charges for service connections.
- 28.7 Any deposit eligible for refunding uncalled for within five (5) years from the date when made will become the property of and be retained by the City.

29. APPLICATION OF DEPOSITS TO UNPAID ACCOUNTS:

- 29.1 Deposits prescribed herein, will be applied to unpaid bills for water service when such service has been discontinued. The City may require the customer to redeposit the amount herein specified before rendering water service again to the customer's new address of service.

30. BILLS AND PAYMENTS:

- 30.1 Bills for metered residential service will be rendered bi-monthly in arrears unless otherwise provided.
- 30.2 Bills for commercial and other metered accounts will be rendered bi-monthly in arrears unless otherwise provided.
- 30.3 Flat rate service shall be by special arrangement only. Bills for flat rate service will not be less than the estimated monthly charge for service. The amount paid in excess of the pro-rated period will be credited against the charge for the succeeding month.
- 30.4 For metered service the charge will be based on actual consumption.
- 30.5 If the total period of water use is less than the billing period, the period of water used may be prorated.
- 30.6 Bills are due upon presentation. Payment may be made at the City Finance Department, either by mail or in person, or at other places designated by the City.
- 30.7 Bills for all accounts billed in arrears are due and payable upon presentation and become delinquent on the 30th day following the period for which the bill was rendered. Bills not paid by this date shall be subject to a penalty of ten percent (10%).
- 30.8 Reminder notices may be sent out at the discretion of the Finance Director.

- 30.9 Delinquent notices will be sent out to those accounts whose balance is past due. If payment is not received within ten (10) days from the date of the delinquent invoice, a Shut-Off Notice will be mailed. Five (5) days will be allowed after the Shut-Off Notice is mailed before service is disconnected for non-payment.
- 30.10 When an application is made for water service by a former customer who was responsible for and failed to pay all bills for service previously rendered regardless of location or time when incurred, the City may refuse to furnish service to such applicant until the outstanding bills are paid. It may also require, as a guarantee for the payment of future bills, a cash guarantee deposit.
- 30.11 When water service is discontinued, the City may demand the full amount of both delinquent and current bills be paid in full, and the same shall be paid in full before service is restored.
- 30.12 Closing bills are due and payable upon presentation. Collection will be made at the time of presentation.
- 30.13 Where owners of real property fail to pay bills for water service provided to their property, the delinquent amounts shall become a lien on the real property to which said service was provided in accordance with the lien procedures as provided by the laws of the State of California.
- 30.14 Service may be refused to a property if a balance is still due to the City for prior service provided to the property.
- 30.15 Each meter on customer's premises will be considered separately.
- 30.16 A fee of twenty-five dollars (\$25.00) will be charged to customers for checks returned by banks for non-payment for any reason.
- 30.17 Bills for City repair of damage by others to City property shall include the cost of such repair plus ~~seventy percent~~ ^{thirty-five} percent (35%) for City administration and overhead.

31. **DISCONTINUANCE OF SERVICE:**

- 31.1 A customer's water service may be discontinued if a bill is not paid within fifteen (15) days after the delinquency notices are mailed.
- 31.2 Notice of Shut Off for non-payment need not be given to those accounts which are continually in arrears and who indicate that they will make a payment on their account but fail to do so and also for those accounts whose experience rating with the City is poor.
- 31.3 The City may discontinue Service of water to any premises after reasonable notification if unprotected cross-connections exist on the premises, or if any defect is found in an installed backflow prevention assembly, or if a backflow

prevention assembly has been removed or bypassed. Service will not be restored until such conditions or defects are corrected.

32. RE-ESTABLISHMENT OF CREDIT:

32.1 To re-establish credit, a customer may be required to pay all back bills up to the time service was discontinued. He may also be required to pay re-connection charges of \$35.00 if re-connection is completed during business hours and \$100.00 if re-connection is after business hours and make a cash deposit as outlined under the regulations herein set forth for deposits for payment of water bills.

33. CUSTOMER'S REQUEST FOR SERVICE DISCONTINUANCE:

33.1 A customer may have his water service discontinued by notifying the City reasonably well in advance of the desired date of discontinuance. He will be required to pay all water charges until the date of discontinuance.

33.2 A customer about to vacate any premises supplied with water by the City shall give notice of his intended removal prior thereto, specifying the date service is desired to be discontinued; otherwise he will be held responsible for all water furnished to such premises until the City has received such notice of removal.

34. TEMPORARY SERVICE:

34.1 Duration of Service – Temporary service connection shall be discontinued and terminated within six (6) months after installation unless the City grants an extension of time in writing.

34.2 Deposit – The applicant will deposit, in advance, the estimated cost of installing and removing the facilities required to furnish said service exclusive of the cost of salvageable material. Upon discontinuance of service the actual cost shall be determined and an adjustment made as an additional charge, refund or credit. If service is supplied through a fire hydrant, the applicant will be charged in accordance with the following rate schedule:

| | |
|---------|------------|
| Deposit | \$2,500.00 |
|---------|------------|

| | |
|---|-----------|
| Flat charge per connection, for City inspection, installation and removal of service facilities, including the meter if required. | \$ 100.00 |
|---|-----------|

| | |
|---|----------|
| Each additional move of facilities to another Location. | \$ 30.00 |
|---|----------|

34.3 Installation and Operation. All facilities for temporary service to the customer connection shall be made by the City or a licensed contractor and shall be operated in accordance with instructions.

- 34.4 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 the time they are installed until they are removed, or until forty-eight (48) hours notice in writing has been given to the City that the contractor or other person is through with the meter or meters and the installation. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the customer.
- 34.5 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 Public Works Utilities Services Supervisor. 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.
- 34.6 Unauthorized Use of Hydrants. Tampering with any fire hydrant for the unauthorized use of water there from, or for any other purpose is a misdemeanor, punishable by law.
- 34.7 Rates.
- 34.7.1 The rates for regular service shall be increased by one hundred percent (100%) for temporary hydrant metered service.
- 34.7.2 The meter rental fee shall be \$50 per month.

35. **REPEAL OF CONFLICTING RESOLUTIONS:**

- 35.1 All previous City Council actions and all other Resolutions inconsistent with the terms of this Resolution are herewith repealed.

36. **SEVERABILITY:**

- 36.1 The City Council hereby declares that every section, paragraph, sentence, clause and phrase is severable. If any section, paragraph, sentence, clause or phrase of this article is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

37. **EFFECTIVE DATE:**

37.1 This Resolution will become effective April 1, 2005.

DULY AND REGULARLY ADOPTED by the Rohnert Park City Council this 22nd day of March 2005.

ATTEST:

CITY OF ROHNERT PARK

Ellen Beardley
Deputy City Clerk



Jake Mackenzie
Mayor Jake Mackenzie

FLORES: AYE

SMITH: AYE
AYES: (5)

SPRADLIN: AYE
NOES: (0)

VIDAK-MARTINEZ: AYE
ABSENT: (0)

MACKENZIE: AYE
ABSTAIN: (0)