

ORDINANCE NO. SCC 2017-

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
AMENDING CHAPTER 13.12 OF THE SHASTA COUNTY CODE
RELATING TO COUNTY SERVICE AREAS**

The Board of Supervisors of the County of Shasta ordains as follows:

Chapter 13.12 of the Shasta County Code shall be amended to read as follows:

13.12.010 - Rules and regulations—Generally.

Unless otherwise determined by the board of supervisors of the county, all services provided in county service area or zone thereof located therein, shall be made in accordance with these rules and regulations. Fees and charges noted herein shall be fixed and collected to pay, in whole or in part, for the cost of rendering a particular service. The revenue obtained thereby may be in lieu of, or supplemental to, revenue obtained by the levy of taxes. The charges may vary by reason of the nature of the use or the month in which the service is rendered to correspond to the cost and the value of the service. The charges may be determined by apportioning the total cost, not otherwise offset by other available revenue, of the service area to each parcel therein in proportion to the estimated benefits from such service to be received by each parcel. Failure to comply with any provision of this division may result in discontinuance of the service rendered. As used in this chapter, "sewage disposal service" includes but is not limited to services which may be provided in an on-site wastewater disposal zone pursuant to provisions of Ch. 3, Part 2, Div. 6. of the Health and Safety Code (commencing with Section 6950 et seq.) (Prior code Section 5400)

13.12.020-Application for service—Fee.

Application for an extended service in a County Service Area (CSA) shall be made in writing on a form available at the department of Public Works, CSA Division. The application shall include any required application fee. Applicants for service shall deposit with the department of public works, CSA division an amount equal to the estimated cost for materials, equipment and labor necessary to initiate the service. (Prior code Section 5401)

13.12.030-Water service connection—Fee.

The county retains ownership of all service connections through to the customer side of the meter including the meter box and cover. Meters will be placed in the locations desired by the customer as nearly as possible and feasible, but the department of public works, CSA division shall determine the actual location of each meter. (Prior code Section 5402)

13.12.040-Water rates and charges.

Each metered service will be charged the established basic monthly or bi-monthly charge starting with the month of the initial delivery of water. The basic monthly or bi-monthly charge will continue thereafter on all parcels for which a meter has been installed.

- (A) The Public Works Director shall have the authority to allow customers with a meter to be charged the applicable standby fees if the property is to receive regular water service for less than three consecutive months per year. Upon request from a customer to be converted to stand-by status the County personnel will discontinue water service. A service charge will be charged for conversion and/or restoration. Water service will be restored to regular status upon request from the customer and payment of the service charge. If the customer requests that water service be restored outside of regular business hours a service charge equal to the costs incurred may be charged.
- (B) A monthly standby charge, where applicable, shall be paid by the owner of each parcel in the service area for which delivery of water or sewage disposal services has not been initiated, whether structures are present on the property or not. The monthly standby charge may be waived by the Public Works Director upon his determination that service is not readily available to a particular parcel.
- (C) Upon approval of the Public Works Director, motels, duplexes, apartment houses, mobile home parks and other residential uses with more than one living unit in one building or in a single development project may be granted water service with a single meter. The property owner is responsible for payment of water bills, regardless of whether his property is occupied or unoccupied or in possession of another. Under no circumstances will two or more property owners be allowed to share a meter.
- (D) Whenever a check is returned by a customer's bank for whatever reason the department may charge that customer's account for the additional administrative costs incurred. Initially this charge will be set at \$25.00 per check. This charge may be adjusted in the future to reflect any increases in administrative costs by adoption of a resolution by the Board of Supervisors. (Prior code Section 5403)

13.12.050-Water service-Billing.

- (A) All fees and charges for services shall be collected periodically by the Public Works Director or his authorized representative on the bills provided therefore. The billing shall consist of a basic monthly or bi-monthly charge plus a charge based on the variations in usage or benefit of the service rendered, along with any other applicable fees.
- (B) Where metered service is provided, each meter shall be read by an employee of the county or a person authorized to do so by the Public Works Director on or about the day of the month currently in effect for closing of books.

