

ORDINANCE 01-05

AN ORDINANCE OF THE SHASTA COMMUNITY SERVICES DISTRICT ESTABLISHING RATES AND CHARGES FOR WATER AND WATER SERVICES AND ESTABLISHING CONNECTION REQUIREMENTS

The Board of directors of the Shasta Community Services District ordains as follows:

I. **Water Rates.** The District shall charge the following rates for water and services:

A. Residential Rates.

\$60.63	Minimum monthly charge
\$ 2.28	Per 100 Cubic feet or 748 gallons
\$ 3.75	Monthly Backflow prevention maintenance (if applicable)

- " 10% Penalty charged on total amount owed on all accounts that are not paid in full by the 25th of the month.
- " A customer participating in a payment plan will not incur late fees, late letter fees or disconnection posting fees so long as they make their payments per the terms of the plan.

B. Commercial Rates.

\$60.63	Minimum monthly charge
\$2.28	Per 100 Cubic feet or 748 gallons
\$ 3.75	Monthly Backflow prevention maintenance (if applicable)

1. More than one commercial business operating in one building, motels, multiple commercial units housed under one roof, and mobile home and recreation vehicle parks may be served by the same meter but a minimum additional charge of \$11.28 for each such additional commercial unit shall be added to the monthly rate.

C. Pumping Station Rates.

Pumping Electrical Fees	
\$ 19.11	Electrical fees for HPE customers
\$ 16.14	Electrical fees for HPW phase 1 & 2 customers
\$ 34.69	Electrical fees for HPW phase 3 customers
\$ 28.01	Electrical fees for Record Heights customers
Pump Replacement Fees	
\$ 4.63	Pump replacement fees for HPE customers
\$ 1.37	Pump replacement fees for HPE phase 1 & 2 customers
\$ 5.43	Pump replacement fees for HPW phase 3 customers
\$ 4.58	Pump replacement fees for Record Heights customers

D. Minimum New Customer Deposit:

1. All new accounts require a deposit of \$200.00. The deposit is refundable upon payment of the closing bill. The District will inform the customer in accordance with this section of the ordinance for non-payment.

E. Special Service Fees:

- 1. Water turn on/due to non-payment M-F 8-4:30pm \$40.00
- 2. Water turn on/turn off fee - after hours \$75.00
- 3. Board Meeting recording copy \$15.00
- 4. Board Meeting Packet \$10.00
- 5. Copy fee - Per page \$.25
- 6. Office document copy fee - Per page \$.50

G. Property Owners Responsibility.

- 1. The property owner is responsible for informing the District that a renter has rented or vacated the premises served with water.

H. Escalation Fee.

- 1. At the discretion of the Board of Directors a 2.5% annual CPI increase will be assessed to all active/inactive water accounts. If passed, this fee will be adjusted on the 1st of July.
- 2. An incremental increase will be assessed each year for ACID water reservation. This fee will address the direct charges as per ACID contract with SCSD.

II. Water Service Connections. The following rates, charges and conditions shall apply to all service connections.

A. Definition - Water Service Installation. The water service connection includes all components from the District owned line through the meter box including the meter, the line setter, and the meter box. All of the components of the service connection are the property of and shall be maintained by the District.

\$10,283.00	Standard service connection fee for 5/8" meter.
\$15,425.00	Standard service connection fee for 3/4" meter.

The nonrefundable capacity expansion fee adopted herein shall be imposed only as a condition of extending or initiating service upon the request of a customer. The fee or charge is not imposed upon real property or upon persons as an incident of property ownership.

The capacity expansion fees are based upon estimated project costs of future improvements assigned to the new development of future connections. The project cost estimates are based upon 2003/2009 typical construction costs and shall be updated yearly based upon the Engineering News Record Construction Cost Index.

2. Additional Charges for District Installation.

1. \$5,485.00 - Service Installation Charge
2. \$40.00 - Meter Installation Fee
3. The actual cost of the water meter plus a 43% markup supplied by the District at the time of connection shall be charged to the property owner requesting service.

All installed water services shall have radio read capability (type to be determined by the District). Whenever the property owner chooses to have the District install the entire service connection including the meter, line setter, meter box, appurtenant equipment, and mainline extension, if any, the property owner shall be charged the actual cost of materials, labor, and overhead provided by the District.

3. Service Connections Installation Fee (by SCSD) & charge for uninstalled service connection.

Existing uninstalled service connections may be obtained from the Shasta Community Services District.

1. Water Service Installation.

A property owner is allowed to install a water service connection to the District's water main utilizing a contractor or a qualified individual approved by the Shasta Community Services District. If property owner elects to utilize a contractor an inspection fee of 1.5 times the employees pay rate per hour will be charged. SCSD charges \$5,485.00 to install the service connection.

