

(O-2000-194)  
(COR.COPY)

ORDINANCE NUMBER O- 18828 (NEW SERIES)

ADOPTED ON JUL 31 2000

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 4, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE; BY AMENDING SECTIONS 64.0408 AND 64.0409; BY AMENDING CHAPTER VI, ARTICLE 7, BY ADDING A NEW DIVISION I, TITLED GENERAL PROVISIONS, AND BY RENUMBERING SECTION 67.00 TO SECTION 67.0101; BY AMENDING AND RENUMBERING SECTION 67.01 TO 67.0102; BY ADDING NEW SECTIONS 67.0103, 67.0104, 67.0105 AND 67.0106; BY ADDING A NEW DIVISION 2, TITLED REGULATION OF WATER SYSTEM, AND BY RENUMBERING SECTION 67.02 TO SECTION 67.0201; BY REPEALING SECTION 67.03; BY RENUMBERING SECTION 67.04 TO SECTION 67.0202; BY AMENDING AND RENUMBERING SECTION 67.05 TO SECTION 67.0203; BY RENUMBERING SECTION 67.06 TO SECTION 67.0204; BY AMENDING AND RENUMBERING SECTION 67.07 TO SECTION 67.0205; BY RENUMBERING SECTIONS 67.08 AND 67.09 TO SECTIONS 67.0206 AND 67.0207; BY AMENDING AND RENUMBERING SECTIONS 67.10, 67.11, 67.12, 67.13, 67.14, 67.15 AND 67.16 TO SECTIONS 67.0208, 67.0209, 67.0210, 67.0211, 67.0212, 67.0213 AND 67.0214; BY RENUMBERING SECTIONS 67.17, 67.18, AND 67.19 TO SECTIONS 67.0215, 67.0216 AND 67.0217; BY AMENDING AND RENUMBERING SECTIONS 67.20, 67.21, 67.22 AND 67.23 TO SECTIONS 67.0218, 67.0219, 67.0220 AND 67.0221; BY REPEALING SECTION 67.24; BY ADDING A NEW SECTION 67.0222; BY AMENDING AND RENUMBERING SECTIONS 67.25 AND 67.25.1 TO SECTIONS 67.0223 AND 67.0224; BY REPEALING SECTION 67.26; BY AMENDING AND RENUMBERING SECTION 67.27 TO SECTION 67.0225; BY REPEALING SECTIONS 67.28 AND 67.29; BY AMENDING AND RENUMBERING SECTIONS 67.30, 67.31 AND 67.32 TO SECTIONS 67.0226, 67.0227 AND 67.0228; BY ADDING A NEW SECTION 67.0229; BY RENUMBERING SECTIONS 67.33, 67.34, 67.35 AND 67.36 TO SECTIONS 67.0230, 67.0231, 67.0232 AND 67.0233; BY REPEALING SECTION 67.37; BY ADDING A NEW DIVISION 3, TITLED

WATER IMPOUNDING SYSTEM, AND BY RENUMBERING SECTIONS 67.40, 67.40.1, 67.41, 67.42, 67.43, 67.44 AND 67.45 TO SECTIONS 67.0301, 67.0302, 67.0303, 67.0304, 67.0305, 67.0306 AND 67.0307; BY ADDING A NEW DIVISION 4, TITLED WATER MAIN EXTENSION, AND BY RENUMBERING SECTIONS 67.46, 67.47 AND 67.48 TO SECTIONS 67.0401, 67.0402 AND 67.0403; BY AMENDING AND RENUMBERING SECTION 67.48.1 TO SECTION 67.0404; BY RENUMBERING SECTIONS 67.49, 67.50, 67.51 AND 67.52 TO SECTIONS 67.0405, 67.0406, 67.0407 AND 67.0408; BY AMENDING AND RENUMBERING SECTION 67.52.1 TO SECTION 67.0409; BY RENUMBERING SECTIONS 67.53 AND 67.70 TO SECTIONS 67.0410 AND 67.0411; BY ADDING A NEW DIVISION 5, TITLED WATER RATES AND CHARGES, AND BY RENUMBERING SECTIONS 67.54 AND 67.55 TO SECTIONS 67.0501 AND 67.0502; BY AMENDING AND RENUMBERING SECTION 67.56 TO SECTION 67.0503; BY RENUMBERING SECTION 67.57 TO SECTION 67.0504; BY AMENDING AND RENUMBERING SECTION 67.57.1 TO SECTION 67.0505; BY RENUMBERING SECTIONS 67.58, 67.59, 67.59.1, 67.60, 67.61 AND 67.62 TO SECTIONS 67.0506, 67.0507, 67.0508, 67.0509, 67.0510 AND 67.0511; BY AMENDING AND RENUMBERING SECTIONS 67.63 TO SECTION 67.0512; BY RENUMBERING SECTION 67.72 TO SECTION 67.0513; ALL RELATING TO THE WATER SYSTEM.