- (C) Bills are due and payable within twenty days after the billing date. In addition to service charges, a fee of up to ten percent may be charged if the bill is not paid within twenty days after the billing date. Service may be discontinued to a customer who fails to pay the charges billed within thirty days of the billing date. A notice to disconnect service will be sent twenty days of the billing date, or as soon is as practicable thereafter, by regular mail to a customer before the service is disconnected. If the customer is a tenant, notice will also be given to the property owner. If payment has not been made by the tenth day after notice of intent to disconnect service has been issued that service will be disconnected unless payment is received. If the customer is a tenant, the notices will also be mailed to the property owner. A service charge will be assessed to each customer for which a notice has been mailed. Services which have been disconnected for nonpayment of bills or at the owner's request will accrue charges plus the actual cost of reconnection. Fees may continue to accrue following discontinuance of service and charges so accruing shall also be paid before the resumption of service. Unpaid fees for water or garbage service will be collected in accordance with the provisions of Government Code Section 25215.5, as it may be amended from time to time.
- (D) Upon the written request of the property owner bills may be addressed to tenants for payment. The property owner remains responsible for payment of the bill. (Prior code Section 5404, 5405) (Ord. No. 2010-02, Section 1,4-27-2010)

13.12.055-Sewer service—Billing.

- (A) All fees and charges for services shall be collected periodically by the Public Works Director or his authorized representative on the bills provided therefore. The billing shall consist of a basic monthly or bimonthly charge plus a charge based on the variations in usage or benefit of the service rendered, along with any other applicable fees.
- (B) Bills are due and payable within twenty calendar days after the billing date. In addition to service charges, an annual fee of up to ten percent may be charged if the bill is not paid within 59 days after the billing date. A notice will be sent forty calendar days after the billing date, or as soon is as practicable thereafter, by regular mail to a customer. If the customer is a tenant, notice will also be given to the property owner. If payment has not been made before the next billing period, the fee will be charged. The basic monthly or bi-monthly charge and fees shall continue to accrue until charges are paid. Unpaid sewer fees will be collected in accordance with the provisions of Government Code Section 25215.5, as it may be amended from time to time.
- (C) Upon the written request of the property owner bills may be addressed to tenants for payment. The property owner remains responsible for payment of the bill.

13.12.060-County employees—Unrestricted access.

With consent of the owner, and tenant, if any, County employees shall have unrestricted access at all reasonable hours to premises supplied with water or sewage services to determine whether county rules and regulations regarding these services are being observed. Only duly authorized employees or agents of the county may connect or disconnect water service to any parcel or open, close or otherwise adjust any regulating device in a water system. (Prior code Section 5406)

13.12.070-Damage to county-owned equipment—Property owner liable.

Any damage occurring to a meter, or other appliances, pipes or other county equipment or property caused by a tenant or property owner, shall be charged to the property owner and is due and payable upon presentation by the County to the property owner or tenant of a bill therefor. (Prior code Section 5407)

13.12.080-Water-receiving equipment—Customer responsibility.

The customer shall furnish and install at his own risk and expense that portion of the water system which begins at the outlet side of the meter. Such water-receiving equipment shall remain the property of the customer and he is responsible for its maintenance and repair. The County may require the customer to adjust, replace or discontinue using any water-receiving or regulating equipment on his side of the meter which impairs the ability to provide service to other customers. The County shall not buy for or sell pipe, pipe fittings, valves or other plumbing equipment to individuals, or undertake the installation or repair of private lines. Where reduced or increased pressure is desired by the customer, the customer shall be responsible for installing and maintaining the necessary regulators, pumps, and relief valves, on his side of the meter, at his expense. The County is not responsible for damage caused to faucets, valves or other equipment which may be opened at any time that the water is turned on at the meter or for the failure of a water system to deliver water to any customer or for any consequential damages which may result from such a failure. (Prior code Section 5408)

13.12.110-Extension of service—Requirements—Bond.

Extensions of service to individuals, subdivisions, groups, or a community of users, shall be constructed at the sole expense of the person or entity applying for the extension, and shall meet or exceed minimum standards of design and construction of facilities, as required by the Public Works Director. Plans and specifications shall be submitted to and approved by the Public Works Director before any construction commences. Construction shall be done by a contractor or other party acceptable to the Public Works Director. Upon completion of the installation, appropriate easements or rights-of-way shall be conveyed to the County. An agreement shall be executed by the applicant, guaranteeing to the County all the construction for a period of one year after the construction is accepted by the county against defective design, defective material and faulty workmanship. The agreement shall require a bond in the amount of seventy-five

percent of the estimated construction cost of the work done. The bond requirement may be waived by the Public Works Director for minor extensions. (Prior code Section 410)

13.12.120-Administrative costs.

All costs incurred by the County for furnishing and administering the services provided in a County Service Area or zone thereof shall be a charge against the service area or zone and are deemed to be part of the cost of rendering the affected service. (Prior code Section 5411)

This Ordinance shall take effect and be in full force and effect from and after 30 days after its passage. The Clerk of the Board shall cause this Ordinance to be published as required by law.

DULY PASSED AND ADOPTED this 15th day of August, 2017 by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

DAVID A. KEHOE, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy