

ORDINANCE NO. 12077
(New Series)

O.77-182

MAY 25 1977

AN ORDINANCE AMENDING CHAPTER VI, ARTICLES 4 AND 7 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING VARIOUS SECTIONS RELATING TO SEWER AND WATER SYSTEMS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter VI, Article 4, of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 64.01, 64.14, 64.19, 64.21.1, 64.21.2, 64.21.5, 64.21.6 and 64.32 to read as follows:

SEC. 64.01 SEWERS--DEFINITIONS

The meaning of the various terms, as used in this Article shall be as follows:

APPLICANT shall mean a person, firm or corporation who applies for connections to the sewer system;

ASSESSMENT shall mean a levy of special assessment which is shown on the records of the City Engineer as including a fair and proportionate cost of the sewer main. Any other assessment for a sewer main shall be construed as a nominal or partial assessment for the purposes of this Article;

DEPARTMENT shall mean Water Utilities Department, City of San Diego;

EXTENSION shall mean an extension of an existing sewer main;

MAIN shall mean an existing sewer main in the sanitary sewer system of The City of San Diego.

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SEC. 64.14 CONNECTIONS TO PUBLIC SEWERS--PERMIT
REQUIRED--SPECIFICATIONS

That it shall be, and it is hereby declared to be, unlawful for any person to connect any pipe on private property with any pipe in the street that is connected with the public sewer of said City, or to construct any sewer in said City, without first making application to the Water Utilities Department of The City of San Diego, as hereinafter provided.

Application must first be made in writing to the Water Utilities Department, by the owner of the property to be sewerred, or his agent, before opening any street or alley, giving the correct number of the lot and block, and the place where it is desired to connect with the sewer, and shall give the name of the owner of the property.

Where the laterals have been installed to the curb line, the plumber must bring the soil pipe to the property line at a point opposite to, or not more than five (5) feet above where such lateral is installed, and in no case must pipe be brought to the property line below where such lateral is installed.

Where property owners excavate outside of property lines into the street for basement purposes, and wish to connect with sewer across such excavation, they shall install soil pipe to the outside line of such excavation at their own expense, the City making the installation from that point to the main in the street.

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It will be necessary to take out sewer permit prior to the installation of any plumbing fixtures.

Every house and building must be separately and independently connected with the City sewer, except in cases where there may be a house in the rear of the lot. In this case it may be connected with the sewer of the house in front, provided the old sewer will satisfactorily stand the test, and the property is owned by the same parties.

When property which faces on one street and has a sewer main, either in the street or alley, to serve such property as originally subdivided, is resubdivided, thus facing a cross street, the sewer necessary to serve such lots as are not adjacent to the sewer already installed, may be installed on the lot line at the rear of said property, or in the street. Said sewer shall be installed by the City, and the cost of such installation shall be paid by the property owner, the City reserving the right to make extensions or connections to said sewer at any time.

Where a sewer line is installed at the cost of property owners, on or over any street, alley, or any ground dedicated to the City for street purposes, or across private property, and where said sewer is connected to any City main, or is run to any outfall or septic tank which may be on City property, or which will ever be connected with the City sewers, or may become a part of the City

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sewer system, the same shall be installed under City supervision, and the City shall have the right to make extensions and connections to said sewer at any and all times. Before any lateral connection is made to any such sewer installed by property owners, a permit for such connection must be taken out, and the regular permit fee and all other appropriate fees paid.

SEC. 64.19 CONNECTIONS TO PUBLIC SEWERS--DEFINITION--
REMOVAL OF OBSTRUCTIONS

The words "outside the property line" shall be construed to mean the line separating private property from a public street, avenue, lane, alley, road or highway. No person shall connect with any public sewer or any private sewer or drain laid for surface, roof or yard drainage, nor shall exhaust from steam engine, blow-off from a steam boiler, or water above 140 degrees Fahrenheit in temperature, be discharged in any public sewer, or private sewer, or drain connected with the same, in said City.

When it is necessary for the Water Utilities Department to relieve stop-ups in laterals, and the obstruction is found to be on the property, or the obstruction, if in the street between the main and property, is due to waste matter which should not have been placed in the sewer, the owner of said property shall pay to the Water Utilities Department the cost of the removal of such obstruction.

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SEC. 64.21.1 WASTE DISPOSAL--PERMIT REQUIRED

Any person, municipality, sanitation district, or government agency desiring to discharge industrial wastes into the sewage system shall obtain a permit to discharge said wastes into said system from the Director of the Water Utilities Department.

SEC. 64.21.2 WASTE DISPOSAL--REGULATIONS

The Director of the Water Utilities Department shall make and enforce regulations necessary to the administration of this section. He may amend such regulations from time to time as conditions require. These regulations shall be consistent with the general policy established by the City Council and shall be approved by the City Council.

SEC. 64.21.5 WASTE DISPOSAL--SUSPENSION OF SEWER SERVICE

When deemed necessary by the Director of the Water Utilities Department for the preservation of public health or safety or for the protection of public or private property, he may suspend sewer service to any person or persons using the sewer system in a manner or way to endanger the public health or safety, or public or private property. In suspending service he may sever all pertinent connections to the public sewer. If such endangerment shall be imminent, then the Director may act immediately to suspend sewer service coincident with notice or warning to said person or persons.

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SEC. 64.21.6 WASTE DISPOSAL--INSPECTION BY CITY
EMPLOYEES

The Director of the Water Utilities Department or other duly authorized employees and agents of the City shall be permitted to enter onto all properties at any reasonable time for the purpose of (a) determination of the size, depth, location, and condition of any sewer or storm drain connection; (b) determination of the location and discharge connections of roof and surface drains and plumbing fixtures; and (c) inspection, observation, measurement, sampling, and testing of the quantity and characteristics of sewage or water being discharged to the public sewage system.

SEC. 64.32 SEWER SERVICE CHARGE ESTABLISHED

In addition to other fees, assessments or charges provided by the Municipal Code, the owner or occupant of any parcel of real property for which no other sewer service charge is provided, and which parcel of property is connected with the sewer system and/or water system of the City of San Diego, shall pay a sewer service charge as follows:

(1) The domestic sewer service charge for each single family dwelling unit serviced by a separate water meter shall be two dollars and fifty cents (\$2.50) per month.