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

Section 1. That Chapter VI, Article 4, Division 4, of the San Diego Municipal Code is amended by amending Sections 64.0408 and 64.0409, to read as follows:

SEC. 64.0408 Payment of Sewer Service Charge

All sewer service charges and storm drain fees imposed under the provisions of this ordinance shall be due and payable at the times and in the manner provided in the Municipal Code for the payment of water bills. Such sewer service charges and storm drain fees shall be billed to the owner or

occupant of the premises on the same bill on which the water is billed to said owner or occupant. Such combined bill for water consumed for sewer service charges and for storm drain fees shall be paid in its entirety and may not be severed for the separate payment of any portion thereof. Where the premises consume water from a source other than the City's water system, the sewer service charge and storm drain fee shall be billed to the owner or occupant of the premises in a separate bill.

In the event the owner or occupant of any premises shall be delinquent in the payment of a sewer service charge or storm drain fee, the City is authorized to discontinue water and sewer service in the same manner provided in the Municipal Code for delinquent water bills.

**SEC. 64.0409 Sewer Service Charge — Applicant's Guarantee Deposit**

(a) [No change.]

(b) The City shall have the right to require deposits from the owner or occupant of any premises who has allowed his bill for sewer service charge to become delinquent or who does not have an acceptable credit rating, in the same manner provided in the Municipal Code for water service deposits.

(c) Deposits shall be equal to the estimated amount of two (2) billing periods of sewer service charges.

Section 2. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by adding new Division 1, titled General Provisions, and by renumbering Section 67.00 to read Section 67.0101.

**DIVISION 1**

**GENERAL PROVISIONS**

**SEC. 67.0101 Water System — Addition of Fluorides Prohibited**

[No change in text of this section.]

Section 3. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Section 67.01 to Section 67.0102, to read as follows:

**SEC. 67.0102 Water System — Definitions**

The words and phrases used in this Article have the meanings set forth in this section:

“Applicant” means a person, firm, or corporation who applies for water service;

“Bypass Meter” means an additional water meter installed at a site to direct water to a different line during repairs;

“Consumer” means any person, firm or corporation to whom the City supplies water service under a contract, either expressed or implied, in exchange for payment;

“Cost” includes labor, material, transportation, expense, supervision, engineering, inspection fees and other necessary overhead expense;

“Curb Cock” means a water connection on the property side of the water meter;

“Department” means the Water Department of The City of San Diego;

“Extension” means a lengthening of a water main;

“Fire Service Connection” means a water connection to a fire sprinkler system;

“Legal or Equitable Owner” means any owner of record, mortgage, trustee or contract purchaser;

“Main” means a water main in the water distribution system of The City of San Diego;

“Manager” means the City Manager of The City of San Diego or the City Manager’s duly authorized representative;

“Service Connection” means the tapping of water mains and the laying of pipes from the main to the curb or to the meter;

“Shut Off Valve” means a valve used to open or close water flow to a service;

“Water System” means any and all City of San Diego facilities, equipment and fixtures used for collecting, storing, pumping, distributing, conveying, treating, or metering water.

Section 4. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by adding new Sections 67.0103, 67.0104, 67.0105 and 67.0106, to read as follows:

**SEC. 67.0103 Water System — Administration**

The City Manager shall administer, implement and enforce the provisions of this Article. Any powers granted to or duties imposed upon the City Manager may be delegated by the City Manager to persons in the employ of the City. The

City Manager shall make and enforce regulations necessary to the administration of this ordinance, and may amend the regulations as conditions require.

