

ORDINANCE NO. 008-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
AMENDING TITLE 6, CHAPTER 6 OF THE YUBA CITY MUNICIPAL CODE RELATING TO  
THE YUBA CITY WATER REGULATIONS

THE CITY COUNCIL OF THE CITY OF YUBA CITY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 6-6.10 of the Yuba City Municipal Code is hereby amended to read as follows:

Section 6-6.10. Billing.

(a) Billing period. The regular billing period shall be monthly for all services. Unmetered services shall be payable in advance.

(b) Opening and closing bills. Opening and closing bills for less than the normal billing period may be prorated. Closing bills may be estimated by the City for the final period as an expediency to permit the customer to pay the closing bill prior to the time service is discontinued. See Section 6-6.05 for requirements for opening an account.

(c) Payment of bills. Bills for water service and sanitary sewer service shall be rendered at the end of each billing period. Bills shall include the charges for water and sewage and shall be inseparable. Delinquency in any part of the bill shall be sufficient cause for the discontinuance of water service. Bills shall be payable on presentation. On each bill for water and sewer service rendered by the City shall be printed substantially the following: "If this bill is not paid on or before the 45th day after the bill was sent, service may be discontinued. A delinquency charge will be made and collected prior to renewing service following a discontinuance."

(d) Separate billing. Separate bills may be rendered for any service which has a separate connection to a City line. All meters shall be billed separately.

(e) Responsibility. Where there is more than one usage charge on a single parcel being served through a single service, there shall be charged and collected from the parcel owner, the water charge for the entire parcel.

(f) Liability for services rendered. The owner of single- and multi-family residential property served by the City shall be charged with, and shall be personally responsible for, the water bills incurred for water service to such property. The owner of nonresidential property served by the City may assign responsibility for the water bills incurred for water service to such property to the owner's tenants or lessees.

(g) Residential rental account. Advanced payment of \$60 is required.

(h) Delinquent charges. Where a rental property owner has past due charges for utility services, no new account can be established for service at the same property until payment is rendered for those same charges.

(i) Owner responsible. Notwithstanding any provisions of this chapter, the property owner shall be additionally responsible for payment of all unpaid water/sewer bills and other fees owed to the City. Any agreement between landlords and tenants to the contrary will not

relieve the landlord or record owner of the property of the responsibility for payment of the water and/or sewer service charges to the City.

(j) Collection of Delinquent Water Charges.

All rates, charges, penalties and interest which remain delinquent as of June 30th of each year may be collected in the same manner as the general taxes for the City for the forthcoming fiscal year, as follows:

(1) The City's finance department shall prepare a written report, which shall be filed with the City Clerk. The report shall describe each parcel of real property for which there are any delinquencies in any rates or charges for services rendered to each parcel during the preceding year, and the amount of the delinquency. The report of delinquent water charges may be combined with the report of any other delinquent charges, as long as the report identified the delinquent charges for each service for each parcel.

(2) The City Clerk shall publish notice of the report's filing and of the time and place of hearing on the report, prior to the date set for the hearing. The notice shall be published once a week for two successive weeks prior to the hearing. The City Clerk shall also mail written notice of the report's filing to each property owner whose property or parcel is identified as being subject to delinquent charges setting forth individually each property and each of the services and charges due for that property.

(3) At the time stated in the notice, the City Council shall hear and consider all objections or protests, if any, to the report concerning the delinquencies. Thereafter the City Council may adopt, revise, change, reduce or modify any delinquency or overrule any or all objections thereto. The City Council shall then make its determination on each delinquency identified in the report; the City Council's determination shall be final.

(4) Following the hearing, on or before August 10th of each year, the City Clerk shall file with the City's Finance Director a copy of the signed report to submit to the County. The Finance Director will submit a request to the Sutter County to include the amount of delinquencies on the bills for taxes levied against the properties identified in the report.

Section 2. Section 6-6.18 of the Yuba City Municipal Code is hereby amended to read as follows:

Section 6-6.18. Summary of Charges.

