

**ORDINANCE NO. 2020-01**

**AN ORDINANCE OF THE CITY OF SANGER AMENDING SECTIONS 82-36, 82-58, AND 82-62 OF CHAPTER 82 OF ARTICLE II OF THE SANGER CITY CODE RELATING TO RESIDENTIAL WATER SHUT OFF REQUIREMENTS FOR NON-PAYMENT.**

THE CITY COUNCIL OF THE CITY OF SANGER DOES ORDAIN AS FOLLOWS:

**SECTION 1.** Section 82-36 of Chapter 82 of Article II of the Sanger City Code is amended to read as follows:

Sec. 82-36. - Violations and penalties; authority to discontinue service for violations.

(a) Any person violating any of the provisions of this article shall be deemed guilty of an infraction and upon conviction thereof shall be punished in accordance with section 1-7.

(b) In lieu of or in addition to subsection (a) of this section, the city manager or his authorized representative may cut off the water supply from the premises to which water is furnished for violation of any provision of this article.

(c) When such water supply has been cut off for violation of this article, or any ordinance of the city, or any provision thereof, or rule of the city, or for nonpayment of a bill, it shall not be turned on again except by an authorized representative of the city manager and only upon full payment of the amount then due to the city and in full compliance with the terms and provisions of this article, together with the additional sum required by section 82-62 for the expense of turning the water off and on.

(d) The City shall also establish a written Water Shut Off Policy for Non-Payment of Residential Water Service by City Council resolution which shall be consistent with SB 998.

**SECTION 2.** Section 82-56 of Chapter 82 of Article II of the Sanger City Code is amended to read as follows:

Sec. 82-58. - When bill due and payable; penalty for delinquency; shutting off water for failure to pay.

(a) Bills for water service are sent to each consumer at the beginning of each month for water service in the prior month. Payments are due on or before the date set in the water bill (the "Due Date") in which payments are mailed. Water bills are payable in the city Department of Administrative Services.

(b) If the water bill is not paid by the last city working day of the alternate month succeeding the month in which the water service was provided, a ten percent penalty shall be added to the bill. If the water bill, including all penalties, remains unpaid for ten days after the date it is due,

water service may be discontinued without further notice. For non-payment by residential users, the City will follow the procedures in the city's Water Shut Off Policy for Non-Payment of Residential Water Service established in accordance with Section 82-36 (d) of this code.

(c) Water services shall not be restored until the water bill, including all penalties and charges for restoration of service, is paid in full. For non-payment by residential users, the City will follow the procedures in the city's Water Shut Off Policy for Non-Payment of Residential Water Service established in accordance with Section 82-36 (d) of this code.

(d) Failure to pay the water bill, including delinquencies and fees for restoration of water service, within 30 days of the shutoff date shall subject the water service user to the penalties provided for in section 82-36. For non-payment by residential users, the City will follow the procedures in the city's Water Shut Off Policy for Non-Payment of Residential Water Service established in accordance with Section 82-36 (d) of this code.

**SECTION 3.** Section 82-62 of Chapter 82 of Article II of the Sanger City Code is amended to read as follows:

Sec. 82-62. - Charges for restoring service after disconnection for failure to pay.

If it shall become necessary for the city to turn off the water for any service because of delinquency in payment of water service or for any other delinquency of the water user, such water shall not be turned on by the city until all delinquencies, including late payment penalties, shall have been paid by the consumer, and the consumer paying in addition a service charge as adopted by resolution of the city council. For non-payment by residential users, the City will follow the procedures in the city's Water Shut Off Policy for Non-Payment of Residential Water Service established in accordance with Section 82-36 (d) of this code.

**SECTION 4. Effective Date.** This ordinance shall become effective thirty days after its adoption.

**SECTION 5. Publication.** The City Clerk is authorized to cause this ordinance or a summary of this ordinance to be published in a newspaper of general circulation in the City of Sanger, within fifteen days after its adoption. If a summary of the ordinance is published, the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted at City Hall at least five days prior to the meeting at which the ordinance is adopted and again after the meeting at which it is adopted. The ordinance shall become effective thirty days after its adoption.

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Frank Gonzalez, Mayor

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ATTEST:

I, Rebeca Padron, City Clerk of the City of Sanger, California, do hereby certify that the foregoing ordinance was introduced on a motion of Council Member Esmeralda Hurtado, seconded by Mayor Pro Tem Daniel Martinez, at a regular meeting of the Sanger City Council held on the 16<sup>th</sup> day of January 2020, and was duly adopted by the Sanger City Council at a Regular Meeting of said City Council on the 6<sup>th</sup> day of February, 2020, by the following vote:

AYES:	COUNCILMEMBERS:	GONZALEZ, MARTINEZ, ONTIVEROS, GARZA, HURTADO
NOES:	COUNCILMEMBERS:	NONE
ABSTAIN:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE

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Rebeca Padron, City Clerk

APPROVED AS TO LEGAL FORM:

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Hilda Cantú Montoy, City Attorney