**SEC. 67.0104 Water System — Enforcement Remedies**

(a) Criminal Penalties

Violations of this Article may be prosecuted as misdemeanors subject to the penalties provided in Municipal Code section 12.0201.

(b) Injunctions and Civil Penalties

The Department Director may also seek injunctive relief and civil penalties in the Superior Court pursuant to Municipal Code section 12.0202, or pursue any administrative remedy provided in Chapter I of the Municipal Code.

**SEC. 67.0105 Water System — Cost Recovery**

The Department may seek any judicial or administrative remedies available by law to recover costs for unauthorized use of City water or damage to the City water system. The recovery of costs shall be in addition to any penalties imposed pursuant to an enforcement action. Costs owed to the City for unauthorized water use may be calculated in the following manner: 1) based upon a meter reading; or 2) based upon an estimate performed according to the procedures set forth in the Department's written regulations approved by the City Manager.

**SEC. 67.0106 Water System — Termination of Service**

The Department may terminate water service to any premise if a violation of any provision of this Article is found to exist. This provision is in addition to

other statutes or rules authorizing termination of service for delinquency in payment.

Section 5. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by adding a new Division 2, titled Regulation of Water System, and by renumbering Section 67.02 to read Section 67.0201.

## DIVISION 2

### REGULATION OF WATER SYSTEM

#### SEC. 67.0201 Regulation of Water System — Authority

[No change in text of this section.]

Section 6. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by repealing Section 67.03.

Section 7. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by renumbering Section 67.04 to read Section 67.0202.

#### SEC. 67.0202 Regulation of Water System — Size and Location of Service Connection

[No change in text of this section.]

Section 8. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Section 67.05 to Section 67.0203, to read as follows:

#### SEC. 67.0203 Regulation of Water System — Charges for Water Service Connections, Meter Installations and Appurtenances

(a) The Department shall charge for the Cost of installing a water Service Connection, any meter, and any equipment necessary to initiate, expand or continue a water Service Connection requested by an Applicant.

(b) through (d) [No changes.]

Section 9. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by renumbering Section 67.06 to read Section 67.0204.

**SEC. 67.0204 Regulation of Water System — Pipe Through Basement Wall**

[No change in text of this section.]

Section 10. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Section 67.07 to Section 67.0205, to read as follows:

**SEC. 67.0205 Regulation of Water System — Unauthorized Use of Curb  
Cock or Shut Off Valve**

The Shut Off Valve or Curb Cock is for the exclusive use of the Department in controlling the water supply through the service connection pipe. It is unlawful to use the Curb Cock or Shut Off Valve on the City side of the meter without prior authorization from the Department, regardless of intent.

Section 11. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by renumbering Sections 67.08 and 67.09 to read Sections 67.0206 and 67.0207.

**SEC. 67.0206 Regulation of Water System — Pressure Conditions**

[No change in text of this section.]

**SEC. 67.0207 Regulation of Water System — Cutting and Refitting, etc., of  
Service Connections and Water Mains**

[No change in text of this section.]



Section 12. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Sections 67.10, 67.11, 67.12, 67.13, 67.14, 67.15 and 67.16 to Sections 67.0208, 67.0209, 67.0210, 67.0211, 67.0212, 67.0213 and 67.0214, to read as follows:

**SEC. 67.0208 Regulation of Water System — Unlawful Use of Separate Water Service Connection**

It is unlawful for anyone to connect a house or building to the water service connection for a separate property without prior authorization from the Department, or to maintain such a connection, or to use water from such a connection, regardless of intent.

**SEC. 67.0209 Regulation of Water System — Combined Irrigation and Domestic Service**

[No change in text of this section.]

**SEC. 67.0210 Regulation of Water System — Fire Service Connections**

(a) It is unlawful to make or maintain any connection to, or to use water from, any fire sprinkler or Fire Service Connection, regardless of intent, unless that connection or use is for the purpose of extinguishing a fire or testing the Fire Service Connection.

(b) The Department reserves the right to install a Bypass Meter on each Fire Service Connection at the expense of the owner of the property.

**SEC. 67.0211 Regulation of Water System — Water to Pass Through Meter**

(a) It is unlawful to use City water which does not pass through a City meter, unless specifically provided for in this Article, regardless of knowledge or intent.

