

# Appendix I

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Ordinance 150-09

# SCOTTS VALLEY WATER DISTRICT

## ORDINANCE NO. 150-09

### AN ORDINANCE ESTABLISHING PENALTIES FOR VIOLATION OF WATER CONSERVATION RESTRICTIONS AND REVISING CERTAIN CHARGES FOR WATER METER SERVICE CALLS

BE IT ORDAINED by the Board of Directors of the Scotts Valley Water District, Santa Cruz County, California, that Ordinance No. 119-96, as amended, is hereby further amended at Article 4 and Article 9 as stated in Sections 1 and 2 of this Ordinance No. 150-09.

#### **SECTION 1. REVISION OF CHARGES FOR WATER METER SERVICE CALLS**

The current “Section 4.3 – Meter Test – Deposit” at Article 4 shall be amended, revising the District’s meter test deposit amount from twenty-five dollars (\$25.00) to one hundred dollars (\$100.00). The new Section 4.3 shall read as follows:

***“Section 4.3 - Meter Test – Deposit***

*All meters will be tested prior to installation and no meter will be installed which registers more than two percent (2%) fast. If a customer desires to have the meter serving his premises tested, a deposit of One Hundred Dollars (\$100.00) will be required. Should the meter register more than two percent (2%) fast, the deposit will be refunded, and the meter will be replaced. Should the meter register less than two percent (2%) fast, the deposit will be retained by the District.”*

The current “Section 4.16 – Re-Connection Charge” at Article 4 shall be amended, revising the District’s re-connection charge from twenty dollars (\$20.00) between the hours of 8:00 a.m. and 5:00 p.m. and thirty five dollars (\$35.00) at other times to fifty dollars (\$50.00) between the hours of 8:00 a.m. and 4:00 p.m. on regular workdays and two hundred dollars (\$200.00) at other times. The new Section 4.16 shall read as follows:

***“Section 4.16 - Re-Connection Charge***

*Between the hours of 8:00 a.m. and 4:00 p.m. on regular workdays, a re-connection charge of Fifty Dollars (\$50.00) will be made prior to renewing service following a discontinuance. At all other times, a re-connection charge of Two Hundred Dollars (\$200.00) will be made prior to renewing service following a discontinuance.”*

#### **SECTION 2. ESTABLISHMENT OF PENALTIES FOR VIOLATING WATER CONSERVATION RESTRICTIONS**

The current “Section 9.4 – Claims Against District” at Article 9 shall be renumbered to “Section 9.5 – Claims Against District.” A new Section 9.4 shall be added at Article 9 to read as follows:

***“Section 9.4 – Violation of Water Conservation Restrictions***

*Any customer found repeatedly violating District water conservation restrictions in a given calendar year shall be assessed penalties to be applied to the customer’s next water bill as set forth below.*

<i>First offense:</i>	<i>Explanation of restrictions is provided to customer</i>
<i>Second offense:</i>	<i>Written notice of violation</i>
<i>Third offense:</i>	<i>\$100 penalty</i>
<i>Fourth offense:</i>	<i>\$250 penalty</i>
<i>Fifth and subsequent offenses:</i>	<i>\$500 penalty”</i>

**SECTION 3. SEVERABILITY**

If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; and the Board declares that this Ordinance and each section, subsection, paragraph, subparagraph, sentence, clause and phrases thereof would have been adopted irrespective of the fact that one or more of such section, subsection, paragraph, subparagraph, sentence, clause or phrase be declared invalid or unconstitutional.

**SECTION 4. EFFECTIVE DATE**

This Ordinance shall be in full force and effect forthwith upon adoption and shall be published once in full in a newspaper of general circulation, printed, published, and circulated in the District within fifteen (15) days after adoption and shall be posted within said time in three (3) public places within the District.

PASSED AND ADOPTED this 10<sup>th</sup> day of September 2009 by the following vote:

AYES: DIRECTORS - Hodgins, Kannegaard, Kassis, Miller, Perri  
NOES: DIRECTORS -  
ABSENT: DIRECTORS -  
ABSTAIN: DIRECTORS -

By: /s/ Chris Perri  
Chris Perri  
President of the Board of Directors

ATTEST:

/s/ Deborah L. Hazen  
Deborah L. Hazen  
Secretary to the Board

I hereby certify that the foregoing Ordinance was duly passed and adopted by the Board of Directors of the Scotts Valley Water District, Santa Cruz County, California, at its regular meeting thereof held on the 10<sup>th</sup> day of September in the year 2009, by the following vote:

AYES: DIRECTORS - Hodgins, Kannegaard, Kassis, Miller, Perri  
NOES: DIRECTORS -  
ABSENT: DIRECTORS -  
ABSTAIN: DIRECTORS -

By: /s/ Chris Perri  
Chris Perri  
President of the Board of Directors

ATTEST:

/s/ Deborah L. Hazen  
Deborah L. Hazen  
Secretary to the Board