B. Service Connection Location.

The actual location of all water service connections shall be determined by the District.

C. Service Connection Limitations.

1. Separate Connections Required.

Single family dwellings, single rental units, and single mobile homes, not in a mobile home park, must have separate service connections for each unit. A separate dwelling with kitchen facilities shall be considered a separate unit requiring its own individual service connection.

2. One Service Connection Per Unit.

Each service connection issued by the District shall serve only one residential unit. In the event that it is determined that one service connection issued by the District serves more than one residential unit, then the property owner shall purchase an additional service connection for each residential unit that is served by the District. The amount of the capacity expansion fee imposed by the District upon issuance of this additional service connection shall be the amount of the capacity expansion fee that was in place at the time the property owner was issued a building permit. In the event that no permit was issued, the amount assessed in section II A 1. "Capacity Expansion Fee" will apply. In addition to payment of the appropriate capacity expansion fee, the property owner will also be responsible for service connection fees which include but are not limited to the cost of the water meter and installation costs. Amended by a unanimous Board vote on 3/20/13 to give amnesty to existing properties, however, separate meters would be required if the property is remodeled, sold or developed.

3. Resale Prohibited.

No customer of the District shall resell water service connections or enter into any contract or agreement to resell any portion of the water and/or meters delivered to that customer or to any other customer. For the purposes of this section, providing water service to commercial building tenants, motels, and mobile home and recreational vehicle park tenants shall not be construed as the resale of water.

4. Water Availability.

Approval of all service connections within the District shall be subject to a determination of economic feasibility as well as

available water for growth as determined by SCSB Board of Directors. In addition, service connections will not be allowed above one thousand fifty feet (1050 ft.) unless a registered civil engineer retained by the property owner certifies, in a form acceptable to the District, that water pressure at the point of use is sufficient to meet minimum state standards for sustained water pressure for fire suppression, including required fire sprinkler systems.

D. Installation of Pressure Regulators.

All water users located in pressure zones where static pressure will exceed seventy-five (75) PSI or where malfunctions or breakage of the District's pressure reducing valves would result in static pressure in excess of 75 PSI, shall install a pressure regulator at their own expense. Pressure regulators will be installed on the property owner's side of the meter.

E. Water Service Installation in a New Subdivision.

1. Subdivision Definition.

Any property within the District which is divided into two (2) or more parcels shall be considered a subdivision. For the purpose of this Ordinance, a subdivision includes a condominium project and/or a community apartment project.

2. All required components, including but not limited to, pipelines and water service connections providing for a subdivision are to be installed at the expense of the property owner by a licensed contractor or a qualified individual that has been approved by the Shasta Community Services District. All such installations shall meet the pipeline and service connection installation standards established by the District.

3. All installed water services shall have radio read capability (type to be determined by the District).

4. New Subdivision Service Connections.

All water service connections within a new subdivision shall be charged in accordance with the rates established by paragraph 2 above. Service connections must be installed and all fees in connections with the new subdivision must be paid as a condition of the recordation of the final subdivision or parcel map. Actual installation of service connections can be deferred if proper security for the deferral of installation of

such improvements is accepted by the Shasta County Ordinance Code, and a Development Agreement approved by the District.

III. Discontinuance of Water Service.

A. Discontinuance of Water Service Defined.

A water service discontinuance means the sealing of a water service or the removal of a meter, if one exists.

B. Discontinuance of Water Service by the District for Non-Payment.

Water service to a customer may be discontinued by the District if rates and charges billed have not been paid within sixty (60) days of the date of the bill is considered delinquent. A bill is considered delinquent if it is not paid within five (5) days of the due date. At least seven (7) days prior to the disconnection of service, the District will contact the customer in writing or by telephone to provide notice of the disconnection. If the notice is by telephone, the District will offer to provide the customer with the District's written policy on discontinuation of water service and discuss options to avoid discontinuing water service, including alternative payment schedules, deferred payments, minimum payments, amortization and bill review and appeal. If notice is given in writing, the notice will be mailed to the customer at the address where service is provided, unless the customer's address is not the address of the property receiving service, then the notice will be sent to both the customer's address and the address of the property receiving the service. The notice to the address receiving service will be addressed to "Occupant" and include the following:

- (i) Customer's name and address;
- (ii) Amount of delinquency;
- (iii) Date by which payment or arrangement for payment is required to avoid discontinuation of service;
- (iv) Description of the process to apply for an extension of time to pay the amount owing;
- (v) Description of the procedure to petition for review and appeal of the bill in giving rise to the delinquency; and
- (vi) Description of the procedure by which a customer can request a deferred, amortized, reduced or alternative payment schedule.