(b) It is unlawful to make, maintain, or permit any bypass or connection between the City meter and the main, regardless of knowledge or intent.

(c) Sections (a) and (b) shall not apply to unmetered landscaping installed prior to the effective date of this section, for which a flat rate has been established by the Department Director.

**SEC. 67.0212 Regulation of Water System — Fire Hydrants**

(a) Fire hydrants are for the primary purpose of extinguishing fires, and are to be opened and used only as specifically authorized by the Department.

(b) It is unlawful to use City water from a fire hydrant for purposes other than extinguishing a fire without prior authorization from the Department and installation of a fire hydrant meter, regardless of knowledge or intent.

(c) In the event that a service connection to a fire hydrant is not sufficiently accessible to the work site and City water must be transported to the work in a container or vehicle, it is unlawful to use such water unless the water passes through a fire hydrant meter installed by the Department.

**SEC. 67.0213 Regulation of Water System — Tampering with or Obstructing Water System Equipment**

(a) It is unlawful to break, disassemble or otherwise tamper with a water meter, locking device on a water meter, backflow device or other equipment or appurtenances of the City Water System.

(b) It is unlawful to turn on the water on the City side of the water meter without authorization of the Department.

(c) It is unlawful to operate or tamper with a City water control valve of any type without authorization of the Department.

(d) It is unlawful to place any material, debris, or structure of any kind upon or about any Water System equipment, including but not limited to fire hydrants, valves, manholes, meters or meter boxes, so as to prevent free access to the equipment or facilities.

**SEC. 67.0214 Regulation of Water System — Shutting Off Water for Emergencies and Repairs**

The Department has the authority to shut off the City water supply to any premises at any time, in case of an emergency, or for the purpose of making repairs, or extensions.

Section 13. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by renumbering Sections 67.17, 67.18 and 67.19 to read Sections 67.0215, 67.0216 and 67.0217.

**SEC. 67.0215 Regulation of Water System — Use of Water for Testing**

[No change in text of this section.]

**SEC. 67.0216 Regulation of Water System — Boiler Connections**

[No change in text of this section.]

**SEC. 67.0217 Regulation of Water System — Shutting Off Flow of Water in Case of Fire**

[No change in text of this section.]

Section 14. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Sections 67.20, 67.21, 67.22 and 67.23 to Sections 67.0218, 67.0219, 67.0220 and 67.0221, to read as follows:

**SEC. 67.0218 Regulation of Water System — Temporary Service Connection**

(a) A temporary service connection may be installed upon approval of an application for such a connection by the Department. For purposes of this section, “temporary service connection” means a water service connection installed for use by a consumer for a period not to exceed two years. The charge for installation of a temporary service connection shall be that same as for a regular service connection pursuant to Section 67.0203.

(b) It is unlawful to use a temporary service connection beyond the time period authorized by the Department, regardless of knowledge or intent. The consumer shall discontinue using the temporary service connection twelve months after installation, unless an extension of time has been granted by the Department. In no event shall a consumer use a temporary service connection for more than two years.

(c) The Department has the authority to make a temporary service connection permanent at the end of the time period authorized by the

Department, provided all charges for a permanent service connection, together with all bills for water furnished through such service, including all applicable charges, fees, deposits and interest, have been paid in full.

**SEC. 67.0219 Regulation of Water System — Installation of Valve for Emergency Shut-Offs**

It shall be unlawful for any Person laying service pipe on the property side of the meter to fail to install a Shut Off Valve in the line for the purpose of shutting off the water in case of emergency.

**SEC. 67.0220 Regulation of Water System — Meter Testing**

When the accuracy of a water meter is questioned, the Department has the authority to perform a water meter controversy test upon request of the consumer, and payment of a meter testing fee pursuant to Section 67.0228. The Department is authorized to adjust the consumer's water bill based on the results of the controversy test, according to the procedures set forth in the Department's written regulations approved by the City Manager.

**SEC. 67.0221 Regulation of Water System — Consumer's Guarantee Deposits**

Consumer's guarantee deposits are required from all applicants for water service.

(a) Exceptions are:

1. Applicants for water service for a single family dwelling who have no prior record of delinquency concerning water service accounts.