All the latest and current charges shall be found in the City's Fee Schedule document. The City updates the Fee Schedule document annually and posts it on the City's website. This Section shows the applicable charges from July 1, 2016 to June 30, 2017. The charges for all the subsequent years will only be available in City's Fee Schedule document.

Beginning in 2017, all the charges related to the use of City water treatment and distribution system set out in Section 6-6.18 (j) of this chapter will be reviewed by the City Council on an annual basis as part of the fiscal year budget review process, prior to the July 1st implementation of the increase for each year. The City Council will retain the authority to set by

resolution the actual rates less than the maximum rates set out in Section 6-6.18 (j) of this chapter.

(a) Charges for installing a water service line from the main to the curb stop.

1" service without meter	\$4,097.00
1" meter	\$ 555.00
1" residential dual water meter (w/fire service)	\$ 703.00
1 1/2" service without meter	\$4,958.00
1 1/2" meter	\$ 752.00
2" service without meter	\$ 5,285.00
2" meter	\$ 969.00

Service lines larger than two inch shall be charged for actual time and materials (service and/or meter). A deposit will be required based on the cost estimate furnished by the Public Works Department.

(b) Other fees.

Relocate existing water meter	\$ 966.00
Fire system flow test	\$ 248.00
Hot Tap—4"	\$4,263.00
Hot Tap—6"	\$ 4,463.00
Hot Tap—8"	\$ 4,920.00
Hot Tap—10"	\$ 6,081.00

(c) Extension charges (Section 6-6.05 (j)).

Parcels zoned	Extension fee per front foot*
R-1 and R-2	\$57.90
All others	\$62.47

\* The indicated extension fee includes a surcharge of \$4 per front foot for fire hydrant installations where the City has installed, or plans to install, street fire hydrants serving the property.

(d) Connection charges (Section 6-6.05(k)).

Meter Size	Maximum Continuous Flow	Factor	Fee
1"	25 GPM	1.00	\$ 7,822.06
1½"	50 GPM	2.00	\$ 15,644.13
2"	100 GPM	4.00	\$ 31,288.25
3"	400 GPM*	16.00	\$ 125,153.00
4"	800 GPM*	32.00	\$ 250,306.00
6"	1,500 GPM*	60.00	\$ 469,324.00
8"	3,500 GPM*	140.00	\$ 1,095,089.00

\*Compound meter

Meter type for connections two inches size and larger will be determined by Yuba City after consultation with the new customer. Any customer that will utilize, in any month, totaling more than 5% of the maximum continuous meter rating shall have a separate connection charge based on the customer's individual usage characteristics.

Any customer that purchases a connection charge prior to July 1, 2000, may complete the project at any time, and is not subject to connection charge rate adjustments or credit of interest. Any connection charges paid on or after July 1, and the project is completed within 18 months, will not be subject to any additional connection charges or interest credits. A project is deemed completed when all building permits are paid and a final inspection report is issued. Any connection charges paid on or after July 1, 2000 and the project is not completed within 18

months will be subject to the connection charge in effect at the time of project completion, and will be entitled to interest credit as to any connection charge increases. Interest will only be allowed as a credit toward connection charges increases and, in no event, shall customer be entitled to any refund of said interest. Interest will accrue, beginning 18 months after the initial purchase, based on the initial connection charge payment. Interest payment will be credited semi-annually on January 1 and July 1 based on the previous average semi-annual rate of the Local Agency Investment Fund administered by the California State Treasury. Connection permits or charges cannot be sold or transferred between any party other than Yuba City.

(e) Meter test deposit: (Section 6-6.09 (f)): \$56.00.

(f) After hours service charge: \$103.00.

(g) Delinquency charges: (Section 6-6.15(b): \$10 or 10% of the outstanding bill (whichever is greater).

(h) Temporary service deposit (Section 6-6.15(b)): \$110.00 per inch size of service desired size.

(i) Fire hydrant use (Section 6-6.15(b)).