(2) The monthly sewer service charge for all premises, other than single family dwelling unit

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serviced by a separate water meter, shall be at the rate of seventeen and seven-tenths cents - (\$0.177) per one hundred cubic feet of water usage by such premise, but in no case less than a minimum charge of two dollars and fifty cents (\$2.50) per month.

Section 2. That Chapter VI, Article 7, of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 67.01, 67.22, 67.24, 67.37, 67.40, 67.45, 67.48, 67.48.1, 67.52.1, 67.55, 67.57.1, 67.59, 67.60, 67.63 and 67.72 to read as follows:

SEC. 67.01 WATER SYSTEM--DEFINITIONS

The meaning of various terms as used in this Article shall be as follows:

MANAGER shall mean the City Manager of The City of San Diego or his duly authorized representative;

DEPARTMENT shall mean the Water Utilities Department of The City of San Diego;

APPLICANT shall mean a person, firm or corporation who applies for water service;

EXTENSION shall mean a water main extension; and

MAIN shall mean an existing water main in the water distribution system of The City of San Diego.

The word **CONSUMER** as used herein, shall mean any person, firm or corporation to whom the City supplies water service under a contract, either expressed or implied, to make payment therefor.

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The term SERVICE CONNECTIONS, as used herein, shall be understood to designate the tapping of water mains and the laying of pipes from the main to the curb or to the meter.

The term COST shall include labor, material, transportation, expense, supervision, engineering, and other necessary overhead expense.

The word LEGAL OR EQUITABLE OWNER, as used herein, shall mean any owner of record, mortgage, trustee or contract purchaser.

SEC. 67.22 REGULATION OF WATER SYSTEM--METER TESTING

When the accuracy of a water meter is questioned, the Department shall upon the request form provided cause an official test to be made upon deposit by the consumer of the following amounts:

For testing a 5/8 in. meter	\$2.00
For testing a 3/4 in. meter	2.00
For testing a 1 in. meter	4.00
For testing a 1 1/2 in. meter	4.00
For testing a 2 in. meter	4.00

For testing a 3 in. or larger meter the charges shall be made on the basis of an estimate of cost by the Water Utilities Department.

If, upon examination of the meter to ascertain the accuracy of its operation, it shall be found to register over 3% more water than actually passes through it, another meter will be substituted therefor, and the fee

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charged for such test will be refunded to the person making the application. An adjustment for a period of three months prior to the test will be made on the basis of the percentage the meter is in error.

SEC. 67.24 METER READING PERIOD

Under ordinary conditions continuous service meters shall be read bimonthly on approximately the same day of the month, provided, however, that the Water Utilities Department may, at its discretion, read the meter of any consumer on a monthly schedule and a bill issued showing the period covered by the meter readings, the quantity of water used and the total charge for the service rendered. If the meter readings indicate that a large or unusual consumption has occurred, the readings will be checked before the bill is mailed. The Department's services will be available without charge in assisting in locating the probable causes of high consumption. When it is impossible to read the meter due to any obstructions an average bill, or a series of average bills will be rendered, and the accumulated over-read or under-read (if any) will be adjusted at the next actual reading date. If the meter fails to register, the charge for water will be based upon the average of the comparable period of the preceding year, taking into consideration the volume of business, weather conditions, and any other factors that may assist in determining an equitable charge. Unless the applicant for water service shall direct otherwise, all bills will be mailed to the premises where water service is furnished.

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SEC. 67.37 REGULATION OF WATER SYSTEM--FIRE HYDRANTS

(a) Fire hydrants are provided for the sole purpose of extinguishing fires, and are to be opened and used only by the Fire Department and Water Utilities Department, or such other persons as are specially authorized by the Department, upon such person or persons making application at the main office of the Department.

(b) To insure safety of fire hydrants for fire protection, any person or persons authorized by the Department to open fire hydrants will be required to use only an approved Spanner wrench, and to replace the caps on outlets when the same are not in use. Failure to meet this requirement will be sufficient cause to prohibit further use of the hydrants, and the refusal of subsequent authorization for use of the fire hydrants.

(c) It is unlawful for any person or persons to carry away any water from any fire hydrant without a written permit, furnished upon regular application, by the Department.

(d) It is unlawful for any person to place upon or about any fire hydrant, gate valve, manhole, stopcock, meter or meter box connected with water pipes of the system of water works, any material, debris or structure of any kind so as to prevent free access to the same at all times.

(e) It shall be unlawful for any person or persons to willfully or neglectfully waste water in any manner whatsoever, and any person having knowledge of any conditions whereby water is being wasted shall immediately notify the Water Utilities Department of such fact.

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(f) It shall be unlawful for any person or persons to use water from the City supply for sprinkling or wetting parks, lawns, trees, shrubs, flowers, fruits, vegetables, grains, walks, drives, streets, or construction work of any character between the hours of 8:00 a.m. and 5:00 p.m., provided notice to discontinue the use of water during these hours for these purposes has been published by the City Manager in the daily papers of the City of San Diego, stating therein the period for which this prohibition shall continue.

SEC. 67.40 WATER IMPOUNDING SYSTEM--POSTING OF NOTICES--
AUTHORITY TO ENFORCE REGULATIONS

(a) That the properties of the water impounding system owned by and under the control of The City of San Diego shall be posted with notices against trespassing, bathing, or unauthorized shooting, hunting, fishing or camping, and warning all persons against violation of any of the ordinances of The City of San Diego, of the laws of the State of California, or any rules or regulations adopted pursuant thereto, which provide for the protection of any reservoir, or properties of the water impounding system.

(b) That all officials and employees of the Park and Recreation Department and the Water Utilities Department of The City of San Diego are hereby vested with authority to enforce all laws, orders, rulings and regulations enacted for the protection of these waters and the properties pertaining thereto.

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SEC. 67.45 WATER IMPOUNDING SYSTEM--REGULATIONS FOR
RECREATIONAL ACTIVITY--RESTRICTED AREAS

(a) Any person availing himself of the recreational privileges and while upon the properties of the water impounding system of The City of San Diego shall be subject to such local rules and regulations as are in effect, or as may be hereafter enacted for the various reservoirs and reservoir sites, and for the violation of the same a permit may be revoked and the party violating may be ejected from the properties.

(b) Any person while upon the properties of the water impounding system of The City of San Diego, or on property controlled by the City in the operation and management of its water system, shall be subject to such local rules and regulations, including sanitary regulations, for the protection of the water supply, as are in effect or may be hereafter enacted for the water impounding system, or portions thereof, and for the violation of the same the party may be ejected from the properties and be subject to the fines for a misdemeanor as provided in the following sections.

(c) Any person apprehended upon the properties owned or controlled by the Water Utilities Department in the operation and management of its water impounding system, in areas not open to the public use shall be guilty of trespass.

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SEC. 67.48 WATER MAIN EXTENSIONS AND REPLACEMENTS,
RESIDENTIAL PROPERTY

(a) Where water main extensions are required to serve residential property (intersections not included) to reach property requiring a water supply, they may be made upon the approval of the Director of the Water Utilities Department, and the deposit by the applicant of \$5.50 per lineal foot of extension required, provided that the minimum deposit shall be based on the number of lineal feet of frontage in the property to be served. This deposit minus \$2.75 per front foot of property frontage requiring service will be refunded to the payer of his assigns only if, as, and when during the ten years following installation, water main connection charges are collected from other consumers requiring service from this extension, and not otherwise. Sale of the property hereinabove referred to and the conveyance of the title thereof shall constitute an assignment of all rights of the original payer to the purchaser of said property. All extensions thus provided shall be and remain the property of the Department and any balance of said deposit remaining at the end of the above mentioned ten-year period shall become the property of the Department.

(b) The Department may make water main extensions and replacements of substandard mains to serve residential property without such deposit, provided that funds are available and that a water main connection charge be collected from each applicant to be served from said extension

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in accordance with Section 67.46. Where substandard water mains are replaced the Department will allow a credit of \$.35 per lineal foot of property served.

(c) Whenever the City Manager recommends and the public interest or convenience requires the extension of any water main or the replacement of any substandard water main or mains to serve residential property of The City of San Diego Water Utilities Department, and when said water main or mains have been installed in accordance therewith, each and every property owner having water service or requiring water service from said water main or mains, shall pay to the Department a water main connection charge of \$2.75 per foot of frontage of the property to be served. Where substandard water mains are replaced, the Department will allow a credit of \$.35 per lineal foot of property served.

SEC. 67.48.1 WATER MAIN EXTENSIONS AND REPLACEMENTS,
COMMERCIAL AND/OR INDUSTRIAL PROPERTY

(a) Where water main extensions are required to serve commercial and/or industrial property (intersections not included) to reach property requiring a water supply, they may be made upon the approval of the Director of the Water Utilities Department, and the deposit by the applicant of \$11.00 per lineal foot of extension required, provided that the minimum deposit shall be based on the number of lineal feet of frontage in the property to be served. This deposit minus \$5.50 per front foot of property frontage requiring service will be refunded to the

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payer or his assigns only if, as, and when during the ten years following installation, water main connection charges are collected from other consumers requiring service from this extension, and not otherwise. Sale of the property hereinabove referred to and the conveyance of the title thereof shall constitute an assignment of all rights of the original payer to the purchaser of said property. All extensions thus provided shall be and remain the property of the Department and any balance of said deposit remaining at the end of the above mentioned ten-year period, shall become the property of the Department.

(b) The Department may make water main extensions and replacements of substandard mains to serve commercial and/or industrial property without such deposit, provided that funds are available and that a water main connection charge be collected from each applicant to be served from said extension in accordance with Section 67.47. Where substandard water mains are replaced the Department will allow a credit of \$.35 per lineal foot of property served.

(c) Whenever the City Manager recommends and the public interest or convenience requires the extension of any water main or the replacement of any substandard water main or mains to serve commercial and/or industrial property of The City of San Diego Water Utilities Department, and when said water main or mains have been installed in accordance therewith, each and every property owner having water service or requiring water service from said water

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main or mains, shall pay to the Department a water main connection charge of \$5.50 per foot of frontage of the property to be served. Where substandard water mains are replaced, the Department will allow a credit of \$.35 per lineal foot of property served.

SEC. 67.52.1 WATER MAIN EXTENSION--COST OF EXTENSION--
AREAS NOT SUBDIVIDED

(a) The Water Utilities Department is hereby authorized to make water main extensions for the benefit of areas of the City which have heretofore or hereafter been subdivided by means of conveyances, and not pursuant to any regular statute of the State or ordinance of the City, if it is in the best interests of the City to make such extensions. A charge for each and every service connection to an extension installed under the provisions of this Article shall be paid by the person receiving such connection before any such connection is actually made. The construction charge to be paid pursuant to the terms of this Article is separate from and is in addition to the service connection charge required by any other section of this Code. The amount of the construction charge to be charged for said water main extension shall be determined in the same manner as that provided for in subdivisions (a) and (d) of Section 67.52.

(b) Whenever The City of San Diego shall install a permanent water main extension as authorized in Section 67.52(a) for the purpose of serving either improved property where water service has already been furnished through

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a temporary service connection or unimproved property where the owner thereof is willing to pay his proportionate share of the extension of such water main in order to serve his property, the owner of said property, upon written demand of the Water Utilities Department, before any connection is made with said extended main for the use of said property owner, shall either pay to the City direct a sum of money equal to the owner's proportionate share of the cost of the extension of water main or enter into a written agreement with the City wherein said owner agrees to pay to said City for the use of said water main a rental charge which shall consist of a sum of money equal to that which would represent the said owner's proportionate share of the cost of the extension of said water main. Said agreement shall provide that said rental shall be paid by said owner to said City in equal monthly installments during a period of twelve (12) months, provided that the amount of such total rental does not exceed \$150.00, and if said total rental does exceed \$150.00 the said rental shall be paid by said owner to said City in equal monthly installments during a period not to exceed thirty-six (36) months, in monthly installments of not less than \$15.00 each, and further provide that if the owner fails during said period to pay any installment or rent due for a period of thirty (30) days after the same becomes due the City shall have the right to

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discontinue water service to said property from said main until all of the delinquent installments are fully paid.