2. Applicants for water service for premises other than single family dwellings, who have at least one other active water service account with the City and who have no record of delinquent payments with respect to their water service accounts.

(b) Deposits as required herein shall be equal to the estimated amount payable by the applicant for two (2) billing periods. In the event that an applicant has no water usage history with the Department, a flat rate deposit will be imposed pursuant to the schedule of guarantee deposits on file in the **Rate Book of City Fees and Charges** at the Office of the City Clerk.

**Section 15.** That Chapter VI, Article 7, of the San Diego Municipal Code is amended by repealing Section 67.24.

**Section 16.** That Chapter VI, Article 7, of the San Diego Municipal Code is amended by adding new Section 67.0222, to read as follows:

**SEC. 67.0222 Regulation of Water System — Estimation of Water Bills**

For the purpose of opening and closing accounts, and when the Department is unable to read the meter for any reason, the Department has the authority to estimate water bills pursuant to the Department's written procedures for estimating water bills approved by the City Manager.

**Section 17.** That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Sections 67.25 and 67.25.1 to Sections 67.0223 and 67.0224, to read as follows:

**SEC. 67.0223 Regulation of Water System — Payment of Water Bills**

(a) Water Bills are due upon receipt, and are past due sixteen (16) calendar days from the statement date appearing on the water bill. In the event that a consumer fails to pay a water bill before the sixteenth (16th) calendar day following the statement date, the Department is authorized to charge the consumer interest on the amount due for each calendar day that the payment is overdue. The late payment interest charge shall be established yearly by the City Manager, and shall be kept on file at the Office of the City Clerk in the Rate Book of City Fees and Charges.

(b) In the event that any consumer shall be delinquent in the payment of a water bill, and such delinquency shall continue for a period of forty five (45) calendar days after the statement date of such bill or bills, the Department is authorized to discontinue water service to such delinquent consumer until all delinquent water bills, including all applicable charges, fees, deposits and interest, have been paid.

**SEC. 67.0224 Regulation of Water System — Authority to Adjust Water Bills**

When it is determined that a water bill is inaccurate because of billing errors, concealed water pipe leaks, meter leaks, broken or malfunctioning meters, meter reading errors or inaccurate estimates, the Department is authorized to make water bill adjustments in accordance with the Department's written regulations approved by the City Manager.

Section 18. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by repealing Section 67.26.

Section 19. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Section 67.27 to Section 67.0225, to read as follows:

**SEC. 67.0225 Regulation of Water System — Admission of Department Employees to Consumer's Premises**

It is unlawful for any Person to refuse to admit a Department employee to the Person's premises at all reasonable times, or at any time in case of an emergency, for the purpose of inspecting, testing, checking, changing, removing or reading water meters.

Section 20. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by repealing Sections 67.28 and 67.29.

Section 21. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Sections 67.30, 67.31 and 67.32 to Sections 67.0226, 67.0227 and 67.0228, to read as follows:

**SEC. 67.0226 Regulation of Water System — Water Used Through Service Connection Without Authorization**

(a) It is unlawful to use City water through a service connection without authorization from the Department, regardless of knowledge or intent.

(b) If proper application for water service is not made or if bills for service are not paid immediately, the Department is authorized to discontinue the unauthorized water service, and to refuse to furnish water to the premise until an application for service is approved, and all of the applicant's delinquent bills for



previous water service, including all applicable charges, fees, deposits and interest, have been paid.

**SEC. 67.0227 Regulation of Water System — Authority to Refuse Water Service or Fire Hydrant Meter to Consumer With Delinquent Bills**

When a request for water service or a fire hydrant meter is made by a consumer who has failed to pay all bills for service previously rendered, including all applicable charges, fees, deposits and interest, the Department is authorized to refuse to furnish water or issue a fire hydrant meter to such Applicant until the outstanding bills are paid. The Department is also authorized to require a guarantee deposit from such Applicant for the payment of future bills, prior to approval of the request for water service.

**SEC. 67.0228 Regulation of Water System — Fees**

(a) The Department is authorized to charge the consumer for the Cost of the following services:

(1) turning off the water supply for nonpayment of water bills, failure to pay a required guarantee deposit, or violation of this Article or Department rules and regulations;

(2) restoration of service after the water has been turned off for nonpayment of water bills, failure to pay a required guarantee deposit, or violation of this Article or Department rules and regulations;

(3) removal of a meter;

(4) reinstallation of a meter after removal for illegal turn on;

- (5) return of consumer's unpaid check by a bank;
- (6) performance of a meter controversy test.

This amount plus the consumer's unpaid outstanding bills, including all applicable charges, rates, fees, deposits and interest, must be paid by the consumer before service will be renewed.

(b) The amount of the charges in subsection (a) shall fully reimburse the Department for the Department's Costs.

Section 22. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by adding new Section 67.0229, to read as follows:

**Sec. 67.0229 Regulation of Water System — Unauthorized Restoration of Water After Shut Off**

(a) It is unlawful to turn on City the water, or cause it to be turned on, at the curb or meter after it has been shut off for failure to pay outstanding bills, or violation of this Article or Department rules or regulations, regardless of intent.

(b) In the event that water is turned on or caused to be turned on after it has been shut off at the curb or meter for any of the above-stated reasons, the Department is authorized to shut off the water, place a locking device on the Curb Cock, remove the meter and charge a fee to the consumer for those services pursuant to Section 67.0228(a). The Department is authorized to refuse to renew service until the consumer has paid all outstanding bills, including all applicable charges, fees, deposits and interest.

Section 23. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by renumbering Sections 67.33, 67.34, 67.35 and 67.36 to read Sections 67.0230, 67.0231, 67.0232 and 67.0233.

**SEC. 67.0230 Regulation of Water System — Damages Through Leaking Pipes and Fixtures**

[No change in text of this section.]

**SEC. 67.0231 Regulation of Water System — Miscellaneous Services Not Mentioned Herein**

[No change in text of this section.]

**SEC. 67.0232 Regulation of Water System — Water Mains Property of the Department**

[No change in text of this section.]

**SEC. 67.0233 Regulation of Water System — Street Work**

[No change in text of this section.]

Section 24. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by repealing Section 67.37.

Section 25. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by adding a new Division 3, titled Water Impounding System, and by renumbering Sections 67.40, 67.40.1, 67.41, 67.42, 67.43, 67.44 and 67.45, to read Sections 67.0301, 67.0302, 67.0303, 67.0304, 67.0305, 67.0306 and 67.0307.

**DIVISION 3**

**WATER IMPOUNDING SYSTEM**

**SEC. 67.0301 Water Impounding System — Posting of Notices — Authority to Enforce Regulations**

[No change in text of this section.]

**SEC. 67.0302 Water Impounding System**

[No change in text of this section.]

**SEC. 67.0303 Water Impounding System — Designation of Permissible Uses:**

[No change in text of this section.]

**SEC. 67.0304 Water Impounding System — Declaration of Regulations of Use:**

[No change in text of this section.]

**SEC. 67.0305 Water Impounding System — Permits for Hunting, Fishing, Camping:**

[No change in text of this section.]

**SEC. 67.0306 Water Impounding System — Contents of Permits:**

[No change in text of this section.]

**SEC. 67.0307 Water Impounding System — Regulations for Recreational Activity — Restricted Areas**

[No change in text of this section.]

Section 26. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by adding a new Division 4, titled Water Main Extension, and by renumbering Sections 67.46, 67.47 and 67.48 to read Sections 67.0401, 67.0402 and 67.0403.

**DIVISION 4**

**WATER MAIN EXTENSION**

**SEC. 67.0401 Water Main Extension, Residential Property — Connection Charges**

[No change in text of this section.]

**SEC. 67.0402 Water Main Extension, Commercial and/or Industrial Property — Connection Charges**

[No change in text of this section.]

**SEC. 67.0403 Water Main Extensions and Replacements, Residential Property**

[No change in text of this section.]

Section 27. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Section 67.48.1 to Section 67.0404, to read as follows:

**SEC. 67.0404 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 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 67.0402. 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 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.

— Section 28. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by renumbering Sections 67.49, 67.50, 67.51 and 67.52 to read Sections 67.0405, 67.0406, 67.0407 and 67.0408.

**SEC. 67.0405 Water Main Extension — Temporary Connections**

[No change in text of this section.]

**SEC. 67.0406 Water Main Extension — Property Not Subdivided**

[No change in text of this section.]

**SEC. 67.0407 Water Main Extension — Design and Specifications**

[No change in text of this section.]

**SEC. 67.0408 Water Main Extension — Cost of Extension**

[No change in text of this section.]

Section 29. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Section 67.52.1 to Section 67.0409, to read as follows:

**SEC. 67.0409 Water Main Extension — Cost of Extension — Areas Not Subdivided**

(a) The Water 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 67.0408.

(b) Whenever The City of San Diego shall install a permanent water main extension as authorized in Section 67.0408(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 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.

Section 30. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by renumbering Sections 67.53 and 67.70 to read Sections 67.0410 and 67.0411.

**SEC. 67.0410 Water Main Extension — Installation of Main Prior to Paving:**

[No change in text of this section.]

**SEC. 67.0411 Water Mains and Extensions in New Areas**

[No change in text of this section.]

Section 31. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by adding a new Division 5, titled Water Rates and Charges, and by renumbering Sections 67.54 and 67.55 to read Sections 67.0501 and 67.0502.

## DIVISION 5

### WATER RATES AND CHARGES

**SEC. 67.0501 Water Rates — Collection**

[No change in text of this section.]

**SEC. 67.0502 Water Rates — General Water Service Within the City of San Diego**

[No change in text of this section.]

Section 32. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Section 67.56 to Section 67.0503, to read as follows:

**SEC. 67.0503 Water Rates — General Water Service Outside the City of San Diego**

The rates to be charged and collected for water supplies in any one month for Domestic, Commercial and Industrial use outside the City, and for all purposes for which no other rate for water supplies for use outside the City is provided in this Article, shall be the amount computed at the rates set forth in Section 67.0502 of this Code as adjusted by Section 67.0508 of this Code multiplied by 2.00; provided, however, that the rates to be charged and collected for water supplies for Agricultural use outside the City shall be computed at the rates set forth in Section 67.0502 as adjusted by Section 67.0508.

Nothing contained in this section shall be construed to change or modify any existing legal contracts or obligations between the City of San Diego and any person, firm or corporation as to the rate or rates for water or the obligations in connection therewith.

Section 33. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by renumbering Section 67.57 to read Section 67.0504.

**SEC. 67.0504 Water Rates — Combined Irrigation and Domestic Service Within the City of San Diego**

[No change in text of this section.]

Section 34. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Sections 67.57.1 and 67.58 to Sections 67.0505 and 67.0506, to read as follows:

**SEC. 67.0505 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 67.0209.

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 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 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.

Section 35. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by renumbering Sections 67.58, 67.59, 67.59.1, 67.60, 67.61 and 67.62 to read Sections 67.0506, 67.0507, 67.0508, 67.0509, 67.0510 and 67.0511.

**SEC. 67.0506 Water Rates — Fire Hydrant Service Within the City of San Diego**

[No change in text of this section.]

**SEC. 67.0507 Water Rates — Fire Service and Automatic Fire Sprinkler Service Within the City of San Diego**

[No change in text of this section.]

**SEC. 67.0508 Water Rates — Adjustments**

[No change in text of this section.]

**SEC. 67.0509 Water Rates — Construction Water Service**

[No change in text of this section.]

**SEC. 67.0510 Water Rates — Service to City of San Diego**

[No change in text of this section.]

**SEC. 67.0511 Water Rates — Service to The United States Government**

[No change in text of this section.]

Section 36. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by amending and renumbering Section 67.63 to Section 67.0512, to read as follows:

**SEC. 67.0512 Water Rates — Service to the United States Navy — Coronado**

[No change in text of this section.]

Section 37. That Chapter VI, Article 7, of the San Diego Municipal Code is amended by renumbering Section 67.72 to read Section 67.0513.

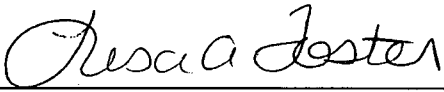
**SEC. 67.0513 Capacity Charge**

[No change in text of this section.]

Section 38. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 39. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By   
Lisa A. Foster  
Deputy City Attorney

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