Connection and removal of meter	\$64.00
Move meter from one hydrant to another	\$64.00
Deposit (for usage charge)	\$193.00
Deposit (for damage to meter)	\$939.00
Minimum monthly usage charge:	
Metered	5,000 cubic ft. at current rate
Flat rate (minimum monthly)	\$64.00

(j) Water service rates.

(1) Quantity charges. A rate per 100 cubic ft. (HCF) is hereby established with a minimum billing for all metered services as set forth in subsection (2) of this subsection.

(2) Monthly water rates.

Meter Size	Baseline HCFs*	Existing Rate	8/1/2016 to 6/30/2017	7/1/2017 to 6/30/2018	7/1/2018 to 6/30/2019	7/1/2019 to 6/30/2020	7/1/2020 to 6/30/2021

≤1"	11	\$21.59	\$28.50	\$33.91	\$39.49	\$41.01	\$42.59
1.5"	22	\$43.18	\$57.00	\$67.83	\$78.98	\$82.03	\$85.18
2"	44	\$86.37	\$114.01	\$135.67	\$157.99	\$164.07	\$170.39
3"	176	\$345.47	\$456.02	\$542.66	\$631.93	\$656.26	\$681.53
4"	352	\$690.95	\$912.05	\$1,085.34	\$1,263.88	\$1,312.54	\$1,363.08
6"	660	\$1,295.52	\$1,710.09	\$2,035.00	\$2,369.76	\$2,461.00	\$2,555.74
8"	1,540	\$3,022.89	\$3,990.21	\$4,748.36	\$5,529.46	\$5,742.34	\$5,963.42
Water Flow Rate: Per Excess HCF		\$1.430	\$1.430	\$1.701	\$1.981	\$2.057	\$2.137

\* 1 HCF = 748 Gallons

(3) Unmetered service. Reserved.

(k) Meter surcharge for unmetered services. Reserved.

(l) Annual adjustments. Annually on July 1 of each year fees and charges in the following sections shall be adjusted based on the previous April value of the Twenty City Average of Engineering News Record Construction Index: 6-6.18(a), (b), (c) and (d).

Annually on July 1 of each year fees and charges in the following sections shall be adjusted based on the previous April value of the California Consumer Price Index (CPI) for all urban consumers: 6-6.18(e), (f), (h), (i), (m) and (n).

Annually on July 1 of each year fees and charges in the following sections shall be adjusted as shown in that Section: 6-6.18(j).

(m) Fees for cross-connection control program.

(1) Application for backflow tester: \$56.00

(2) Backflow test tags: \$11.00 per tag

(3) Air gap inspection/sticker: \$56.00 per vehicle/equipment piece

(n) Water service disconnection.

(1) Disconnect service (for non-payment): \$59.00

(2) Meter lock-off (continued non-payment and/or illegal use): \$70.00

(3) Meter removal (continued non-payment and/or illegal use): \$116.00

(4) After hours reconnection: \$103.00

(5) Notice served in lieu of disconnect service (plus delinquency charge):  
\$36.00

Section 3. Section 6-6.19 of the Yuba City Municipal Code is hereby amended to read as follows:

Sec. 6-6.19. Emergency water restrictions.

Upon declaration of the City Council that water supply conditions are such that they dictate and justify the implementation of emergency water restrictions, the following mandatory regulations shall apply to the use of water from the City's municipal public water supply system:

