

## **ORDINANCE NO. 02.15.22.02**

### **AN ORDINANCE OF THE FLORIN RESOURCE CONSERVATION DISTRICT BOARD OF DIRECTORS AMENDING AND REPLACING ORDINANCE NO. 09.18.19.02, EXHIBIT A, FLORIN RESOURCE CONSERVATION DISTRICT/ELK GROVE WATER DISTRICT WATER ORDINANCE SCHEDULE OF CHARGES, RATES, FEE AND DEPOSITS**

WHEREAS, Government Code sections 66013 and 66016 authorize the Florin Resource Conservation District (FRCD) to adopt a resolution or ordinance to establish and impose water service fees and charges for its water enterprise the Elk Grove Water District (EGWD); and

WHEREAS, the FRCD Board of Directors (Board) adopted Ordinance 09.18.19.02 on September 18, 2019, establishing the FRCD/EGWD Water Ordinance Schedule of Charges, Rates, Fees and Deposits; and

WHEREAS, the Board wishes to make certain updates to charges, rates, fees and deposits and amend Ordinance No. 09.18.19.02, Exhibit A; and

WHEREAS, the above-described data sets forth reasonable cost estimates for the FRCD/EGWD's provision of the miscellaneous water service fees and charges and establishes that the proceeds generated by the fees and charges do not exceed the total of the estimated costs.

### **NOW, THEREFORE, THE FLORIN RESOURCE CONSERVATION DISTRICT BOARD OF DIRECTORS HEREBY DETERMINES AND ORDAINS AS FOLLOWS:**

Section 1. Recitals. The above recitals are true and correct and incorporated herein.

Section 2. Amendment to the FRCD/EGWD Water Ordinance Schedule of Charges, Rates, Fees and Deposits. The Florin Resource Conservation District/Elk Grove Water District Water Ordinance Schedule of Charges, Rates, Fees and Deposits (Exhibit A) is hereby amended.

Section 3. California Environmental Quality Act Compliance. The Board finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

Section 4. Ordinance Effective Date. This ordinance shall take effect 30 days from and after the date of its adoption.

**PASSED AND ADOPTED** by the Florin Resource Conservation District Board of Directors on this 15<sup>th</sup> day of February 2022 by the following vote:

**AYES:** Lindsay, Medina, Mulberg, Nelson, and Scherman

**NOES:**

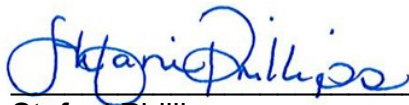
**ABSENT:**

**ABSTAIN:**



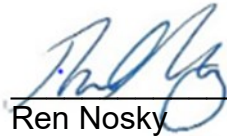
Sophia Scherman  
Chair

ATTEST:



Stefani Phillips  
Board Secretary

APPROVED AS TO FORM:



Ren Nosky  
General Counsel

**EXHIBIT “A”**

**FLORIN RESOURCE CONSERVATION DISTRICT/ELK GROVE WATER DISTRICT  
WATER ORDINANCE**

**“SCHEDULE OF CHARGES, RATES, FEES AND DEPOSITS”**

[Attached behind this cover page]

Florin Resource Conservation District / Elk Grove Water District  
Water Ordinance  
Schedule of Charges, Rates, Fees, and Deposits

1. Account Set-Up Fee. A new occupant of a residence will be considered a new account and will be charged an account set-up fee of \$30.00.
2. Returned Check Service Charge. Any person who submits to the District payment for which there are insufficient funds shall be subject to a charge of \$35.00, in addition to the insufficient fund amount.
3. 24-Hour Turn-On Fee. \$100.00 shall be charged to a realtor or other responsible party for the temporary turn-on of water service at a vacant or inhabited property for the purposes of inspection.
4. Photocopies. A per-page fee of ten cents for black and white copies and fifteen cents for color copies shall be charged for copies provided in response to a Public Records Act request or other requests for substantial photocopy services.
5. Delinquency Shut-Off. Water service may be discontinued, and a late payment penalty will be assessed to the customer's account if payment of a delinquent bill is not received by the due date listed on the Notice of Pending Service Interruption (door tag). To avoid service discontinuance, or to have discontinued service restored, the Customer must pay in full the following charges:
  - a. The amount of the unpaid bill; and
  - b. \$25.00 door tag fee; and
  - c. A late payment penalty of \$100.00.

