

ORDINANCE NO. 2811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING TITLE 14 OF THE GARDEN GROVE MUNICIPAL CODE TO REMOVE OBSOLETE REFERENCES, TO CONFORM REFERENCES TO CURRENT CITY ORGANIZATION AND PRACTICES, TO MAKE CONSISTENT WITH RECENT CHANGES IN STATE AND FEDERAL LAWS, AND TO MAKE OTHER NON-SUBSTANTIVE CHANGES

City Attorney's Summary

This Ordinance amends Title 14 of the Garden Grove Municipal Code to remove obsolete references, to conform references to current City organization and practices, to make consistent with recent changes in state and federal laws, and to make other non-substantive changes.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the City of Garden Grove proposes amendments to Title 14 of the Garden Grove Municipal Code, with the exception of Section 14.12.010, to remove obsolete references, to conform references to current City organization and practices, to make consistent with recent changes in State and Federal law, and to make other non-substantive changes;

WHEREAS, pursuant to a legal notice, a Public Hearing was scheduled on February 14, 2012, conducted by the City Council and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Code Amendment. Title 14 of the Garden Grove Municipal Code, with the exception of Section 14.12.010, is hereby amended as shown in Exhibit "A" (new text in color/underline; deleted text in color/strikeout).

Section 2. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

Section 3. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the ____ day of _____.

ATTEST:

MAYOR

CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced and presented on February 14, 2012, with a vote as follows:

AYES: COUNCIL MEMBERS: (5) BEARD, BROADWATER, JONES, NGUYEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE

EXHIBIT "A"

TITLE 14 OF THE GARDEN GROVE MUNICIPAL CODE

ATTACHED ON FOLLOWING PAGES

TITLE 14: WATER*

~~*For provisions relating to the water system policy advisory committee, see Chapter 2-See also-40. For statutory provisions relating to water and water systems see Health and Safety C.A.Code §§ 4010116325 et. seq.~~

CHAPTER 04: GENERAL PROVISIONS

SECTION 14.04.010: Definitions

For the purpose of this ~~title~~Title, the following terms shall be as defined in this ~~section~~Section unless from the context a different meaning is intended:

- "(1) "Administrative overhead charges" are charges ~~which~~that include those elements of cost necessary to the construction of an item or the performance of a service ~~which~~that do not become an integral part of the finished product or service, such as supervision, insurance, accounting, electricity, etc. These charges will be based on such costs of the past fiscal year as a basis for the current year as certified by the ~~controller.~~Finance Director.
- "(2) "Applicant" means an individual or agency applying for water service.
- "(3) "Customer" means an individual or agency of record receiving water service from the City of Garden Grove ~~municipal water department.~~
- "(4) "Date of presentation" means the date upon which a bill or notice is mailed or delivered personally to the customer.
- "(5) "Director" means the ~~water department director of the city or his authorized representative.~~ "Public Works Director or his designee.
- "(6) "Domestic service" means provision of water for household residential purposes, including water for sprinkling lawns, gardens and shrubbery, watering livestock, washing vehicles, and other similar and customary purposes.
- "(7) "Fire protection service" means provision of water to premises for automatic fire protection."
- "(8) "Flat rate" means a fixed periodic charge for an unmetered service.
- "(9) "Flat rate service" means provision of water in unmeasured quantities.
- "(10) "Industrial service" means provision of water to a customer for use in manufacturing or processing activities.

"(11) "Irrigation service" means provision of water for commercial, agricultural, floricultural or horticultural use.

"(12) "Main extensions" means extension of distribution pipelines, exclusive of service connections, beyond existing facilities.

"(13) "Mains" means distribution pipelines located in streets, highways, public ways, or private rights-of-way whichthat are used to serve the general public.

"(14) "Meter rate service" means provision of water in measured quantities.

"(15) "Municipal use" means provision of water to other City departments within the city government. "

(16) "Premises" means the integral property or area, including improvements thereon, to which water service is or will be provided.

"(17) "Service connection" includes the tapping connection, the pipe, valves, and other facilities by means of which water is conducted from the distribution main to the meter.

"(18) "Temporary service" means a service for circuses, bazaars, fairs, construction work, irrigation of vacant property, and similar uses, that because of their nature will not be used steadily or permanently.

"(19) "Transmission mains" means water mains as shown on the water supply element of the ~~master plan~~Master Plan.

(Ordinance 834 § 1 (part), 1965; Prior Code § 7310).

~~**SECTION 14.04.020: Water department**~~

~~There is hereby created and established a "water department" to be known as the Garden Grove municipal water department, development services department of the city.~~

~~(Ordinance 630 § 1 (part), 1963; Prior Code § 7311).~~

SECTION 14.04.030: Water ~~director~~ Operations

~~There shall be a water director who~~The Public Works Director or his designee shall, under the administrative control of the ~~development services director~~City Manager or his designee, have charge of the supervision and administration of the water department ~~operations~~ of the cityCity.

(Ordinance 834 § 1 (part), 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7312).

SECTION 14.04.040: Service areaArea

(A) The area in which service is or will be furnished by the water department City is that area ~~which~~that is within the city boundaries as the boundaries now prevail or may from time to time exist.

(B) The area does not exclude those areas outside the city boundaries which~~that~~ may be served upon approval of the ~~city council~~City Council.

(Ordinance 630 § 1 (part), 1963; Prior Code § 7313).

SECTION 14.04.050: Description of serviceService

a.— (A) SUPPLY. ~~The water department City~~ will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the customer at a proper pressure, and to avoid any shortage or interruption in delivery.

b.— (B) QUALITY. When furnished for human consumption, the ~~water department~~City will endeavor to supply a safe and potable water at all times.

c.— (C) CLASSES OF SERVICE. All services installed by the ~~water department~~City will be classified as follows:

1.— (1) Domestic, commercial, industrial, and irrigation;

2.— (2) Municipal and public use;

3.— (3) Fire protection.

d.— (D) TYPES OF SERVICE. The types of service available from the ~~water department~~ City are:

1.— (1) Flat rate, and metered rate.

2.— ~~Metered rate~~;

3.— (2) Temporary (metered or flat).

e.— (E) METER AND SERVICE SIZE. The size of the meter and service shall be in accordance with the applicable provisions of this ~~code~~Code.

(Ordinance 834 § 1 (part), 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7314).

CHAPTER 08: FEES AND DEPOSITS

SECTION 14.08.010: Applications

(A) All applications for requesting metered or flat water rate service to be supplied through existing service connections must be made on forms provided by the water services division City.

(B) All applicants for metered service shall deposit with the city City a sum of money as set forth by city council resolution City Council Resolution, based

upon the size of the meter at each service location. Deposits shall be required from all applicants requesting metered service.

(C) The deposit shall be retained by the ~~city~~City for a period of two (2) years and shall then be refunded to the customer, provided all charges during this period have been timely paid ~~satisfactory credit has been maintained~~. If the ~~credit experience has been unsatisfactory~~, Otherwise, the deposit shall continue to be retained until a two- (2) year on-time payment history ~~satisfactory rating has been established~~. The Finance Director or his designee, exercising reasonable discretion, may require that previously refunded deposits refunded may later be reestablished if deemed necessary to ensure payment to the City for water services, in the opinion of the controller, the circumstances warrant this action.

(D) Deposits may be transferred between locations at the request of the customer. When a customer moves from the area, the deposit shall be applied against all outstanding water bills, fines, and penalties, with a refund to the customer, ~~if any,~~ of the remaining portion of the deposit (if any). No deposit shall be required of any ~~city~~City department for any ~~city owner~~City-owned property being used or developed for public purposes.

(Ordinance 2290 § 1 (16, 17), 1994; Ordinance 2122 § 1, 1989; Ordinance 2040 § 1, 1988; Ordinance 1410 § 1, 1974; Ordinance 1331 § 1, 1973; Ordinance 959 § 1 (part), 1967; Ordinance 834 § 1 (part), 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7320.1).

SECTION 14.08.020: ~~Service connection charges~~ Connection Charges

Before a service connection for water shall ~~can~~ be suppliedinstalled to the premises, the applicant shall ~~make~~submit an application to the ~~water department~~City. As a condition to granting such application and furnishing water service to the premises, the ~~water department~~City is authorized to charge and shall collect in advance the money necessary to cover all the estimated reasonable costs of the service connection, including the costs of a meter when required. Service connection charges shall be established by City Council Resolution. ~~Costs and s~~Specifications regarding the facilities necessary for the service connection shall be determined by the water department director. Public Works Director. All services installed outside the city limits shall have the same charge for installation, unless otherwise specified by the City Council.