- (a) Lawn watering is permitted only as follows:
  - (1) Wednesdays and Saturdays for those whose address ends with an even number;
  - (2) Thursdays and Sundays for those whose address ends with an odd number; and
  - (3) New lawns may be watered three times each day for the first three weeks after planting provided that notification is given to the City Public Works Department of the new planting either at the time of planting or as soon thereafter as is practicable.
  - (4) Lawn watering is prohibited after 8:00 am and before 8:00 pm on any day listed above in Section 6-6.19 (a) - (1), (2) and (3) during the emergency water restrictions implementation period.
- (b) Cleaning of sidewalks, driveways, parking lots, buildings and other impermeable surfaces by the use of water is prohibited.
- (c) All evaporative coolers must be of the recirculating type.
- (d) Public agencies and/or commercial/industrial companies using City water to irrigate large turf areas greater than 0.5 acre shall submit an irrigation schedule for approval by the Public Works Director. This schedule shall provide for a reduction of water use based on a percentage of previous usage. The actual percentage and base year of usage shall be established by the Public Works Director as approved by the City Council and will be in accordance with the severity of the water shortage declared by the City Council.
- (e) An automatic shutoff nozzle shall be attached to all hoses for all uses except lawn watering as set forth in subsections (a) and (d) above. The use of free flowing hoses is prohibited.
- (f) Car washing will be allowed on the owner's residential property. All other car washing must be done at a commercial car wash facility. Washing of cars in parking lots or other commercial or industrial areas is prohibited except for vehicles owned by the person or agency who leases or owns said property.
- (g) Leaking customer pipes, sprinklers, or other water facilities shall be repaired promptly, and not later than five days after being notified of such leak by the City. In the event of a severe leak, as determined by the City, the repairs shall be made in the shortest time reasonably possible.
- (h) Commercial nurseries will be allowed to apply water to plant materials located on their property as needed to maintain said plant material. Watering shall be by a method which

does not allow the waste of water. This permission does not apply to turf or lawn material. Turf or lawn materials shall be watered in accordance with either subsection (a) or (d) of this section.

(i) Watering of trees, shrubs, hedges and other plant materials excepting lawns shall be done with a drip system, by a hand held hose with an automatic shutoff nozzle, or by use of a water bucket. There shall be no runoff caused by watering of these plant materials.

(j) Decorative water facilities such as ponds or fountains are prohibited unless they are equipped with a recycling device approved by the City.

(k) All restaurants and other food and drink establishments shall furnish water only at the request of the customer.

(l) Allowing water to run off beyond the owners property lines is prohibited.

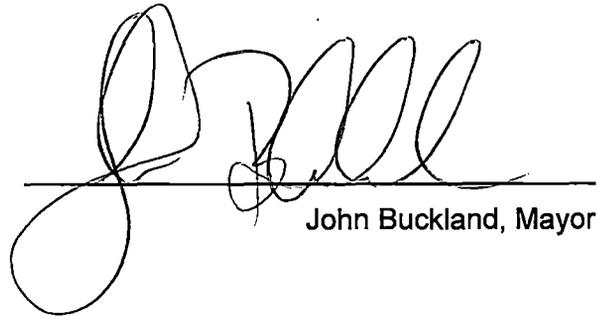
Section 4. This Ordinance shall become effective thirty (30) days after its adoption. A summary of this ordinance shall be published once at least five (5) days prior to the adoption of this ordinance and once within fifteen (15) days after its adoption, in the Appeal Democrat, a newspaper of general circulation in the City of Yuba City.

Introduced and read at a special meeting of the City Council of the City of Yuba City the 8th day of June, 2016, and adopted at a regular meeting thereof held on the 21st day of June, 2016.

AYES: Councilmembers Cleveland, Didbal, Dukes, Gill and Mayor Buckland

NOES: None

ABSENT: None

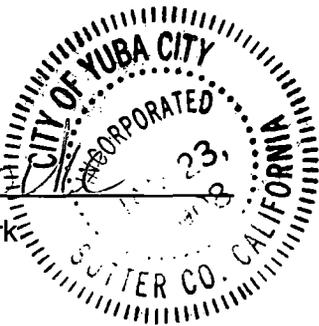


John Buckland, Mayor

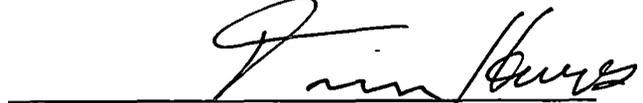
ATTEST:



Terrel Locke, City Clerk



APPROVED AS TO FORM:



Tim Hayes, City Attorney