SEC. 67.55 WATER RATES--GENERAL WATER SERVICE WITHIN THE CITY OF SAN DIEGO

The rates to be charged and collected for water supplied in any one month for Domestic, Commercial and Industrial use within the City, and for all purposes for which no other rate for water supplied for use within the City is provided in this Article shall be as follows:

(a) Customer Charge, per meter:

<u>Size of Meter</u>	<u>Amount</u>
1 inch and smaller	\$ 2.44
1 1/2 inch	12.20
2 inch	18.59
3 inch	69.71
4 inch	116.18
6 inch	261.40
8 inch	348.53
10 inch	464.70
12 inch	638.97
16 inch	1,045.58

(b) In addition to the Customer Charge, above, there shall be a Commodity Charge of 37.9¢ for each unit of 100 cubic feet.

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SEC. 67.57.1 WATER RATES--INTERRUPTIBLE AGRICULTURAL SERVICE WITHIN THE CITY OF SAN DIEGO

For the purpose of this section "agricultural service" shall be defined as untreated water delivered through a single meter for use upon tracts or parcels of land within the City of San Diego utilized exclusively for agricultural purposes as defined in the first paragraph of Section 67.11.

Connections to the source of untreated water shall be made by the City. The applicant shall pay connection charges based upon the estimate of costs made by the Water Utilities Department. Water received by the user under the provisions of this section shall not be used for domestic, commercial or industrial purposes.

When the availability of water requires restriction of the use of water or when water from the untreated sources available for agricultural service is being utilized to the fullest extent for delivery to other service or other points, delivery for agricultural service shall be curtailed until such water is again available.

Water furnished under the provisions of this section shall be received by the user at a point or points of delivery designated by the Water Utilities Department.

The rate to be charged and collected for water supplied for interruptible agricultural service shall be \$10.00 per acre foot plus the rate per acre foot paid by the City to the San Diego County Water Authority at the time such service is rendered by the City.

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SEC. 67.59 WATER RATES--FIRE SERVICE AND AUTOMATIC
FIRE SPRINKLER SERVICE WITHIN THE CITY
OF SAN DIEGO

The rates to be so charged and collected for any one month for Fire Service and Automatic Fire Sprinkler Service WITHIN the City of San Diego shall be as follows:

<u>Size of Service Connection</u>	<u>Rate</u>
1 1/2 inch	\$ 5.56
2 inch	7.42
3 inch	11.13
4 inch	14.84
6 inch	22.26
8 inch	29.68
10 inch	37.10
12 inch	44.52
16 inch	59.36
20 inch	74.20

No water shall be used otherwise than for fire extinguishing purposes from Fire Services or Automatic Fire Sprinkler Services. Upon evidence of violation of this provision, the Water Utilities Department shall install a meter of appropriate size and design at the Consumer's expense, if service is not already metered, and all water so used shall be charged and collected for at twice the rate for General Water Service WITHIN the City specified in this Article.

SEC. 67.60 WATER RATES--CONSTRUCTION WATER SERVICE

The rates to be so charged and collected for Construction Water Service WITHIN the City shall be as follows:

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For those Construction Meters obtained through the City, the Contractor will pay the same rates as those set forth in this Article for Domestic, Commercial and Industrial Service.

For those Construction Meters purchased, owned and maintained by the Contractors, there will be no Monthly Customer charge. The Commodity charge will be the prevailing charge for water used.

SEC. 67.63 WATER RATE--SERVICE TO THE UNITED STATES
NAVY--CORONADO

Due to the extensive services which the Navy provides at below specified facilities thus relieving the City from providing such services, the rate to be charged and collected for water and water service supplied to the United States Navy at North Island Naval Air Station and/or the Navy Amphibious Base in Coronado shall be the prevailing Commodity charge for water used.

SEC. 67.72 CAPACITY CHARGE

When any person, firm, corporation or other entity shall request from The City of San Diego, a new water service connection, an additional connection, a larger connection, or in any other way increase water usage by the addition of an equivalent family unit or units, a minimum capacity charge of two hundred dollars (\$200.00) per single family living unit or equivalent shall be paid. This charge shall be due and payable at the time the building permit fees or connection fees

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are paid, or if a building permit is not required, at the time the water connection fees must be paid. In any case, this water capacity charge must be paid before the water use (flow) increase is accomplished.

In those areas of the City where a capacity charge in the form of area charges as established by Council resolutions, or taxation or special assessment districts excluding 1911 and 1913 Act assessment districts results in a payment to the City totaling more than two hundred dollars (\$200.00) per single family unit or its equivalent, no new capacity charge shall be imposed by this section. However, charges imposed due to reimbursable agreements entered into by the City shall be collected where applicable in every case.

Notwithstanding anything contained in this section, no minimum capacity charge shall be required with respect to a request for the addition of an equivalent family unit or units when a building permit application for such addition was filed with the City prior to March 19, 1974.

The maximum capacity charge that shall be collected for any one single connection shall be three thousand dollars (\$3,000.00) regardless of the number of the equivalent family units. The three thousand dollars (\$3,000.00) maximum shall include capacity charges, area charges or the value of existing capacity in equivalent family units paid, acquired or being used prior to the adoption of this ordinance.

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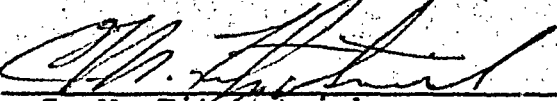
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Upon approval by the City Manager the capacity charge may be waived or delayed for a specific period of time for the purposes of temporary irrigation or preliminary development.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

BY


C. M. Fitzpatrick
Senior Chief Deputy

CMF:vl:002 (X400, 450)
2/28/77
Or. Dept.: Water Utilities

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OCT 4 1978

This vote relative to Sewage Rate Increase.

Passed and adopted by the Council of The City of San Diego on MAY 25 1977
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jess D. Haro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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This vote relative to Water Rate Increase.

MAY 25 1977

Passed and adopted by the Council of The City of San Diego on
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jess D. Haro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By

Ruthleen Martinez

Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAY 11 1977

MAY 25 1977

, and on

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By

Ruthleen Martinez

Deputy.

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Office of the City Clerk, San Diego, California

Ordinance
Number

12077

MAY 25 1977

Adopted

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ATTORNEYS

San Diego, City of
12th Floor, City Admin. Bldg.
202 C St.
San Diego, Ca 92101
Attn: Kathleen Martinez

OCT 4 1978

MICROFILMED: 977

CERTIFICATE OF PUBLICATION

No. 12077

IN THE MATTER OF

SEWER AND WATER SYSTEMS

ORDINANCE NO. 12077

(New Series)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLES 4 AND 7 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING VARIOUS SECTIONS RELATING TO SEWER AND WATER SYSTEMS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter VI, Article 4, of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 64.01, 64.14, 64.19, 64.21.1, 64.21.2, 64.21.5, 64.21.6 and 64.32 to read as follows:

SEC. 64.01 SEWERS - DEFINITIONS

The meaning of the various terms, as used in this Article shall be as follows:

APPLICANT shall mean a person, firm or corporation who applies for connections to the sewer system;

ASSESSMENT shall mean a levy of special assessment which is shown on the records of the City Engineer as including a fair and proportionate cost of the sewer main. Any other assessment for a sewer main shall be construed as a nominal or partial assessment for the purposes of this Article;

DEPARTMENT shall mean Water Utilities Department, City of San Diego;

EXTENSION shall mean an extension of an existing sewer main;

MAIN shall mean an existing sewer main in the sanitary sewer system of The City of San Diego.

SEC. 64.14 CONNECTIONS TO PUBLIC SEWERS - PERMIT REQUIRED - SPECIFICATIONS

That it shall be, and it is hereby declared to be, unlawful for any person to connect any pipe on private property with any pipe in the street that is connected with the public sewer of said City, or to construct any sewer in said City, without first making application to the Water Utilities Department of The City of San Diego, as hereinafter provided.

Application must first be made in writing to the Water Utilities Department, by the owner of the property to be sewered, or his agent, before opening any street or alley, giving the correct number of the lot and block, and the place where it is desired to connect with the sewer, and shall give the name of the property.

Where the laterals have been installed to the curb line, the plumber must bring the soil pipe to the property line at a point opposite to, or not more than five (5) feet above where such lateral is installed, and in no case must pipe be brought to the property line below where such lateral is installed.

Where property owners excavate outside of property lines, into the street for basement purposes, and wish to connect with sewer across such excavation, they shall install soil pipe to the outside line of such excavation at their own expense, the City making the installation from that point to the main in the street.

It will be necessary to take out sewer permit prior to the installation of any plumbing fixtures.

Every house and building must be separately and independently connected with the City sewer, except in cases where there may be a house in the rear of the lot. In this case it may be connected with the sewer of the house in front, provided the old sewer will satisfactorily stand the test, and the property is owned by the same parties.

When property which faces on one street and has a sewer main, either in the street or alley, to serve such property as originally subdivided, is resubdivided, thus facing a cross street, the sewer necessary to serve such lots as are not adjacent to the sewer already installed, may be installed on the lot line at the rear of said property, or in the street. Said sewer shall be installed by the City, and the cost of such installation shall be paid by the property owner, the City reserving the right to make extensions or connections to said sewer at any time.

Where a sewer line is installed at the cost of property owners, on or over any street, alley, or any ground dedicated to the City for street purposes, or across private property, and where said sewer is connected to any City main, or is run to any outfall or septic tank which may be on City property, or which will ever be connected with the City sewers, or may become a part of the City sewer system, the same shall be installed under City supervision, and the City shall have the right to make extensions and connections to said sewer at any and all times. Before any lateral connection is made to any such sewer installed by property owners, a permit for such connection must be taken out, and the regular permit fee and all other appropriate fees paid.

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SAN DIEGO, CALIF.
CITY CLERK'S OFFICE
INTELLIGENCE DIV.

SALLY M. COWART

I, Sally M. Cowart, hereby certify that the San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California, that I am the principal clerk of said newspaper, and the

ORDINANCE NO. 12077

is a true and correct copy of which this certificate is attached and was published in said newspaper on

June 13, 1977

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

June 17, 1977

Sally M. Cowart
Signature

85 1/2 @ 5.08 = 434.34

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SEC. 64.19. CONNECTIONS TO PUBLIC SEWERS—DEFINITION—REMOVAL OF OBSTRUCTIONS

The words "outside the property line" shall be construed to mean the line separating private property from a public street, avenue, lane, alley, road or highway. No person shall connect with any public sewer or any private sewer or drain laid for surface, roof or yard drainage, nor shall exhaust from steam engine, blow-off from a steam boiler, or water above 140 degrees Fahrenheit in temperature, be discharged in any public sewer, or private sewer, or drain connected with the same, in said City.

When it is necessary for the Water Utilities Department to relieve stop-ups in laterals, and the obstruction is found to be on the property, or the obstruction, if in the street between the main and property, is due to waste matter which should not have been placed in the sewer, the owner of said property shall pay to the Water Utilities Department the cost of the removal of such obstruction.

SEC. 64.21.1 WASTE DISPOSAL—PERMIT REQUIRED

Any person, municipality, sanitation district, or government agency desiring to discharge industrial wastes into the sewerage system shall obtain a permit to discharge said wastes into said system from the Director of the Water Utilities Department.

SEC. 64.21.2 WASTE DISPOSAL—REGULATIONS

The Director of the Water Utilities Department shall make and enforce regulations necessary to the administration of this section. He may amend such regulations from time to time as conditions require. These regulations shall be consistent with the general policy established by the City Council and shall be approved by the City Council.

SEC. 64.21.5 WASTE DISPOSAL—SUSPENSION OF SEWER SERVICE

When deemed necessary by the Director of the Water Utilities Department for the preservation of public health or safety or for the protection of public or private property, he may suspend sewer service to any person or persons using the sewer system in a manner or way to endanger the public health or safety, or public or private property. In suspending service he may sever all pertinent connections to the public sewer. If such endangerment shall be imminent, then the Director may act immediately to suspend sewer service coincident with notice or warning to said person or persons.

SEC. 64.21.6 WASTE DISPOSAL—INSPECTION BY CITY EMPLOYEES

The Director of the Water Utilities Department or other duly authorized employees and agents of the City shall be permitted to enter onto all properties at any reasonable time for the purpose of (a) determination of the size, depth, location, and conditions of any sewer or storm drain connection; (b) determination of the location and discharge connections of roof and surface drains and plumbing fixtures; and (c) inspection, observation, measurement, sampling, and testing of the quantity and characteristics of sewage or water being discharged to the public sewerage system.

SEC. 64.22 SEWER SERVICE CHARGE ESTABLISHED

In addition to other fees, assessments or charges provided by the Municipal Code, the owner or occupant of any parcel of real property for which no other sewer service charge is provided, and which parcel of property is connected with the sewer system and/or water system of the City of San Diego, shall pay a sewer service charge as follows:

- (1) The domestic sewer service charge for each single family dwelling unit serviced by a separate water meter shall be two dollars and fifty cents (\$2.50) per month.
- (2) The monthly sewer service charge for all premises, other than single family dwelling unit serviced by a separate water meter, shall be at the rate of seventeen and seven-tenths cents (\$0.177) per one hundred cubic feet of water usage by such premise, but in no case less than a minimum charge of two dollars and fifty cents (\$2.50) per month.

Section 2. That Chapter VI, Article 7, of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 67.01, 67.22, 67.24, 67.37, 67.40, 67.45, 67.48, 67.48.1, 67.52.1, 67.55, 67.57.1, 67.59, 67.60, 67.63 and 67.72 to read as follows:

SEC. 67.01 WATER SYSTEM—DEFINITIONS

The meaning of various terms as used in this Article shall be as follows:

MANAGER shall mean the City Manager of The City of San Diego or his duly authorized representative;

DEPARTMENT shall mean the Water Utilities Department of The City of San Diego;

APPLICANT shall mean a person, firm or corporation who applies for water service;

EXTENSION shall mean a water main extension; and

MAIN shall mean an existing water main in the water distribution system of The City of San Diego.

The word **CONSUMER** as used herein, shall mean any person, firm or corporation to whom the City supplies water service under a contract, either expressed or implied, to make payment therefor.

The term **SERVICE CONNECTIONS**, as used herein, shall be understood to designate the tapping of water mains and the laying of pipes from the main to the curb or to the meter.

The term **COST** shall include labor, material, transportation, expense, supervision, engineering, and other necessary overhead expense.

The word **LEGAL OR EQUITABLE OWNER**, as used herein, shall mean any owner of record, mortgage, trustee or contract purchaser.

SEC. 67.22 REGULATION OF WATER SYSTEM—METER TESTING

When the accuracy of a water meter is questioned, the Department shall upon the request form provided cause an official test to be made upon deposit by the consumer of the following amounts:

For testing a 5/8 in. meter	\$2.00
For testing a 3/4 in. meter	2.00
For testing a 1 in. meter	4.00
For testing a 1 1/2 in. meter	4.00
For testing a 2 in. meter	4.00

For testing a 3 in. or larger meter the charges shall be made on the basis of an estimate of cost by the Water Utilities Department.

If, upon examination of the meter to ascertain the accuracy of its operation, it shall be found to register over 3% more water than actually passes through it, another meter will be substituted therefor, and the fee charged for such test will be refunded to the person making the application. An adjustment for a period of three months prior to the test will be made on the basis of the percentage the meter is in error.

SEC. 67.24 METER READING PERIOD

Under ordinary conditions continuous service meters shall be read monthly on approximately the same day of the month, provided, however, that the Water Utilities Department may, at its discretion, read the meter of any consumer on a monthly schedule and a bill issued showing the period covered by the meter readings, the quantity of water used and the total charge for the service rendered. If the meter readings indicate that a large or unusual consumption has occurred, the readings will be checked before the bill is mailed. The Department's services will be available without charge in assisting in locating the probable causes of high consumption. When it is impossible to read the meter due to any obstructions an average bill, or a series of average bills will be rendered, and the accumulated over-read or under-read (if any) will be adjusted at the next actual reading date. If the meter fails to register, the charge for water will be based upon the average of the comparable period of the preceding year, taking into consideration the volume of business, weather conditions, and any other factors that may assist in determining an equitable charge. Unless the applicant for water service shall direct otherwise, all bills will be mailed to the premises where water service is furnished.

SEC. 67.37 REGULATION OF WATER SYSTEM—FIRE HYDRANTS

(a) Fire hydrants are provided for the sole purpose of extinguishing fires, and are to be opened and used only by the Fire Department and Water Utilities Department, or such other persons as are specially authorized by the Department, upon such person or persons making application at the main office of the Department.

(b) To insure safety of fire hydrants for fire protection, any person or persons authorized by the Department to open fire hydrants will be required to use only an approved Spanner wrench, and to replace the caps on outlets when the same are not in use. Failure to meet this requirement will be sufficient cause to prohibit further use of the hydrants, and the refusal of subsequent authorization for use of the fire hydrants.

(c) It is unlawful for any person or persons to carry away any water from any fire hydrant without a written permit, furnished upon regular application, by the Department.

(d) It is unlawful for any person to place upon or about any fire hydrant, gate valve, manhole, stopcock, meter or meter box connected with water pipes of the system of water works, any material, debris or structure of any kind so as to prevent free access to the same at all times.

(e) It shall be unlawful for any person or persons to willfully or neglectfully waste water in any manner whatsoever, and any person having knowledge of any conditions whereby water is being wasted shall immediately notify the Water Utilities Department of such fact.

(f) It shall be unlawful for any person or persons to use water from the City supply for sprinkling or wetting parks, lawns, trees, shrubs, flowers, fruits, vegetables, grains, walks, drives, streets, or construction work of any character between the hours of 8:00 a.m. and 5:00 p.m., provided notice to discontinue the use of water during these hours for these purposes has been published by the City Manager in the daily paper in the City of San Diego, stating therein the period for which this prohibition shall continue.

SEC. 67.40 WATER IMPOUNDING SYSTEM—POSTING OF NOTICES—AUTHORITY TO ENFORCE REGULATIONS

(a) That the properties of the water impounding system owned by and under the control of The City of San Diego shall be posted with notices against trespassing, bathing or unauthorized shooting, hunting, fishing or camping, and warning all persons against violation of any of the ordinances of The City of San Diego, of the laws of the State

of California, or any rules or regulations adopted pursuant thereto, which provide for the protection of any reservoir, or properties of the water impounding system.