(Ordinance 834 § 2, 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7320.2).

SECTION 14.08.030: ~~Special deposits~~ Deposits

When a temporary service is requested, the ~~water department~~ shall require the applicant to deposit with the controller that sum of money estimated as being required to compensate the city for all water furnished to the applicant during such period of temporary service. In addition to estimated charges for water, the applicant shall also reimburse the city for all costs required in furnishing such service together with all damages that may occur to the facilities.

When a temporary service is requested, the City shall require the applicant to deposit with the Finance Director a sum of money equal to the estimated

reasonable cost of the water anticipated to be furnished to the applicant during such period of temporary service, the estimated reasonable costs incurred by the City to furnish such temporary service, and a reasonable amount to compensate the City for any damages or theft that may occur to City facilities as a result of the temporary service. The applicant shall be liable to the City for any such costs in excess of the amount of the deposit. Any unused portion of such a deposit shall be refundable to the applicant.

(Ordinance 630 § 1 (part), 1963; Prior Code § 7320.3).

SECTION 14.08.040: ~~Outside city deposits~~City Limits Deposits

The deposit for consumers outside the city limits shall be the same as for consumers inside the city limits.

(Prior Code § 7320.4).

SECTION 14.08.050: ~~Turning on water~~Water

a.— (A) If an account for any billing period is overdue as defined in Section 14.12.080, a service charge for costs incurred for additional handling shall be added to the account for the billing period and shall be paid by the customer as a part of the charges due.

b.— (B) If any customer fails to comply with all provisions as set forth in this ~~title~~Title, or to pay any charges imposed ~~in this section~~ in the time and manner provided, the ~~director of the department~~Public Works Director or his designee shall have the water turned off.

c.— (C) Any water service turned off shall not be turned on again until payment of the amount due plus a service charge for turning on the water is made.

d.— (D) For ~~city~~City services rendered to a customer, other than during regular working hours and unrelated to overdue bills, the ~~city~~City shall charge a fee equal to the cost of performing the requested service.

e.— (E) Service charge fees are established annually ~~by the city council~~ by City Council Resolution and are on file with the ~~city clerk~~City Clerk.

(Ordinance 1607 § 1, 1977; Ordinance 1532 § 2, 1976; Ordinance 1459 § 1, 1975; Ordinance 1410 § 2, 1974; Ordinance 834 § 1 (part), 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7320.5).

SECTION 14.08.060: ~~Charge~~Change of addressAddress

Water service shall not be given to any consumer ~~upon~~until charges owing thereof at a former place of residence or business within the city are paid.

(Prior Code § 7320.6).

SECTION 14.08.070: ~~Meter location change~~Location Change

Any person desiring to change the location of a service that has already been installed shall make application to the ~~water department~~City and, upon payment in advance of the cost of time and materials, including excavating and repaving and

overhead as estimated by the ~~director's office, the water department~~ Public Works Director, the Public Works Department will cause said change to be made. (Ordinance 630 § 1 (part), 1963; Prior Code § 7320.7).

~~SECTION 14.08.080: Water stand permit~~

~~The water department is empowered to install, or cause or permit to be installed, such water stands as may be deemed necessary so that water may be drawn therefrom for spraying and for other legitimate purposes. No person shall draw water from any such stands without first obtaining a permit as provided in this section. Permits shall only be issued to applicants holding a valid business license in the city. A charge of five dollars shall be made for such permit which shall specify the approximate amount of water and the purpose for which it is to be used. The applicant shall make such additional deposit and furnish such equipment and fittings for taking water from the water stands as the department may require.~~

~~(Ordinance 630 § 1 (part), 1963; Prior Code § 7320.8).~~

SECTION 14.08.090: Private fire protectionFire Protection

(A) Whenever a service is installed for private fire protection, a charge shall be made for all labor, fire detector check, and/or other approved devices, together with all appurtenant materials and engineering plus administrative overhead costs. Such service shall be used only in case of fire or other purposes expressly provided in this sectionSection. Use of such private fire protection service for any other purpose than provided in this sectionSection is a misdemeanor.

~~However, should~~(B) Should it be necessary to use water through a fire line meter for the purpose of testing or maintaining a private fire prevention system or fire department, ~~the water department~~ Fire Department, the Public Works Director shall authorize such use upon the receipt of a written request stating:

1. — (1) Date and time of use;
2. — (2) Purpose;
3. — (3) Estimated quantity of water to be used; and
4. — (4) Estimated maximum flow.

~~Provided, however, that the director~~(C) The Public Works Director or his designee may restrict such nonemergency flows ~~which~~that may be detrimental to or tend to dewater the system.

(Ordinance 630 § 1 (part), 1963; Prior Code § 7320.9).

SECTION 14.08.100: Fire hydrantsHydrants

a. ~~(A)~~ Fire hydrants shall be installed in the location specified by the ~~director~~Public Works Director or his designee. If a property owner or other party ~~desires~~desires a change in the size, type, or location of such hydrants, he shall bear all costs of such changes, without a refund. Any change in the location of a fire hydrant must be approved by the ~~superintendent~~. Public Works Director or his designee.

b. ~~(B)~~ Whenever on-site fire hydrants are required under Section 14.24.090 at locations other than on public streets, the property owner or developer shall provide the hydrants, connecting mains, appurtenant fittings, and easements ~~in accordance with City standards~~.

(Ordinance 1460 § 1, 1975; Ordinance 1441 § 1, 1975; Ordinance 1331 § 2, 1973; Ordinance 842 § 1, 1965; Ordinance 834 § 1 (part), 1965; Prior Code § 7320.10).

SECTION 14.08.110: Testing metersMeters

~~(A)~~ Any customer may demand that the meter through which water is being furnished be examined and tested by the ~~city~~City for the purpose of ascertaining whether or not it is registering accurately the amount of water ~~which~~that is being delivered through it. Such demand shall be made in writing and shall be accompanied by a deposit equal to the cost of performing such a test, as such cost is determined by the ~~director~~Director. A statement of the fee to be charged shall be on file in the ~~office of the city clerk~~City Clerk's Office. Upon receipt of such demand, it shall be the duty of the ~~director~~Public Work's Director or his designee to cause the meter to be examined and tested. If, on such an examination and test, the meter is found to register over three percent ~~(3%)~~more water than actually passes through it, another meter will be substituted ~~therefor~~therefore, and the deposit amount shall be refunded to the person making the application and the water bill for the current period adjusted in such a manner as the ~~director~~Director may deem fair and just. If the meter is found to register not over three percent ~~(3%)~~fast, the deposit amount shall then be forfeited to the ~~city~~City and the water bill paid as rendered.

~~(B)~~ A customer or his authorized representative may be present to witness the test.

(Ordinance 1532 § 1, 1976; Ordinance 1459 § 2, 1975; Ordinance 834 § 2, 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7320.11).

SECTION 14.08.120: Separate meter serviceMeter Service for each property or residenceEach Property or Residence

Each property, residence, main building, or structure shall have a separate meter service unless otherwise approved by the ~~water director~~Public Works Director or his designee.

(Ordinance 959 § 1 (part), 1967; Prior Code § 7320.12).

SECTION 14.08.130: Resale of ~~water~~Water

Except by special agreement with the ~~city~~City, no consumer shall resell any of the water received by ~~him~~ from the ~~city~~City, nor shall such water be delivered to premises other than those specified in ~~his~~the application for service. (Ordinance 959 § 1 (part), 1967; Prior Code § 7320.13).

CHAPTER 12: RATES

SECTION 14.12.010: Rates and charges

(Section 14.12.010 is being amended pursuant to a separate Ordinance.)

SECTION 14.12.030: Private ~~fire service~~Fire Service

The bimonthly charge for private fire service protection shall be as follows:

Size of Fire Detector Check (in inches)	Bi-Monthly Rate
2 or less	\$11.00
3	14.00
4	19.00
6	29.00
8	38.00
10	48.00
12	58.00

(Ordinance 2128 § 2, 1989; Ord 2038 § 2, 1988; Ordinance 1824 § 2, 1983; Ordinance 1530 § 2 (part), 1976; Ordinance 1459 § 4, 1975; Ordinance 834 § 1 (part), 1965; Prior Code § 7330.3).