During the door tag period, discontinuance of service may be avoided by payment of the unpaid bill and the \$25.00 door tag fee. All of the forgoing fees must be paid in cash, cashier's check, money order or credit card only.

6. Change of Meter Size or Location. When a Customer requests a change of meter size or relocation of an existing meter or service connection for the Customer's convenience, the change will be made by the District and billed to the Customer at a time and materials costs.
7. Testing of Meters and Fire Flow. Meters will be tested upon request of the Customer and payment of the cost of the test and District staff's time at the hourly rate of \$47.00. If the meter is faulty, fees will be waived. Fire flows shall be tested upon request of the Customer and payment of a fee of \$156.00.
8. Backflow Tag Fee. All Customer backflow devices installed and tested, whether by the District or by a contractor, are assessed a \$25 tag fee.
9. Backflow Testing Fee: All customers with backflow devices not tested in accordance with the District's Backflow and Cross-Connection Control Program will have their devices subject to testing by the District's testing contractor and the Customer's will be billed based on time and material costs as charged by the testing contractor. If the device fails the test and needs repair a \$25 tag fee will be assessed notifying the customer a repair is required. If the customer fails to repair the backflow device the service will be shut-off and assessed a \$100 shut-off fee.

10. Meter Re-read. A meter may be re-read upon request of the Customer. The first re-read will be performed at no charge. Each subsequent re-read, either at the request of the customer or due to obstruction of water meter, with-in a 12-month period from the date of the first re-read, will be subject to a charge of \$25.00.

11. Plan Check Fees for Water Systems Extensions. Any person required by this Ordinance to have plans checked shall deposit with the Elk Grove Water District the following fee or fees for the service:

- |                                               |            |
|-----------------------------------------------|------------|
| a. Irrigation only:                           | \$500.00   |
| b. One lot, building unit, or EDU:            | \$500.00   |
| c. Two to Nine lots, building units, or EDUs: | \$2,000.00 |
| d. Ten or more lots, building units, or EDUs: | \$5,000.00 |

This deposit will serve as credit towards fees for plan check, inspection, engineering and administrative costs of the project and actual fees will be calculated on a time and material basis. Expenses incurred beyond the deposit will be billed monthly and the project will not be accepted by Elk Grove Water District until all outstanding balances have been paid. Credits not used after acceptance of a project shall be refunded to the project.

12. Construction and other temporary services. Rates for construction and other temporary water service rendered for street paving, grading and trench flooding, and water delivered to tank trucks from fire hydrants or other outlets for such purposes, are as follows:

Permits will be charged an installation and removal charge of \$194.00 and a weekly rental fee of \$50.00 for use of the District's equipment (e.g., meter; reduced pressure backflow device). Charges for water actually used will be billed at the non-residential rate.

The applicant for temporary service shall be required to deposit with the District the amount of \$3,000.00. Upon permit expiration, the Contractor should bring the water meter used for the permit into the District where a final meter reading will be collected. The District will determine if additional monies or a refund is due and collect the amount or process a refund. If a refund is owed, a check will be prepared and mailed to the Contractor.

13. Fines for Violation. Any violation of the District's Water Ordinance- Provisions of Water Service shall be subject to a fine in the amount of \$100.00 for the first occurrence, \$200.00 for the second occurrence within one year and \$500.00 for each additional occurrence within one year.

14. Water Theft. Any violation of the District's Water Theft and Tampering with District Facilities Ordinance shall be subject to the administrative penalties outlined in the ordinance based on type and the recurrence level.