

**Article 7: Water System**

**Division 1: General Provisions**

*(Added 7-31-2000 by O-18828 N.S.)*

**§67.0101 Water System — Addition of Fluorides Prohibited**

(Note: The following ordinance, No. 6196 (New Series), was initiated and adopted by the qualified electors of The City of San Diego at a Special Municipal Election held on June 8, 1954. It is therefore included here in its entirety.)

BE IT ORDAINED by the people of the City of San Diego, California, as follows:

SECTION 1. It is hereby declared to be unlawful for any person, including the City of San Diego and for its elective or appointed officers or employees, to use in or add to the water supply of this City any Fluorine, Sodium Fluoride, Sodium Silicon Fluoride or any Fluoride compound, or to treat such water supply with aforesaid chemicals before delivery to the consumers thereof.

SECTION 2. This ordinance shall become effective upon receiving a majority of votes of the electors of the City of San Diego, California, at an election held in said City.

*(Renumbered from Sec. 67.00 on 7-31-2000 by O-18828 N.S.)*

**§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.

*Fixed charges* means the charges in the *master bill* that do not vary with the volume of water consumed.

“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.

*Master bill* means the bill received by the *submeter operator* from the City of San Diego or other utility retailer.

“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.

*Submeter* means a device for recording the volume of water consumed in each residential unit in a multi-family residential property that is owned or operated by the *submeter operator*.

*Submetered consumer* means any person who receives water through a *submeter* and is responsible to pay a *submeter operator* for *utility services*.

*Submeter operator* means a *consumer* who has an account with the City of San Diego or other utility retailer for *utility service*, and owns or manages a multi-family residential building with a separate *submeter* for each residential unit.

*Submeter system* means any system for measurement of the volume of water consumed by the occupants of each individual residential unit through the use of water *submeters*.

*Utility service* means separately or in any combination, water service, sewer service, and storm water service.

*Variable charges* means the charges in the *master bill* that vary depending on the volume of water consumed.

“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.

*(Renumbered from Sec. 67.00 and amended 7-31-2000 by O-18828 N.S.)  
(Amended 4-23-2010 by O-19946 N.S.; effective 6-1-2010.)*

### **§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.

*(“Water System — Administration” added 7-31-2000 by O-18828 N.S.)*

### **§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.

*(“Water System — Enforcement Remedies” added 7-31-2000 by O-18828 N.S.)*

### **§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.

*(“Water System — Cost Recovery” added 7-31-2000 by O-18828 N.S.)*

**§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. (*“Water System — Termination of Service” added 7-31-2000 by O-18828 N.S.*)