SECTION 14.12.040: Vacant ~~dwellings~~Buildings

In case a ~~house~~building becomes vacant, the rates and charges established pursuant to Sections 14.12.010 and 14.12.030 ~~regular demand or flat rate~~ shall continue to be charged and collected from the owner thereof ~~whether water is used or not~~, until and unless the ~~city~~City is notified in writing of the fact that the property is unoccupied and the ~~city~~City is requested to cut off the water service therefrom. (Ordinance 834 § 1 (part), 1965; Ordinance 630 § 1 (Part), 1963; Prior Code § 7330.4).

SECTION 14.12.050: Meter ~~failure~~Failure

If a meter fails to register during any period or is known to register inaccurately, the consumer shall be charged with an average daily consumption according to the season as shown by the meter when in use and registering accurately in the previous year. (Prior Code § 7330.5).

SECTION 14.12.060: Temporary ~~service~~Service

Application shall be made to the ~~water department~~Public Works Department for any temporary service desired by contractors, buildings, or other applicants for water. Upon the deposit of such sum as the ~~water director~~Public Works Director may require, a meter may be furnished for such service. The charges for such service where the water is metered shall be charged at the established rates for other customers. If, in the determination of the ~~water director~~Public Works Director, the setting of a meter is impracticable or uneconomical for the supply of construction water, the quantity of such unmetered water shall be determined by the ~~director~~Director and charged at the established rates for other customers. (Ordinance 834 § 2, 1965; Ordinance 630 § 1 (part), 1963; Prior Code §7330.6).

SECTION 14.12.070: Adjustment of ~~rates~~Rates

In the event of any dispute as to a charge to a customer, the ~~director of the water department~~Public Works Director or his designee shall determine if the ~~city~~City is responsible. If, in the determination of said ~~director~~Director, the ~~city~~City is adjudged to be responsible, the ~~director of the water department~~Public Works Director may adjust the charge. If, in the determination of said ~~director~~Director, the responsibility is determined to be other than the ~~city~~City, no adjustment shall be granted. After the receipt of the decision of the ~~director of the water department~~Public Works Director regarding the responsibility of the disputed charge, the customer shall have the right to file an appeal of such determination within ten (10) days. The ~~city council~~City Council shall consider the appeal and the report of said ~~director~~Director regarding the circumstances of this determination. The ~~city council~~City Council shall decide whether or not to grant an adjustment and the decision of the ~~council~~City Council in respect thereto shall be final and conclusive.*

(Ordinance 1068 § 10, 1969; Ordinance 983 § 1, 1968; Ordinance 630 § 1 (part), 1963; Prior Code § 7330.7).

* A ~~manual of council procedure~~Manual of City Council Procedure is on file in the ~~office of the city clerk~~City Clerk's Office.

SECTION 14.12.080: Bill ~~payment~~Payment

All water bills shall be due and payable upon presentation and shall become delinquent thirty- five (35) days thereafter. Provided, further, all charges for labor furnished as well as all other service charges shall constitute a valid and subsisting claim in favor of the ~~city~~City and against the owner of the property and/or the person to whom such services are rendered. If an account is not paid on or before the expiration of forty-two (42) days after presentation, the ~~director of the department~~Public Works Director may turn off the water and discontinue such service. In case the water is turned off, as herein provided, it shall not be turned on again until all charges for services rendered at the point of service and ~~which~~that are delinquent have been fully paid.

(Ordinance 1607 § 2, 1977; Ordinance 834 § 1 (part), 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7330.8).

SECTION 14.12.090: Bimonthly ~~billing~~ Billing

Customers shall be billed on a bimonthly basis.
(Ordinance 834 § 1 (part), 1965; Prior Code Code § 7330.9).

~~**SECTION 14.12.100: Rate change effective dates**~~

~~Billing at the rates established pursuant to Section 14.12.010 shall become effective after the next regularly scheduled meter reading date for metered accounts following the effective date of the ordinance establishing such rates. Billing at the rates established pursuant to Section 14.12.030 shall commence at the effective date of the ordinance establishing such rates.
(Ordinance 1530 § 2 (part), 1976; Ordinance 959 § 1 (part), 1967; Ordinance 834 § 1 (part), 1965; Prior Code § 7330.10).~~

CHAPTER 16: USAGE REGULATED

SECTION 14.16.010: Waste in ~~plumbing~~ Plumbing

Any person who, as owner or occupant of any premises, fails, refuses, or neglects to maintain said premises with plumbing of such character and quality as to prevent the wasting of water, shall, ten (10) days after being served by the ~~director~~ Public Works Director or his designee by written notice of such intention, have all water service discontinued pending such repairs.
(Prior Code § 7340).

SECTION 14.16.020: Irrigation, ~~sprinkling~~ Sprinkling, etc

The use of water for irrigation, sprinkling, wetting, construction, or industrial purposes may be restricted, if and when such use is contrary to the public safety or welfare.
(Prior Code § 7341).

SECTION 14.16.030: Pools and ~~tanks~~ Tanks

(A) When an abnormally large quantity of water is desired for filling a swimming pool or for other purposes, arrangements must be made with the ~~water department~~ Public Works Department prior to taking such water.

(B) Permission to take water in unusual quantities shall be given only if it can be safely delivered through the ~~city~~ City's facilities and if other consumers are not inconvenienced.

(Ordinance 630 § 1 (part), 1963; Prior Code § 7342).

SECTION 14.16.040: Consumers ~~outside city~~ Outside City

Sale may be made to consumers outside the city limits in accordance with all rules, regulations, and rates only on the recommendation of the ~~director~~ Public Works Director and with the approval of the ~~city council~~ City Council.*
(Prior Code § 7343).

* A ~~manual of council procedure~~ Manual of City Council Procedure is on file in the office of the ~~city clerk~~ City Clerk's Office.

SECTION 14.16.050: Shutting off water~~Off Water for repairs~~**Repairs**

The water department ~~City~~ reserves the right to shut off the water in their ~~its~~ mains for the purpose of making extensive ~~or emergency~~ repairs, or for any other purposes found necessary. The city ~~City~~ shall not be responsible for any damages which ~~that~~ may occur due to water shutoffs. The owner and/or consumer shall be conclusively presumed to have made all necessary precautions in compliance with the ~~building codes~~ Building Codes and regulations of the ~~plumbing code~~ Plumbing Code in anticipation of emergency shutoffs.

(Prior Code § 7344).

SECTION 14.16.060: Pressures

The water department ~~City~~ will endeavor to maintain such pressures as recommended by the National Board of Fire Underwriters. In the event any consumer deems that pressures are inadequate, the consumer shall furnish at his own expense whatever devices are necessary to boost the pressure for his own premises. In the event water pressures are in excess of any consumer's normal requirements, it shall be the responsibility of such water consumer to install such devices on his own premises to protect his plumbing and/or to reduce the pressure for his normal needs.

(Ordinance 630 § 1 (part), 1963; Prior Code § 7345).

~~SECTION 14.16.070: Waste of water prohibited~~

~~No water user shall waste any water supplied through the distribution facilities of the city of Garden Grove.~~

~~The following practices constitute "waste" of water as referenced in this section: The watering of grass, lawns, ground cover, shrubbery, open ground, crops and trees, including agricultural irrigation, in a manner or to an extent which allows a substantial quantity of excess water to run off the area being watered. Every water user is deemed to have its water distribution lines and facilities under its control at all times and to know the manner and extent of its water use and excess run-off; or~~

~~The escape of water through breaks or leaks within the water user's plumbing or distribution system for a period in excess of twenty four hours within which the break or leak should reasonably have been discovered and corrected. It shall be presumed that a period of eight hours, after the water user actually discovers the leak or break, is a reasonable time to correct the leak or break.~~

~~(Ordinance 2212 § 1, 1992).~~

~~SECTION 14.16.080: Violation an infraction or misdemeanor~~

~~Any person violating any of the provisions of Section 14.16.070 in the first instance is guilty of an infraction. Any person violating these provisions for the second or additional instances is guilty of a misdemeanor.~~

~~(Ordinance 2212 § 2, 1992).~~

CHAPTER 20: PROTECTIVE MEASURES

SECTION 14.20.010: Changes or ~~damages~~Damages to mainsMains and ~~fitting~~Fitting

The ~~director~~Public Works Director or his designee shall be given a written notice a minimum of ten (10) days prior to any street improvements ~~which~~that are to be performed ~~which~~that will cause the relocation of existing water mains, fittings, meters, or other water equipment. Any changes ~~which~~that are required or any damages ~~which~~that may occur to such mains, fittings, meters, or other water equipment without fault or negligence of the ~~city~~City, shall be chargeable to the person or agency requiring said work to be done.