If the District is unable to contact the customer by telephone or by written notice (i.e. mailed notice is returned as undeliverable), the District shall make a good faith effort to visit the residence and leave,

or make other arrangements to post in a conspicuous location, a notice of imminent discontinuation for non-payment, and a copy of the district's discontinuation policy. If the customer or the tenant of the customer appeals the water bill to the District through the process set forth in this policy, then the District will not discontinue service while the appeal is pending.

C. Evidence of Hardship by Customer

The District will not discontinue residential water service if the customer establishes a hardship by meeting the following conditions:

- (a) The customer or the tenant of the customer submits a certificate of a primary health provider that discontinuation of water service would (i) be life threatening, or (ii) pose a serious threat to the health and safety of, a resident of the premises where the residential service is provided; and
- (b) The customer demonstrates that he or she is financially unable to pay for residential service within the District's normal billing cycle. The customer will be deemed "financially unable to pay" if any of the customer's household is (i) a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (ii) the customer declares the household's annual income is less than 200% of the federal poverty level; and
- (c) The customer is willing to enter into an amortization agreement, alternative payment schedule or a plan for deferred or reduced payment, consistent with the District policy.

D. Notice to Occupant if not the Customer of Record

These policies apply to individually metered residential service to detached single-family dwellings, multi-unit residential structures and mobile home parks where the property owner or manager is the customer of record. If the occupant is not the customer of record, at least ten (10) days (7 days if the property is a detached single-family dwelling) prior to the possible termination of water service, the district will take every good faith effort to inform the occupants by written notice that water service will be terminated. The written notice must also inform the tenants that they have the right to become customers to whom the service will be billed, without having to pay any of the delinquent amounts. If one or more of the tenants/occupants assumes responsibility for subsequent charges to the account to the district's satisfaction, or there is a physical means to selectively terminate service to those tenants/occupants who have not met the district's requirements, then the district may make service available only to those tenants/occupants who have met the requirements.

E. Inability to Pay Bill

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Any customer who has notified the District prior to termination for nonpayment that he or she is unable to pay a bill within the normal payment period may be allowed to amortize the unpaid amount over a reasonable period of time, not to exceed 12 months. The customer will be required to pay the amortized amounts plus the current water service charges each month. All late penalties will be waived during the amortized payment period. Failure to pay the amortized amount plus the current charges each billing period will nullify the amortization agreement and the water service may be terminated. The entire outstanding balance will need to be paid in full before water service can be restored.

F. Re-Hook Up Fees

To resume service disconnected all delinquent rates and charges, plus a re-hookup fee of \$40.00 during working hours and \$75.00 after working hours must be paid by the customer, prior to actual reinstatement of water service. Water service may also be discontinued if the district finds that an unauthorized water service connection or sale of water has occurred, subject to the notice and reinstatement provisions of this paragraph.

G. Access to Policy

This policy shall be available on the District website in English and the five languages listed under Civil Code Section 1632, which are Spanish, Korean, Chinese, Vietnamese, and Tagalog. It must also be available in any other language spoken by at least 10% of the people residing in the District jurisdiction.

H. Revocation of Water Service Due to Abandonment.

If, after discontinuance of service, the property owner fails to pay the minimum rates and charges set forth in Part I above for a period of up to six (6) months, the District may, at the District's discretion, elect to revoke water service. Notice of intention to revoke water service shall be given to the property owner by certified mail, return receipt requested, at the property owner's last known address as shown on the most recent Shasta County Equalized Assessment Roll.

If the delinquent rates and charges have not been paid within thirty (30) days from the date of the certified letter, the water service connection is considered abandoned. Reinstatement of water service shall be subject to payment of the service connection fees assessed by this ordinance and all charges assessed by this Article. Said fees shall be collected prior to reinstatement and are subject to water availability.

If the District elects to revoke water service as set forth herein, then in the event of a subsequent application for renewal of water service by a bona fide purchaser for value of the subject premises, the District Board of Directors may reinstate water service subject to payment of a reinstatement fee. The reinstatement fee shall be updated yearly based upon the Engineering News Record Construction cost Index (ENR CCI). New Service Connection fees minus the Capacity Fee will be charged.

- I. In case of dispute as to payment of a bill previously delivered, the customer shall present the receipted bill, cancelled check or other satisfactory evidence before the district may make an adjustment or correction.

If a customer contests a bill, they may appeal the bill as set forth below:

- (a) Submit a written request for review to the district manager, who will provide a written decision to the customer within five (5) days of receipt. The decision will be hand delivered or mailed through U.S. Mail. Customer will have been deemed to receive the decision three (3) days after mailed.
- (b) If the decision is in favor of the customer, the customer's water account will be adjusted accordingly.
- (c) If the decision is against the customer, and the customer seeks to appeal the district manager's decision, then they must file a notice of appeal with the district office within 5 days of receipt of the manager's decision, wherein the district board will consider the appeal at the next regularly scheduled meeting no less than 7 days, and no more than 60 days, from the notice of appeal. The decision by the district board shall be final.

