

APPENDIX H

City of Ceres No Waste Ordinance

Municipal Code 13.04.130

The City shall provide a comprehensive water conservation program through limitations on water usage and through public education. Landscaping systems shall be properly designed, installed, maintained and operated to prevent the wasting of water. The use of drought-tolerant landscaping shall be encouraged. Serving water in restaurants only upon customer request shall be encouraged.

A. Utility customers shall not be permitted to waste water.

1. Acts constituting water wasting shall include, but shall not be limited to, any of the following acts:
 - a. Failure to comply with the following schedule when watering lawns, plants, or garden, or using outdoor water for other purposes.
 - (1) No lawn/garden watering, or other outdoor use, will be allowed between twelve o'clock (12:00) noon and seven o'clock (7:00) P.M., every day.
 - (2) Dwellings or establishments with odd-numbered street addresses shall use outdoor water only on Sundays, Wednesdays and Fridays.
 - (3) Dwellings or establishments with even-numbered street addresses shall use outdoor water only on Tuesdays, Thursdays and Saturdays.
 - (4) No dwelling or establishment may use outdoor water on Mondays unless a determination is made of special circumstances by the Director of Public Works or his designee. In no case shall any facility water more than three (3) days a week.
 - b. Watering lawns or gardens such that excess water leaves the property or area being watered.
 - c. Watering outdoor landscaping while raining.
 - d. Washing vehicles, equipment or boats using an open hose which is not equipped with a shut-off nozzle.
 - e. Hosing down driveways, streets, parking lots and building exteriors without the consent of the Director of Public Works or his designee except for valid health or safety reasons.
 - f. Having leaky faucets or plumbing fixtures on the premises.
 - g. Operating evaporated coolers which are not equipped with a recirculating pump.
2. Should the Department of Public Works determine that any utility customer, or person using the utilities with the consent of the customer, has violated the provisions or subsection A1 of this Section, regarding water wasting, the utility customer shall be served, either personally, by mail or by posting at the residence or business premises of the customer, a notice of ordinance violation (warning) stating the acts or conduct which constitutes the violation. The second such notice of ordinance violation shall notify the customer of the penalty fees assessed for further violations.
3. Should a utility customer or person using the utilities with the consent of the customer, violate the provisions of subsection A1 of this Section, after being served with the second notice of ordinance violation, then such utility customer shall be served with a notice of intention to impose a fee for violation of said ordinance provisions. Said notice shall:
 - a. Identify the date, time and circumstances of the violation.

- b. State the amount of the fee to be imposed.
- c. Advise the customer of his appeal rights as provided herein.

The notice of intention to impose a fee for violation of said ordinance provisions shall be served in the same manner as the notice of ordinance violation as provided in subsection A2 of this Section.

- 4. When a utility customer is served with one or more notices of intention to impose a fee within a twelve (12) month period, the utility customer's account shall be assessed a monetary penalty as may be fixed and established from time to time by resolution of the City Council.
 - 5. A utility customer shall have the right to appeal either the notice of ordinance violation or the imposition of any penalty fee assessed to his account for water wasting. The appeal hearing shall be held before the Director of Public Works or his designee, who shall make the final administrative determination regarding the matter. The customer shall be allowed to present such witnesses and evidence as he may desire and may be represented by an attorney or other representative of his choosing. The City may be represented by the City Attorney or his designee. The appeal hearing may be done by telephone.
The utility customer must request an appeal hearing in writing within fifteen (15) days from the date of service of the notice of ordinance violation; or in the case of the imposition of a penalty fee, within fifteen (15) days of the service of the notice of intention to impose a fee for water wasting. The request for hearing shall be addressed to the Public Works Department and shall be deemed served only when received by the City. Failure to properly serve the request for hearing within the fifteen (15) day period shall be deemed a waiver of the right to appeal the matter and the penalty fee will be assessed against the customer's account.
The hearing officer shall give written notice by mail to the utility customer of the date and time of the appeal hearing, which hearing shall be held not sooner than ten (10) days from receipt of the request for hearing and not longer than thirty (30) days. The decision of the hearing officer shall be final. If the violation is upheld, the penalty fee shall be assessed to the customer's account.
 - 6. Any utility customer who has been assessed three (3) or more penalty fees within a one-year period may be required to install a water meter upon the premises and the customer shall be required to pay the reasonable cost of the water meter and its installation.
 - 7. Failure of any utility customer to pay the penalty fees imposed as provided herein or to pay for the cost of a water meter and its installation as required shall be grounds to discontinue utilities until compliance is obtained.
 - 8. The City Council does hereby designate the Water Supervisor, the Maintenance Workers, Classes I, II, or the Senior Maintenance Worker working in the Water Division, or the Water Conservation Officers as the persons authorized to investigate violations and to serve any notices required by the provisions of this subsection.
- B. All water services installed shall have an approved wheel valve where the service pipe enters the house and/or structure, ahead of any branch line, including irrigation system, and on the house side of any meter or idler. No water

distribution system shall be connected so as to contaminate the City water supply either by cross connection or otherwise.

C. Multiple Units:

1. Number of Services to Separate Parcels: Separate parcels under single control or management shall be supplied through individual service connections unless otherwise authorized by the Deputy Director of Public Works.
2. Service to Multiple Units: Separate houses, buildings, living or business quarters on the same parcel or on adjoining parcels, under a single control or management, may be served at the option of the applicant, by either of the following methods:
 - a. Through separate service connection to each unit, provided that the pipeline system from each service is independent of the others, and it is not interconnected. Turning off the service to a unit turns off all water to the inside of the unit.
 - b. Through a single service connection to the entire premises; provided that the water piping for all units is interconnected. If multiple units are served through a single service, the property owner shall be responsible for the payment of charges for all services supplied to all units. The owner shall sign an agreement with the City to hold the City harmless for any damage that may occur due to the water being disconnected for nonpayment of charges.

D. No person shall supply water in any way for use outside the premises to which the service is assigned (or appurtenant) without the special permission of the Director of Public Works.

E. Access to service connections and water meters must be provided at all times.

F. All persons must keep their service pipes in good order at their own expense and may be held liable for damages which may result from their failure to do so.

G. It is unlawful for any person to interfere, adjust or tamper with City service connections, valves or meters or to construct a bypass around a meter or service. Should the owner or occupant of the premises turn on the curbstop or permit or cause it to be turned on, or aid or abet any other person in doing so after it has been shut off by the City for reasons of delinquency or for other causes, or because ordered off by owner or former occupant, the City shall again shut off the service and/or remove the meter, or seal the curb stop, and a charge to be set by resolution shall be collected before service is restored. For any service installed after January 1, 1980, any connection made to the City water service without either an idler or a meter shall be considered tampering and shall subject the violator to the same punishment as provided herein. (Ord. 99-889 Exh. C (part), 1999: Ord. 95-849, 1995: Ord. 95-842, 1995: Ord. 93-810, 1993: Ord. 91-779, 1991: Ord. 91-775, 1991: Ord. 90-750, 1990: Ord. 89-724, 1989: Ord. 88-707, 1988: Ord. 88-701, 1988: Ord. 81-572, 1981: Ord. 80-550, 1980)