(Prior Code § 7350).

SECTION 14.20.020: ~~Cross-connection control program~~Connection Control Program

(A) To comply with the regulations of the Department of Health Services, the ~~director of public services~~City Manager or his designee shall establish, and from time to time amend, rules and regulations regarding the state-mandated Cross Connection Control Program. These rules and regulations shall be in compliance with the Regulation Rules of Service, as found in Title 17 of the California Code of Regulations of the ~~state~~State of California. A copy of the rules and regulations as so adopted shall be on file with the ~~city clerk~~City Clerk.

(B) Any violation of any of the rules and regulations shall constitute a misdemeanor.

(Ordinance 2140 § 1, 1990; Ordinance 630 § 1 (part), 1963; Prior Code § 7351).

SECTION 14.20.030: ~~By-pass connections~~Pass Connections

Any by-pass or connection around the meter between the service and the main shall be prohibited. All water used, except as provided in case of private fire service, shall pass through the meter.

(Prior Code § 7352).

SECTION 14.20.040: Connection to ~~private source~~Private Source

Any and all connections shall be prohibited between any private water source and the water supply of the ~~city~~City. Provided, however, subject to the approval of the ~~state~~State Board of Health, the ~~city~~City may maintain emergency connections with other public utilities supplying water.

(Prior Code § 7353).

SECTION 14.20.050: Shut-off ~~valves~~Valves

All shut-off valves and service cocks are installed by the ~~water department~~Public Works Department for the use of the ~~city~~City. Such shut-off valves shall not be operated by the consumercustomer, except in extreme emergency. If the shut-off valve is broken by a plumber or resident, the responsible party is liable for repairs and/or replacement. For ordinary usage, all ~~consumers~~customer shall provide their

own valves and shut-off cocks between the water meter and the first outlet placed by the consumer.

(Ordinance 630 § 1 (part), 1963; Prior Code § 7354).

SECTION 14.20.060: Services and ~~meters deemed property~~ Meters Deemed Property of the city

(A) All water services and water meters installed by the ~~water department~~ Public Works Department shall remain at all times the property of the ~~city~~ City and shall be maintained, repaired, and renewed by the ~~water department~~ Public Works Department when rendered unserviceable by the normal wear and tear.

(B) Where replacements, repairs, or adjustments of any meter are rendered necessary by any act resulting from malice, carelessness, or neglect of the consumer or any member of his family, or any one employed by him, and any damage ~~which that~~ may result from hot water, or steam from water heater, boiler, or otherwise, shall be charged to and paid for by such consumer to ~~said water department~~ the City on presentation of bill ~~therefor~~ therefore; and in case such bill is not paid, the water shall be shut off from such premises and shall not be turned on again until all charges are paid. No person shall interfere with or remove from any service, or cause to be interfered with or removed from any service, any water meter ~~where it has been attached and/or the locking device from the water meter.~~

(Ordinance 630 § 1 (part), 1963; Prior Code § 7355).

SECTION 14.20.070: Meter ~~box obstruction~~ Box Obstruction

Water meters and meter boxes are and shall remain the property of the ~~city~~ City, and no person shall damage or interfere with them, or place dirt, trash, leaves, or lawn cuttings, or other obstructions on or over the meter boxes; and no person shall place garbage or rubbish boxes, cans, or barrels on them.

(Prior Code § 7356).

CHAPTER 24: MAIN AND SERVICE EXTENSIONS

SECTION 14.24.010: Application, ~~deposits~~ Deposits, and ~~installation~~ Installation

(A) Any person who, as owner, developer, or subdivider of a single lot, subdivision, or parcel of land, desires the extension of water mains and services to such lot, subdivision, or parcel ~~of~~ of land, shall file a written application with the ~~water department~~ Public Works Department.

(B) In the event such application be approved in the manner provided herein, said owner, developer, or subdivider shall deposit with ~~city~~ City, cash or bond, and agreement in an amount determined by the ~~water director~~ Public Works Director or his designee to be the total estimated cost of such mains including all labor, pipe valves, fittings, fire hydrants, and all appurtenances necessary for a complete system exclusive of services and water meters, plus

administrative overhead charges. The deposit shall also include ~~tapping fee and the service connection~~ charges as established ~~in pursuant to~~ Section 14.08.020. Upon proper application, meters will be installed in accordance with the charges established ~~in pursuant to~~ Section 14.08.020.

(C) ~~If and when said owner, developer, or subdivider has complied with all requirements of the water department~~City, the ~~water department~~Public Works Department shall construct or cause to be constructed such mains and services ~~which that~~ shall become and remain the property of the ~~city~~City.

(Ordinance 834 § 1 (part), 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7360).

SECTION 14.24.020: Extension ~~approval~~Approval

Several persons may join in an application for extension of water mains. Any extension of water mains and services estimated to cost ~~two~~thirty thousand dollars (\$30,000) or over shall require the approval of the ~~city council~~City Council. Extensions estimated to cost less than ~~two~~thirty thousand dollars (\$30,000) may be made on the approval of the ~~director of the water department~~Public Works Director.

(Ordinance 630 § 1 (part), 1963; Prior Code § 7360.1).

SECTION 14.24.030: Location, ~~size~~Size and ~~type~~Type of facilitiesFacilities

The ~~water department director~~Public Works Director shall determine the location of mains in streets, alleys, and easements and determine the size of such mains, type and make of valves, fire hydrants, fittings, consumer services, and all other appurtenances deemed necessary for applying water to the property served.

(Ordinance 834 § 2, 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7361).

SECTION 14.24.040: Transmission ~~mains~~Mains

(A) Where it is necessary to construct transmission mains in response to an application for water service and said transmission mains are designed with a capacity to provide water in excess of the needs of the area to which the main extensions are made, said transmission mains, when larger than eight (8) inches in diameter, shall be paid for jointly by the ~~city~~City and the owner, developer, or subdivider for whose immediate requirement such extension is made.

(B) In no instance, however, shall the owner, developer, or subdivider for whose benefit extensions are made pay less than one-third the cost of such transmission mains. However, the ~~city~~City shall recognize the vested interests of the initial applicant under the provisions of this ~~section~~Section and after the ~~city~~City's cost has been returned under Section 14.24.050, the ~~city council~~City Council may elect to reimburse the initial applicant for the amount deposited or amount in aid of construction over his share of the water main cost.

Verification of actual construction costs must be submitted and certified as true and correct prior to issuance of any reimbursement agreement.

(Ordinance 834 § 1 (part), 1965; Prior Code § 7362).

SECTION 14.24.050: Assessment fees Fees

An owner, developer, or subdivider of undeveloped or redeveloped property being served by the water department City, making application for new water service, shall pay a proportionate share for waterworks facilities in accordance with the following schedule (A) and formula (B):

a. ACREAGE ASSESSMENT

Schedule	Land	Fee
A	Single-family/residential	\$950.00/Acre
B	All multiple residential	\$1,400.00/Acre
C	Commercial and industrial	\$750.00/Acre
+D	Central industrial district	\$300.00/Acre

b. FRONT FOOTAGE ASSESSMENT

Type of frontage

Nonarterial streets \$4.50/front foot

Arterial streets \$8.00/front foot

Front footage assessments shall only be levied on existing recorded frontage to the public right-of-way. Frontage created and dedicated to the city in conjunction with a development will not be considered in the calculation of the frontage portion of the assessment fee.

All water systems and areas served, developed or not developed, shall be subject to all applicable water assessments unless otherwise specified.

The central industrial district is the area bounded by Knott Avenue, Chapman Avenue, Southern Pacific Railroad and Garden Grove Boulevard.

For the purpose of determining acreage to calculate the assessment charged, no portion of a public street, highway, or alley which has been dedicated for public use shall be included in the acreage computations.

