

CHAPTER 25 – WATER, SEWERS AND SEWAGE DISPOSAL

Sec. 25-70. Water; Non-Potable Water Service; discontinuance of service.

(a) In the event a customer desires to discontinue the use of non-potable water, the Non-Potable Water Use Service Agreement shall address and govern the compensation to be paid to the City for the remainder of the fiscal year in which such water use is terminated. Upon the termination of the use of non-potable water by a customer, that customer's allocation will be reallocated to other customers by priority.

(b) Any customer whose non-potable water system is in violation of any State or County statute, ordinance, or regulation or City ordinance, regulation, procedure, or permit shall be subject to immediate discontinuance of non-potable water service. Such discontinuance of service shall not relieve such (former) customer of any liability for civil actions for criminal or municipal ordinance violation prosecution.

(c) The City may suspend or discontinue non-potable water service to any customer that violates the provisions of this Chapter, including delinquency of any money (i.e., payment, fee, fine, assessment, etc.) owed the City. The procedure for discontinuance shall be as follows:

- (1) Where the sole reason for discontinuance of service is delinquency of money owed the City, the matter will be handled as provided in Chapter 2 of this Code.
- (2) Where the reason for discontinuance of service is due to a violation of an ordinance or regulation governing the City non-potable water distribution system (or a non-potable water service line) or where the violation endangers the health or safety of the public or the customer, discontinuance of service may occur without prior written notice or hearing.
- (3) Where the reason for discontinuance is a refusal to permit an inspection being conducted pursuant to this Chapter, neither notice or a hearing shall be required prior to discontinuance of service.
- (4) In cases where non-potable water service has been turned on or a connection made to the City non-potable water distribution system without authorization from the City, discontinuance of the service shall be immediate. No prior notice or pre-discontinuance hearing shall be required.
- (5) Any customer who is found to be in violation of any City ordinance, regulation, or procedure governing non-potable water shall be subject to immediate discontinuance of non-potable water service.
- (6) A customer whose service has been discontinued for delinquency of money (i.e., payment, fee, assessment, etc.) owed to the City may resume non-potable water service after paying any past due amounts of money owed to the City and a reconnection fee. For discontinuance for any other reason, the customer must

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apply for non-potable water as a Priority D applicant, unless a new agreement is entered into between the customer and City.

(d) Where service has been disconnected for a violation of an ordinance or regulation regarding non-potable water, such service shall not be reconnected until the Utilities Director receives adequate assurances and guarantees that such a violation will not recur.

(Ord. No 08-35, 12/02/08, Repealed reserved Sec. 25-70; Enacted new Sec. 25-70) SUPP 2008-4