(b) That all officials and employees of the Park and Recreation Department and the Water Utilities Department of The City of San Diego are hereby vested with authority to enforce all laws, orders, rulings and regulations enacted for the protection of these waters and the properties pertaining thereto.

SEC. 67.45 WATER IMPOUNDING SYSTEM—REGULATIONS FOR RECREATIONAL ACTIVITY—RESTRICTED AREAS

(a) Any person availing himself of the recreational privileges and while upon the properties of the water impounding system of The City of San Diego shall be subject to such local rules and regulations as are in effect, or as may be hereafter enacted for the various reservoirs and reservoir sites, and for the violation of the same a permit may be revoked and the party violating may be ejected from the properties.

(b) Any person while upon the properties of the water impounding system of The City of San Diego, or on property controlled by the City in the operation and management of its water system, shall be subject to such local rules and regulations, including sanitary regulations, for the protection of the water supply, as are in effect or may be hereafter enacted for the water impounding system, or portions thereof, and for the violation of the same the party may be ejected from the properties and be subject to the fines for a misdemeanor as provided in the following sections.

(c) Any person apprehended upon the properties owned or controlled by the Water Utilities Department in the operation and management of its water impounding system, in areas not open to the public use shall be guilty of trespass.

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SEC. 67.48 WATER MAIN EXTENSIONS AND REPLACEMENTS, RESIDENTIAL PROPERTY

(a) Where water main extensions are required to serve residential property (intersections not included) to reach property requiring a water supply, they may be made upon the approval of the Director of the Water Utilities Department, and the deposit by the applicant of \$5.50 per lineal foot of extension required, provided that the minimum deposit shall be based on the number of lineal feet of frontage in the property to be served. This deposit minus \$2.75 per foot of property frontage requiring service will be refunded to the payer of his assigns only if, as, and when during the ten years following installation, water main connection charges are collected from other consumers requiring service from this extension, and not otherwise. Sale of the property hereinabove referred to and the conveyance of the title thereof shall constitute an assignment of all rights of the original payer to the purchaser of said property. All extensions thus provided shall be and remain the property of the Department and any balance of said deposit remaining at the end of the above mentioned ten-year period shall become the property of the Department.

(b) The Department may make water main extensions and replacements of substandard mains to serve residential property without such deposit, provided that funds are available and that a water main connection charge be collected from each applicant to be served from said extension in accordance with Section 67.46. Where substandard water mains are replaced the Department will allow a credit of \$.35 per lineal foot of property served.

(c) Whenever the City Manager recommends and the public interest or convenience requires the extension of any water main or the replacement of any substandard water main or mains to serve residential property of The City of San Diego Water Utilities Department, and when said water main or mains have been installed in accordance therewith, each and every property owner having water service or requiring water service from said water main or mains shall pay to the Department a water main connection charge of \$2.75 per foot of frontage of the property to be served. Where substandard water mains are replaced, the Department will allow a credit of \$.35 per lineal foot of property served.

SEC. 67.48.1 WATER MAIN EXTENSIONS AND REPLACEMENTS, COMMERCIAL AND/OR INDUSTRIAL PROPERTY

(a) Where water main extensions are required to serve commercial and/or industrial property (intersections not included) to reach property requiring a water supply, they may be made upon the approval of the Director of the Water Utilities Department, and the deposit by the applicant of \$11.00 per lineal foot of extension required, provided that the minimum deposit shall be based on the number of lineal feet of frontage in the property to be served. This deposit minus \$5.50 per front foot of property frontage requiring service will be refunded to the payer or his assigns only if, as, and when during the ten years following installation, water main connection charges are collected from other consumers requiring service from this extension, and not otherwise. Sale of the property hereinabove referred to and the conveyance of the title thereof shall constitute an assignment of all rights of the original payer to the purchaser of said property. All extensions thus provided shall be and remain the property of the Department and any balance of said deposit remaining at the end of the above mentioned ten-year period, shall become the property of the Department.

(b) The Department may make water main extensions and replacements of substandard mains to serve commercial and/or industrial property without such deposit, provided that funds are available and that a water main connection charge be collected from each applicant to be served from said extension in accordance with Section 67.47. Where substandard water mains are replaced the Department will allow a credit of \$.35 per lineal foot of property served.

(c) Whenever the City Manager recommends and the public interest or convenience requires the extension of any water main or the replacement of any substandard water main or mains to serve commercial and/or industrial property of The City of San Diego Water Utilities Department, and when said water main or mains have been installed in accordance therewith, each and every property owner having water service or requiring water service from said water main or mains shall pay to the Department a water main connection charge of \$5.50 per foot of frontage of the property to be served. Where substandard water mains are replaced, the Department will allow a credit of \$.35 per lineal foot of property served.

SEC. 67.52.1 WATER MAIN EXTENSION - COST OF EXTENSION - AREAS NOT SUBDIVIDED

(a) The Water Utilities Department is hereby authorized to make water main extensions for the benefit of areas of the City which have heretofore or hereafter been subdivided by means of conveyances, and not pursuant to any regular statute of the State or ordinance of the City, if it is in the best interests of the City to make such extensions. A charge for each and every service connection to an extension installed under the provisions of this Article shall be paid by the person receiving such connection before any such connection is actually made. The construction charge to be paid pursuant to the terms of this Article is separate from and is in addition to the service connection charge required by any other section of this Code. The amount of the construction charge to be charged for said water main extension shall be determined in the same manner as that provided for in subdivisions (a) and (d) of Section 67.52.