The provisions of this sSection shall not be applicable to any eCity-owned property being used or developed for public purposes.

(Ordinance 2039 § 1, 1988; Ordinance 1460 § 3, 1975; Ordinance 1331 § 3, 1973; Ordinance 834 § 1 (part), 1965; Prior Code § 7363).

SECTION 14.24.060: Assessment fee exemptions Fee Exemptions

(A) When persons make application for water service for property not exempted under other provisions and which is within the limits of Orange County Waterworks District No. 3, they shall pay for waterworks facilities in accordance with sSubsection A of Section 14.24.050, except that the

fees paid shall be eighty percent (80%) of the fees listed in ~~s~~Subsection A of Section 14.24.050.

(B) Residential lots, which are part of any legal subdivision and which abut a dedicated street, alley or easement in which water system facilities were installed by the subdivider, shall be exempt from the fees required under Section 14.24.050 when proposed to be developed as low density residential use. If no water system facilities exist in a dedicated street, alley or easement abutting such lot or lots, or if medium-density or high-density residential use is proposed, all applicable provisions of this code shall be in effect.

(C) All existing developed properties ~~which~~that are not a part of an area being redeveloped and ~~which~~that are receiving water service from the ~~city~~City shall be exempt from those assessments required under Section 14.24.050. Land being redeveloped, ~~and~~ ~~which~~that has not previously satisfied the assessment fee, ~~will~~ be subject to the assessment required under Section 14.24.050.

(D) Redevelopment of land is defined as follows:

- 1.— (1) Land recycled through the raw land status; ~~or~~
- 2.— (2) Parcel consolidation that destroys and/or erodes the basic water system facilities; or
- 3.— (3) When the nature of the land is changed to a use requiring fire flow capability greater than previously.

(E) Developed land is defined as a legally recorded parcel of land with a permanent building or buildings for use as a residence or business. (Ordinance 1533 § 1, 1976; Ordinance 1460 § 4, 1975; Ordinance 1441 § 2, 1975; Ordinance 983 § 2, 1967; Ordinance 834 § 1 (part), 1967; Prior Code § 7363.1).

SECTION 14.24.070: ~~Water right~~Right to be deeded~~Deeded~~

Whenever land is to be subdivided, any water wells, mains, ~~and~~ easements needed ~~therefor~~ ~~which~~therefore ~~that~~ may be appurtenant thereto, ~~or~~ ~~which~~that may be used exclusively thereon shall be deeded to the ~~city~~City in consideration of the ~~city~~City's approving any application for ~~city~~City water to be placed for such tract or subdivision. The deed to the ~~city~~City shall be executed before any such application is approved by the ~~city council~~City Council; provided, however, that where water wells and equipment as described in this ~~section~~Section are used to supply water to additional land not subdivided, such wells and equipment may continue to supply the unsubdivided portion previously served until such time as the total area served is subdivided into four (4) or more parcels of land containing five (5) acres or less. (Prior Code § 7364).

SECTION 14.24.090: ~~Timing of Installation and Water supply~~Supply for building~~Building -- Fire protection~~Protection

(A) No building permit shall be issued for the construction, addition, alteration or change in use of any building or portion thereof within the city unless there is, or is made available, a water system including conduits, pipes, hydrants or other appurtenances for supplying and distributing a domestic water supply and with mains sufficient to furnish and provide fire protection to the standards as set forth in ~~Section 14.24.100.~~the California Fire Code.

(B) This requirement will not apply to the following unless the fixture unit water demand, as determined by the ~~development services director~~City Manager or his designee, requires an increase in the existing water service size:

1. — (1) Single family dwelling alteration and/or addition;

2. — (2) Existing commercial building alteration only.

(Ordinance 738 § 1 (part), 1964; Prior Code § 7365).

SECTION 14.24.100: ~~Water supply standards~~Supply Standards

The standards for water supply are as provided in the following:

a. — (1) City of Garden Grove Master Water Plan, January, 1964, Phases 1, 2 and 3; latest version.

b. — ~~National Board of Fire Underwriters' Bulletins and Standard Schedule;~~

c. — ~~The plumbing code of the city;~~

(2) International Organization of Standardization Ratings.

(3) California Plumbing Code, latest version.

d. — (4) Water Design Specification, water department, July, 1963, or latest revision; Water Standard Specifications, as set forth in the City of Garden Grove Public Works Department Standard Plans and Specifications, 2007 Edition or latest revision.

e. — (5) Water System Specifications, water department, February, 1964, or latest revision. American Water Works Association Standards, latest edition.

(Ordinance 738 § 1 (part), 1964; Prior Code § 7366).

SECTION 14.24.110: ~~Administrative procedures~~Procedures

The ~~director of the water department~~Public Works Director shall establish administrative procedures necessary to fulfill these requirements.

(Ordinance 738 § 1 (part), 1964; Prior Code § 7367).

SECTION 14.24.120: Appeal ~~procedure~~Procedure

(A) ~~In the event the owner of any subjected property cannot comply with the requirements specified in this chapter~~Chapter or for good reason determines that an extreme hardship will result by the application of these requirements, the owner may file with the ~~director of the water department~~Public Works Director an appeal to specific provisions of this ~~chapter~~Chapter that cannot be complied with or ~~which~~that may create the hardship. The appeal shall contain all the facts offered in support of the appeal and shall show in detail the reasons why the appeal should be granted.

(B) ~~Within thirty (30) days after filing of the appeal, the director of the water department~~Public Works Director shall investigate the matter and, on the basis of information submitted in the appeal, along with any other available information, shall report to the ~~city council~~City Council with recommendations for granting or denying the appeal, or modifying the requirements as they relate to the specific property made the subject of the appeal.

(C) ~~Upon receipt of the report of the director of the water department, the city council~~Public Works Director, the City Council shall consider the appeal and the report of the ~~director of the water department~~Public Works Director and, within fourteen (14) days, the ~~city council~~City Council shall decide whether or not the appeal should be granted or if a modification of specific provisions of this ~~chapter~~Chapter is necessary in order to assure that the application of this ~~chapter~~Chapter is equitable and that substantial justice will be done.

(D) ~~The decision of the city council~~City Council shall be by resolution ~~which~~Resolution that shall recite all of the findings of the ~~city council~~City Council and the reasons for the decision. ~~The decision of the city council~~City Council is final and conclusive and no new appeal concerning the same issue and the same property may be filed within a period of one (1) year from the date of the ~~city council resolution~~City Council Resolution.

(Ordinance 834 § 1 (part), 1965; Ordinance 738 § 1 (part), 1964; Prior Code § 7368).

SECTION 14.24.130: Fee ~~deferral~~Deferment

The ~~city council~~City Council may defer, upon written request containing facts offered in support thereof, the payment of fees required by the provision of this ~~chapter~~Chapter for civic, religious, and youth organizations located within the city. All fees deferred shall be due and payable on or before the last day that deferment is granted by the ~~city council~~City Council.

(Ordinance 1257 § 2, 1972).

CHAPTER 28: NEW SUBDIVISIONS AND ANNEXATIONS

SECTION 14.28.010: Owner ~~responsibility~~Responsibility

Except as provided in this ~~chapter~~Chapter, at the time of laying out and subdividing or resubdividing any tract or parcel of land within the city, or upon the annexation

of any parcel of land, either developed or undeveloped, the owner or owners of such tracts, lands, or annexations shall at their own expense provide for such water mains, submains, and metered water services as may be necessary for the distribution of water to each lot, piece, or parcel of land. When installed, such mains, submains, and service shall become and be the property of the ~~city~~City, and dedicated to the ~~city~~City for the purpose of distributing water to said lands. (Prior Code § 7370).

SECTION 14.28.020: Application for ~~service~~Service -- Installation ~~cost~~Cost

The owner or owners of proposed subdivisions, or of property being annexed, shall apply to the ~~water director~~Public Works Director for water service. The ~~director~~Director shall thereupon make or cause to be made plans and estimates to determine the probable cost of required installation. Mains, submains, and services shall be of such size and kind as shall, in the opinion of the ~~director~~Director, be adequate to supply the tracts or annexations with water at proper pressure for fire protection based upon the National Board of Fire Underwriters' standard having due regard to requirements of adjacent lands and the growth of the city. (Ordinance 834 § 2, 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7370.1).

SECTION 14.28.030: Inspections and ~~fees~~Fees

The ~~water services manager~~Public Works Director or his designee may, at his discretion, authorize the applicant to make the installation at applicant's own cost and in conformity with the specifications set forth by the ~~water department~~Public Works Department. All construction of the water system shall be subject to inspection by the ~~city~~City. Any applicant shall arrange for inspection prior to the start of construction of the water system. Before commencing any improvements, the applicant shall pay an inspection fee as established by ~~city council~~City Council Resolution.

(Ordinance 2290 § 1 (18), 1994; Ordinance 834 § 2, 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7370.2).

SECTION 14.28.040: Purchase of ~~facilities on annexed property~~Facilities on Annexed Property

Whenever real property is annexed to the ~~city~~City which real property has already installed therein existing water facilities which ~~that~~meet the standards and requirements of the ~~water department~~, ~~the city council~~Public Works Department, ~~the City Council~~ may authorize purchase of such facilities if the owners thereof are willing to sell, and the ~~city council~~City Council may or may not require the owners of the real property being annexed and being served by such facilities to pay the cost thereof. Should the ~~city council~~City Council be unable to, or unwilling to purchase such water facilities, it may allow such annexed property to continue to be served through the existing facilities by motion recorded in ~~its~~the official minutes. (Ordinance 630 § 1 (part), 1963; Prior Code § 7370.3).

SECTION 14.28.050: Pipeline ~~right~~Right-of-wayWay -- Underground ~~water~~Water

- a.— (A) Prior to submitting the record map for a subdivision or tract development, quit-claims in favor of the ~~city~~City shall be obtained by the developer from all persons having any interest in existing rights-of-way for pipeline for the conveyance of water and for all rights to all underground water.
- b.— (B) The subdivider shall convey the rights to all underground water, but without the right of entry to the surface thereof, to the ~~city~~City.
(Prior Code § 7371).

SECTION 14.28.060: Easements

The developer shall cause no easements to be granted nor recorded over any portion of the property shown on the submitted ~~record map~~Record Map between the ~~tentative map~~Tentative Map approval date by the ~~planning commission~~Planning Commission and the recording date of the ~~final~~Final or ~~record map~~Record Map by the ~~county recorder~~County Recorder.
(Prior Code § 7372).

CHAPTER 32: PERSONNEL IDENTIFICATION

SECTION 14.32.010: Carrying ~~identification cards~~Identification Cards

An official identification card shall be carried or worn by inspectors, foremen, meter readers, and all employees who in line of duty may be required to enter upon private premises.
(Prior Code § 7380).

SECTION 14.32.020: Right of ~~entry~~Entry

Upon presentation of official identification, any officer, inspector, foreman, meter reader ~~of, or~~ authorized employee of the ~~city~~City on official business, shall be allowed free access at all reasonable hours, to any premises supplied with ~~city~~City water.
(Ordinance 630 § 1 (part), 1963; Prior Code § 7381).

SECTION 14.32.030: Refusal of ~~admittance~~Admittance

Any person who, as owner or occupant of any premises, refuses admittance to, or hinders or prevents inspection by an authorized employee of the ~~water department~~Public Works Department, may, after service of twenty-four (24) hour notice of intention, have all the water cut off.
(Ordinance 630 § 1 (part), 1963; Prior Code § 7382).

SECTION 14.32.040: Identification ~~cards~~Cards to be turned inTurned In

Every officer or employee, upon resignation or dismissal from the ~~water department~~Public Works Department, shall surrender and deliver to the proper officials all identification cards, badges, and credentials of the ~~water department~~Public Works Department.
(Ordinance 630 § 1 (part), 1963; Prior Code § 7383).

SECTION 14.32.050: Unauthorized use of official identification
Official Identification

No unauthorized person shall possess, carry, wear, or exhibit any badge and/or official identification of the ~~water department~~Public Works Department, nor shall any person, whether or not possession be authorized, display, exhibit, or cause to be exhibited any badge or other official identification of the ~~water department~~Public Works Department, at any time, place or in any manner or for any purpose ~~which that~~ is not authorized by the ~~water director~~Public Works Director.
(Ordinance 834 § 2, 1965; Ordinance 630 § 1 (part), 1963; Prior Code § 7384).

CHAPTER 36: CONSTRUCTION AND ABANDONMENT OF WATER WELLS

SECTION 14.36.010: County ordinances adopted
Ordinances Adopted

Article 2, Section 4-5-14 through Section 4-5-31 of the Orange County Code entitled "~~Construction and abandonment~~Abandonment of water wellsWater Wells," and fee schedule adopted by the ~~county~~County of Orange, all as amended from time to time, are adopted by reference by the city. ~~Three copies of the ordinances and amendments thereto and the fee schedule are on file in the office of the city clerk. The city~~City. The City may from time to time adopt by ordinance Ordinance additional provisions relating to these sections ~~which~~Sections that are not codified but shall be available in the ~~office of the city clerk~~City Clerk's Office. All construction and deconstruction of water wells shall also be performed in compliance with State law and administrative regulations, including, but not limited to Bulletin 74-81 and Bulletin 74-90 published by the California Department of Water Resources.

(Ordinance 1952 § 1, 1986).

CHAPTER 40: WATER CONSERVATION PROGRAM

SECTION 14.40.010: Application

The provisions of this ~~chapter~~Chapter shall apply to all persons, customers, and property served by ~~city~~City water services.
(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

SECTION 14.40.020: Authorization

The ~~city manager or a designated representative~~City Manager or his designee is authorized and directed to implement the provisions of this ~~chapter~~Chapter.
(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

SECTION 14.40.025: Permanent water conservation requirements—
prohibition against waste
Water Conservation Requirements – Prohibition Against Waste

The following water conservation requirements shall be effective at all times, including, but not limited to, during the water conservation stages set forth in this Chapter, and are permanent. Violations of this Section will be considered waste and an unreasonable use of water.

- a. ~~Limits on Watering Hours~~(1) LIMITS ON WATERING HOURS: Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of 10:00 a.m. and 6:00 p.m. Pacific Time on any day, except by use of a hand-water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.
- b. ~~Limit on Watering Duration~~:(2) LIMIT ON WATERING DURATION: Watering or irrigating of lawn, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than fifteen (15) minutes watering per day per station. This subsection does not apply to landscape irrigation systems that exclusively use very low-flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour and weather-based controllers or stream rotor sprinklers that meet a seventy ~~(70%)~~-percent (70%) efficiency standard.
- c. ~~No Excessive Water Flow or Runoff~~:(3) NO EXCESSIVE WATER FLOW OR RUNOFF: Watering or irrigating of any lawn, landscape, or other vegetated area in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter, or ditch is prohibited.
- d. ~~No Washing Down Hard or Paved Surfaces~~(4) NO WASHING DOWN HARD OR PAVED SURFACES: Washing down hard or paved surfaces, including, but not limited to, sidewalks, walkways, driveways, parking areas, tennis courts, patios, or alleys, is prohibited, except when necessary to alleviate safety or sanitary hazards, and then only by use of a hand-held bucket or similar container; a hand-held hose equipped with a positive self-closing water shut-off device; a low-volume, high- pressure cleaning machine equipped to recycle any water used; or a low-volume high- pressure water broom.
- e. ~~Obligation to Fix Leaks, Breaks, or Malfunctions~~:(5) OBLIGATION TO FIX LEAKS, BREAKS, OR MALFUNCTIONS: Excessive use, loss, or escape of water through breaks, leaks, or other malfunctions in the water ~~users~~user's plumbing or distribution system for any period of time after such escape of water should have reasonably been discovered and corrected, and in no event more than seven (7) days of receiving notice from the City, is prohibited.
- f. ~~Re-circulating Water Required for Water Fountains and Decorative Water Features~~:(6) RE-CIRCULATING WATER REQUIRED FOR WATER FOUNTAINS AND DECORATIVE WATER FEATURES: Operating a water fountain or other decorative water feature that does not use re- circulated water is prohibited.

g. ~~No Installation of Single Pass Cooling Systems:(7)~~ NO INSTALLATION OF SINGLE PASS COOLING SYSTEMS: Installation of single pass cooling systems is prohibited in buildings requesting new water service.

h. ~~No Installation of Non-Re-Circulating Systems in Commercial Car Wash and Laundry Operations:(8)~~ NO INSTALLATION OF NON-RE-CIRCULATING SYSTEMS IN COMMERCIAL CAR WASH AND LAUNDRY OPERATIONS: Installation of non-re-circulating water systems is prohibited in new commercial conveyor car wash and new commercial laundry operations.

(Ordinance 2751 § 1 (part), 2009)

SECTION 14.40.030: Mandatory conservation phase implementation
Conservation Phase Implementation

The ~~city~~City shall monitor the projected supply and demand for water by its customers on a daily basis. The ~~city manager~~City Manager, with the assistance of the ~~public works director~~Public Works Director, shall determine the extent of the ~~additional~~ conservation required through the implementation and/or termination of particular water conservation stages in order for the ~~city~~City to prudently plan for and supply water to its customers.

(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

SECTION 14.40.031: Procedure for declaring
~~and/or termination of various water conservation stages~~
Implementation and/or Termination of Various Water Conservation Stages

Based upon the daily monitoring of projected water supply and demand, the ~~city manager~~City Manager shall recommend the declaration of an appropriate stage of water conservation in accordance with the provisions of this section~~Section~~. A recommendation for implementation of any stage beyond Stage 1 (~~voluntary compliance water watch~~Voluntary Compliance -- Water Watch) shall be reported to the ~~city council~~City Council at its next regular ~~meeting~~Regular Meeting. The ~~city council~~City Council shall thereupon ratify the declaration, rescind the declaration, or direct the declaration of a different stage. The stage declared and associated regulations shall become effective immediately upon announcement.

(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

SECTION 14.40.032: Announcement of a
~~water stage declaration~~
Water Stage Declaration

The declaration of any water conservation stage beyond Stage 1 shall be made by public announcement or notice. Such announcement or notices shall be published a minimum of three (3) consecutive times in a newspaper of general circulation.

(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

SECTION 14.40.040: Water
~~conservation stages~~
Conservation Stages

No customer of the ~~city~~City shall knowingly make, cause, use, or permit the use of water supplied by the ~~city~~City for residential, commercial, industrial, agricultural,

governmental, or any other purpose in a manner in excess of the amounts authorized by this ~~chapter~~Chapter, or during any period of time other than the periods of time specified in this ~~chapter~~Chapter. At no time shall water be wasted or used unreasonably. The following stages set forth in this ~~chapter~~Chapter shall take effect upon declaration as herein provided.
(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part) 1991).

**SECTION 14.40.041: Stage 1 -- Voluntary ~~conservation~~Conservation --
~~Water watch~~Watch**

Stage 1 applies during times of regional drought when, in the spirit of cooperation, the ~~city~~City desires to assist in overall water conservation and water consumption reduction. During Stage 1, the following water conservation measures shall apply on a voluntary basis:

- a.— ~~(1)~~ Lawn watering and landscape irrigation should be limited to once every other day, within the hours authorized in ~~section~~Section 14.40.025(~~a~~1), except by use of a hand-held water shut-off nozzle or device or a drip irrigation system, as described in ~~section~~Section 14.40.025(~~b~~2), or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.
- b.— ~~(2)~~ The washing of autos, trucks, trailers, boats, airplanes, and other types of mobile equipment should be limited to once every other day unless done at a commercial car wash.
- e.— ~~(3)~~ The filling or refilling of swimming pools, spas, ponds, and artificial lakes should be limited to once every other day.
- d.— ~~Watering of golf courses, parks, schools, grounds, and recreational fields is recommended between the hours of four p.m. and ten a.m. the following morning, to minimize usage during peak hours.~~
- e.— ~~(4)~~ Restaurants should avoid serving water to their customers unless the customers specifically request it.
- f.— ~~(5)~~ It is recommended that ornamental fountains or similar structures not be operated.
- g.— ~~(6)~~ The use of water from fire hydrants should be limited to fire fighting, system testing, and related activities, for construction activities, or for other activities necessary to maintain the public health, safety, and welfare.

(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

**SECTION 14.40.042: Stage 2 -- Mandatory ~~conservation~~Conservation --
~~Water alert~~Alert**

Stage 2 applies during periods when the probability exists that the ~~city~~City will not be able to meet all of the water demands of its customers. During Stage 2, the

following water conservation measures shall apply on a mandatory basis, except when reclaimed or recycled water is used.

- a. (1) Lawn watering and landscape irrigation, including construction meter irrigation, is permitted only on designated irrigation days within the hours authorized in Section 14.40.025(1). For purposes of Stage 2 regulations, a "designated irrigation day" is determined by the last digit in the street address. Properties with addresses ending in an even number may use water for lawns and landscaping on even numbered days, and properties with addresses ending in an odd number may use water for lawns and landscaping on odd numbered days.

EXCEPTION: Watering is permitted on any day if a hand-water shut-off nozzle or device, or a drip irrigation system, as described in Section 14.40.025(b2), is used or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

- b. (2) Agricultural users and commercial nurseries as defined by the Metropolitan Water District Code are exempt from Stage 2 irrigation restrictions, but are required to curtail all ~~nonessential~~ non-essential water use. The watering of livestock and irrigation of propagation beds are permitted at any time.

- e. (3) Washing of autos, trucks, trailers, boats, airplanes, and other types of mobile equipment is permitted only on designated irrigation days between the hours of 6:00 p.m. and 6:00 a.m. the following morning. Such washing, when allowed, shall be done ~~with~~ only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off device, or a low -volume, high-pressure cleaning machine equipped to recycle any water used.

EXCEPTIONS: Washing is permitted at any time on the immediate premises of a commercial car wash. Washing also is permitted at any time where the health, safety, and welfare of the public is contingent upon frequent vehicle cleaning, such as with refuse trucks and vehicles used to transport food and perishables.

- d. (4) Filling or refilling of swimming pools, spas, ponds, and artificial lakes is permitted only on designated irrigation days between the hours of 6:00 p.m. and 6:00 a.m. the following morning.
- e. (5) Watering of golf course, parks, schools, grounds, and recreational fields is permitted only between the hours of 6:00 p.m. and 6:00 a.m. the following morning.

EXCEPTION: Golf course greens may be watered on any day.

f.— (6) The use of water from fire hydrants shall be limited to fire fighting, system testing, and related activities, for construction activities, or for other activities necessary to maintain the public health, safety, and welfare.

g.— (7) Restaurants shall not serve water to their customers except when specifically requested.

(8) The operation of any ornamental fountain or similar structure is prohibited.

(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

**SECTION 14.40.043: Stage 3 --- Mandatory ~~conservation~~ Conservation --
Water warning Warning**

(A) Stage 3 applies during periods when the city City will not be able to meet all of the water demands of its customers. During Stage 3, the following water conservation measures shall apply except when reclaimed water is used:

a.— (1) Lawn watering and landscape irrigation, including construction meter irrigation, is permitted only on designated irrigation days and only between the hours of 6:00 p.m. and 6:00 a.m. the following morning. For purposes of Stage 3 regulations, the "designated irrigation day" is determined by the last digit in the street address. Properties with addresses ending in an even number may use water on Tuesdays and Saturdays. Properties with addresses ending in an odd number may use water on Wednesdays and Sundays.

b.— (2) Agricultural users and commercial nurseries shall use water only between the hours of 6:00 p.m. and 6:00 a.m. the following morning. The watering of livestock and the irrigation of propagation beds are permitted at any time.

c.— (3) Washing of autos, trucks, trailers, boats, airplanes, and other types of mobile equipment is prohibited.

EXCEPTION:

EXCEPTIONS:

1.— (a) Washing is permitted at any time on the immediate premises of a commercial car wash.

2.— (b) Washing also is permitted where the public health, safety, and welfare is contingent upon frequent vehicle cleaning, such as with refuse trucks and vehicles used to transport food and perishables. In each such case, washing shall only be permitted by use of a hand-held bucket or similar container, a hand-held hose equipped with a

positive self-closing water shut-off device, or a low-volume, high-pressure cleaning machine equipped to recycle any water used.

- d.— (4) The use of water by all types of commercial car washes not using partially reclaimed or recycled water shall be reduced in volume by twenty percent (20%).
- e.— (5) Filling or refilling of swimming pools, spas, ponds, and artificial lakes is permitted only on designated irrigation days between the hours of 10:00 p.m. and 6:00 a.m. the following morning.
- f.— (6) The use of water softening devices is prohibited.
- g.— (7) Watering golf courses, parks, school grounds, and recreational fields is permitted only between the hours of 6:00 p.m. and 6:00 a.m. the following morning.