(b) Whenever The City of San Diego shall install a permanent water main extension as authorized in Section 67.52(a) for the purpose of serving either improved property where water service has already been furnished through a temporary service connection or unimproved property where the owner thereof is willing to pay his proportionate share of the extension of such water main in order to serve his property, the owner of said property, upon written demand of the Water Utilities Department, before any connection is made with said extended main for the use of said property owner, shall either pay to the City direct a sum of money equal to the owner's proportionate share of the cost of the extension of water main or enter into a written agreement with the City wherein said owner agrees to pay to said City for the use of said water main a rental charge which shall consist of a sum of money equal to that which would represent the said owner's proportionate share of the cost of the extension of said water main. Said agreement shall provide that said rental shall be paid by said owner to said City in equal monthly installments during a period of twelve (12) months, provided that the amount of such total rental does not exceed \$150.00, and if said total rental does exceed \$150.00 the said rental shall be paid by said owner to said City in equal monthly installments during a period not to exceed thirty-six (36) months, in monthly installments of not less than \$15.00 each, and further provide that if the owner fails during said period to pay any installment or rent due for a period of thirty (30) days after the same becomes due the City shall have the right to discontinue water service to said property from said main until all of the delinquent installments are fully paid.

SEC. 67.55 WATER RATES - GENERAL WATER SERVICE WITHIN THE CITY OF SAN DIEGO

The rates to be charged and collected for water supplied in any one month for Domestic, Commercial and Industrial use within the City, and for all purposes for which no other rate for water supplied for use within the City is provided in this Article shall be as follows:

(a) Customer Charge, per meter:

Size of Meter	Amount
1 inch and smaller	2.44
1 1/2 inch	12.20
2 inch	18.59
3 inch	69.71
4 inch	116.18
6 inch	261.40
8 inch	348.53
10 inch	484.70
12 inch	638.97
16 inch	1,045.58

(b) In addition to the Customer Charge, above, there shall be a Commodity Charge of 37.9c for each unit of 100 cubic feet.

SEC. 67.57.1 WATER RATES - INTERRUPTIBLE AGRICULTURAL SERVICE WITHIN THE CITY OF SAN DIEGO

For the purpose of this section "agricultural service" shall be defined as untreated water delivered through a single meter for use upon tracts or parcels of land within the City of San Diego utilized exclusively for agricultural purposes as defined in the first paragraph of Section 67.11.

Connections to the source of untreated water shall be made by the City. The applicant shall pay connection charges based upon the estimate of costs made by the Water Utilities Department. Water received by the user under the provisions of this section shall not be used for domestic, commercial or industrial purposes.

When the availability of water requires restriction of the use of water or when water from the untreated sources available for agricultural service is being utilized to the fullest extent for delivery to other service or other points, delivery for agricultural service shall be curtailed until such water is again available.

Water furnished under the provisions of this section shall be received by the user at a point or points of delivery designated by the Water Utilities Department.

The rate to be charged and collected for water supplied for interruptible agricultural service shall be \$10.00 per acre foot plus the rate per acre foot paid by the City to the San Diego County Water Authority at the time such service is rendered by the City.

SEC. 67.59 WATER RATES - FIRE SERVICE AND AUTOMATIC FIRE SPRINKLER SERVICE WITHIN THE CITY OF SAN DIEGO

The rates to be so charged and collected for any one month for Fire Service and Automatic Fire Sprinkler Service WITHIN the City of San Diego shall be as follows:

Size of Service Connection	Rate
1 1/2 inch	\$5.56
2 inch	7.42
3 inch	11.13
4 inch	14.84
6 inch	22.26
8 inch	29.69
10 inch	37.10
12 inch	44.52
16 inch	59.38
20 inch	74.20

No water shall be used otherwise than for fire extinguishing purposes from Fire Services or Automatic Fire Sprinkler Services. Upon evidence of violation of this provision, the Water Utilities Department shall install a meter of appropriate size and design at the Consumer's expense, if service is not already metered, and all water so used shall be charged and collected for at twice the rate for General Water Service WITHIN the City specified in this Article.

SEC. 67.60 WATER RATES - CONSTRUCTION WATER SERVICE

The rates to be so charged and collected for Construction Water Service WITHIN the City shall be as follows:

For those Construction Meters obtained through the City, the Contractor will pay the same rates as those set forth in this Article for Domestic, Commercial and Industrial Service.

For those Construction Meters purchased, owned, and maintained by the Contractors, there will be no Monthly Customer charge. The Commodity charge will be the prevailing charge for water used.

SEC. 67.63 WATER RATE - SERVICE TO THE UNITED STATES NAVY - (CORONADO)

Due to the extensive services which the Navy provides at below specified facilities thus relieving the City from providing such services, the rate to be charged and collected for water and water service supplied to the United States Navy at North Island Naval Air Station and/or the Navy Amphibious Base in Coronado shall be the prevailing Commodity charge for water used.

SEC. 67.72 CAPACITY CHARGE

When any person, firm, corporation or other entity shall request from The City of San Diego, a new water service connection, an additional connection, a larger connection, or in any other way increase water usage by the addition of any equivalent family unit or units, a minimum capacity charge of two hundred dollars (\$200.00) per single family living unit or equivalent shall be paid. This charge shall be due and payable at the time the building permit fees or connection fees are paid, or if a building permit is not required, at the time the water connection fees must be paid. In any case, this water capacity charge must be paid before the water use flow increase is accomplished.

In those areas of the City where a capacity charge in the form of area charges as established by Council resolutions, or taxation or special assessment districts excluding 1911 and 1913 Act assessment districts results in a payment to the City totaling more than two hun-

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shall be collected where applicable in every case.

Notwithstanding anything contained in this section, no capacity charge shall be required with respect to a request for the addition of an equivalent family unit or units when a building permit application for such addition was filed with the City prior to January 1, 1974.

The maximum capacity charge that shall be collected for any single connection shall be three thousand dollars (\$3,000.00) regardless of the number of the equivalent family units. The three thousand dollar (\$3,000.00) maximum shall include capacity charges, area charges or the value of existing capacity in equivalent family units paid, acquired or being used prior to the adoption of this ordinance.

Upon approval by the City Manager the capacity charge may be waived or delayed for a specific period of time for the purpose of temporary irrigation or preliminary development.

Section 3. This ordinance shall take effect and be in force on the third day from and after its passage.

Introduced on May 11, 1977.

Passed and adopted by the Council of The City of San Diego on May 11, 1977.

AUTHENTICATED BY:
PETE WILSON
Mayor of The City of San Diego, California
EDWARD NIELSEN
City Clerk of The City of San Diego, California

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