EXCEPTION: Golf course greens may be watered on any day.

- h.— (8) The use of water from fire hydrants shall be limited to fire fighting, system testing, and related activities, or to other activities necessary to maintain the public health, safety, and welfare.
- i.— (9) Restaurants shall not serve water to their customers except when specifically requested.

(10) The operation of any ornamental fountain or similar structure is prohibited.

k.— (11) All water leaks shall be repaired immediately.

l.— (12) New construction meters or permits for ~~un-metered~~ unmetered services will not be issued. Construction water shall not be used for earth work or road construction purposes.

m.— (B) The prohibited uses of water as described above are not applicable to that use of water necessary for public health, safety, and welfare or for essential governmental services such as police, fire, and other similar emergency services.

(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

**SECTION 14.40.044: Stage 4 -- Mandatory ~~conservation~~ Conservation --
Water emergency Emergency**

(A) Stage 4 applies during periods of severe drought and/or when a major failure of any supply or distribution facility, whether temporary or permanent, occurs in the water distribution system of the State Water Project, the Metropolitan Water District, the Municipal Water District of Orange County, or ~~city~~ City

facilities. During Stage 4, the following water conservation measures shall apply, except when reclaimed or recycled water is used:

- a.— (1) All outdoor irrigation of vegetation is prohibited.
- b.— (2) The use of water for agricultural or commercial nursery purposes, except for livestock watering, is prohibited.
- c.— (3) Washing of autos, trucks, trailers, boats, airplanes, and other types of mobile equipment is prohibited.

EXCEPTION: Such washings are exempted from the above regulation where the health, safety, and welfare of the public is contingent upon frequent vehicle cleaning, such as with refuse trucks and vehicles used to transport food and perishables. In each such case, washing shall only be permitted by use of a hand-held bucket or similar container; a hand-held hose equipped with a positive self-closing water shut-off device; or a low-volume, high-pressure cleaning machine equipped to recycle any water used.

- d.— (4) The filling, refilling or adding of water to swimming pools, spas, ponds, and artificial lakes is prohibited.
- e.— (5) The use of water-softening devices is prohibited.
- f.— (6) Watering of all golf course areas is prohibited. Watering of parks, school grounds, and recreation fields is prohibited, with the exception of plant materials classified as being rare, exceptionally valuable, or essential to the well being of rare or endangered animals, subject to the requirements of ~~section~~ Section 14.40.025.
- g.— (7) The use of water from fire hydrants shall be limited to fire fighting, system testing, or related activities necessary to maintain the public health, safety, and welfare.
- h.— (8) Restaurants shall not serve water to their customers except when specifically requested.
- (9) The operation of any ornamental fountain or similar structure is prohibited.
- j.— (10) New construction meters or permits for unmetered service will not be issued. Construction water shall not be used for earth work or road construction purposes.
- k.— (11) The use of water for commercial, manufacturing, or processing purposes shall be reduced in volume by fifty percent (50%).

~~l.~~ (12) No water shall be used for air conditioning purposes. ~~m.~~

(13) All water leaks shall be repaired immediately.

~~n.~~ (B) The prohibited uses of water as described above are not applicable to that use of water necessary for public health, safety, and welfare, or for essential governmental services such as police, fire, and other similar emergency services.

(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

SECTION 14.40.050: Notice of Violation

Except as otherwise provided in Section 14.40.090, prior to enforcement, any person who is suspected of violating this ~~chapter~~ Chapter shall be given a written notice containing the description of the violation. This person then shall have twenty-four (24) hours to correct the violation.

(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

SECTION 14.40.060: Failure to ~~comply~~ Comply

(A) Except as otherwise provided in Section 14.40.090, for the first failure to comply, the ~~city~~ City may immediately install a flow restricting device in the customer's water service line for a period not less than forty-eight (48) hours and until the customer satisfies the ~~city~~ City that failure to comply will not continue. The customer shall pay fifty dollars (~~\$50~~ dollars) for installing and removing the flow restricting device prior to the removal of the device.

(B) Except as otherwise provided in Section 14.40.090, for the second or subsequent failure to comply with this ~~chapter~~ Chapter, the ~~city~~ City may discontinue water service for a period of not less than twenty-four (24) hours and until the customer satisfies the ~~city~~ City that failure to comply will not continue. The customer shall pay one hundred fifty (~~150~~ \$150) dollars for restoration of water service, prior to the restoration of water service.

(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

SECTION 14.40.070: Appeal ~~procedure~~ Procedure

Except as otherwise provided in Section 14.40.090, a customer shall have the right to appeal by filing a written request for appeal within five (5) days with the ~~city manager~~ City Manager or its designee. Within ten (10) days after receipt of a request, a written decision shall be issued. The decision of the ~~city manager~~ City Manager or its designee shall be final.

(Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

SECTION 14.40.080: Violations

Any person violating any provision of this ~~chapter~~ Chapter or failing to comply with any of the mandatory requirements of this ~~chapter~~ Chapter, is guilty of a misdemeanor, regardless of whether a flow restricting device is installed. If, after any order of the ~~city~~ City made pursuant to this ~~chapter~~ Chapter has become final,

the person to whom such order is directed shall fail, neglect, or refuse to obey the order, the person shall also be guilty of a misdemeanor. Violation of any ~~city~~City order issued pursuant to this ~~chapter~~Chapter shall constitute an offense separate from each and every other violation of this ~~chapter~~Chapter. Any person violating any provision of this ~~chapter~~Chapter or any such ~~city~~City order, shall be guilty of a separate offense for each and every day during any portion of which any violation of this ~~chapter~~Chapter is committed, continued, or permitted by any person. (Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

SECTION 14.40.090: Alternative ~~actions~~Actions

Nothing in the foregoing ~~sections~~Sections shall be construed to (1) prevent the filing of a criminal action, or a civil court action, or to enjoin any violations, pursuant to applicable law, if deemed legally appropriate by the ~~city attorney~~City Attorney; (2) prevent the issuance of ~~administrative citations/~~Administrative Citations/ fines authorized by this ~~code~~Code; or (3) prevent the ~~city~~City from pursuing any other process or action authorized by law. (Ordinance 2751 § 1 (part), 2009; Ordinance 2172 § 1 (part), 1991).

SECTION 14.40.100: Hardship ~~waiver~~Waiver

- a. ~~Undue and Disproportionate Hardship:~~(A) UNDUE AND DISPROPORTIONATE HARDSHIP. If, due to unique circumstances, a specific requirement of this Chapter would result in undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water users, then the person may apply for a waiver to the requirements as provided in this Section.
- b. ~~Written Finding:~~(B) WRITTEN FINDING. The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water use due to specific and unique circumstances of the user or the ~~users~~user's property.
1. ~~Application:~~(C) APPLICATION. Application for a waiver must be on a form prescribed by the City and accompanied by a non-refundable processing fee in an amount set by City Council ~~resolution~~Resolution.
2. ~~Supporting Documentation:~~(D) SUPPORTING DOCUMENTATION. The application must be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant, setting forth the basis for and containing all information supporting the waiver application.
3. ~~Required Findings for Waiver:~~(E) REQUIRED FINDINGS FOR WAIVER. An application for a waiver will be denied unless the City Manager or his/her designee finds, based on the information provided in the application, supporting documents, or such additional information as may be requested,

and on water use information for the property as shown by the records of the City or its agent, all of the following:

- i.— (1) That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses; and
- ii.— (2) That because of special circumstances applicable to the property or its use, the strict application of this Chapter would have a disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally; and
- iii.— (3) That the authority of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the City to effectuate the purpose of this Chapter and will not be detrimental to the public interest; and
- iv.— (4) That the condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent, or general in nature.

4.— ~~Approval Authority:~~ (D) APPROVAL AUTHORITY. The City Manager, or his/her designee shall act upon any completed application no later than ten (10) days after submittal and may approve, conditionally approve, or deny the waiver. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise at the time a waiver is approved, the waiver will apply to the subject property during the period of the mandatory water supply shortage condition. The decision of the City Manager or his/her designee shall be final.

(Ordinance 2751 § 1 (part), 2009).