IV. AN ORDINANCE OF THE SHASTA COMMUNITY SERVICE DISTRICT ESTABLISHING WATER AVAILABILITY AND WATER SERVICE CONNECTIONS

1. **Policy.** All new water service connections to the Shasta Community Services District (District) shall be governed by the policies set forth in this ordinance. The policies herein pertain to proposed annexations, new developments, and to new water service connections for properties and parcels that currently exist within the District.
2. **Definitions.** For the purposes of this Ordinance the following definitions shall apply:
 - A. **"Average Annual Demand"** - means the annual water consumption for a typical single-family household (Household Equivalent). This is equal to 1.13 acre-feet per year, based on the District's 2003 Master Water Plan. SCSD reserves the right to re-calculate the Household Equivalent

as necessary to adjust for trends in dwelling size and average annual usage.

- B. "**New Sources of Additional Water**" - means allocations of water not currently contracted with the District are the responsibility of the Developer. New sources of water shall meet all required quality standards for municipal raw water supplies and shall be provided at no cost to the District. The additional source shall be available long term with first right of renewal, have shortage (drought) provisions at least as good as the District's Contract with the Bureau, and shall meet other provisions defined in this Ordinance and the existing policies of the District.
- C. "**Developer**" means the owner or the agent acting for the owner as a proponent of a Development.
- D. "**Development**" - means a subdivision as defined by the Subdivision Map Act at Government Code section 66424 for which two or more new water service connections are requested.

- E. **"Will Serve Letter"** - for the purpose of this Ordinance means a letter authorized by the Board of Directors and issued by the District, obligating the District to provide District water to one or more parcels located within the District or proposed for annexation into the District. This obligation is limited to the amount of water available through existing contracts or additional contracts that may be entered into by the District, as well as, additional water contracts provided by the Developer and transferred to Shasta Community Services District, and may be limited or reduced as a result of reductions by water suppliers. Will Serve Letters will be limited by conditions specified by SCSD District Ordinances, conditions listed in the Will Serve Letter, or conditions required by the County of Shasta.
3. **Developments.** All new Developments, for which a "Will Serve" letter has not been issued as of August 1, 2011, shall provide a New Source of Additional Water to the district as determined under Item 6 (**New Sources of Additional Water**).
 4. **Contingency Factor.** The District hereby adopts a contingency factor of 20 percent. The District shall limit the number of new service connections based on the amount of water under long term contract, to achieve this contingency. The Factor shall also be used for calculation of the volume of the New Source of Additional Water that will be required for all new Developments. The buffer or reserve supply maintained by the District shall not be used to meet the supply need or requirements of new Developments.
 5. **Rules for Annexations.** The following rules shall apply to all annexations: a) All annexations are subject to the approval of the Bureau of Reclamation, if applicable, and the Shasta County Local Agency Formation Commission (LAFCO), and shall conform to all Ordinances, Regulations, Resolutions, and Standards required by the District; b) Annexation will be considered only if the Developer provides New Sources of Additional water for each Household Equivalent, as determined under Item 6 (**New Sources of Additional Water**).
 6. **New Sources of Additional Water.** The amount of additional new water supplies to be provided under Item 3 (**Developments**) and Item 5 (**Rules for Annexation**) shall be determined as follows:

$$Q = N \times R \times CF$$

Where:

Q = Quantity of water, in acre-feet per year
 N = Number of Household Equivalents (HE)
 R = Average Annual Demand
 CF= Contingency Factor

Therefore

$$Q = 1 \times 1.13 \times 1.20 = 1.356 \text{ acre-feet per year per HE.}$$

Water Availability. The District shall limit the number of new service connections based on the amount of water under long-term (equal to or greater than 40 years) contract. The number of Household Equivalents shall be determined as follows:

$$N = Q / (R \times CF)$$

Where:

Q = Quantity of water, in acre-feet per year

N = Number of Household Equivalents (HE)

R = Average Annual Demand

CF= Contingency Factor

Therefore, based on 1,200 acre-feet of water currently under contract with the Bureau and ACID, the total number of HE available to the District equals:

$$N = 1200 / (1.13 \times 1.20) = 885 \text{ Household Equivalents}$$

7. Contract between District and Developer. SCSD District Attorney shall review a Contract for agreement between the District and the Developer, to fully define the requirements for payment and obligations of the Developer. The Developer shall pay the District the full cost for preparation of the Contract and shall provide payment and sign the Contract as one of the conditions for obtaining a Will Serve Letter from the District.

8. Costs for New Sources of Additional Water.

A. All costs for acquiring New Sources of Additional Water, including all legal, advertising, environmental review, engineering, and all other incidental expenses shall be paid by the Developer. All costs and expenses for providing a complete water system, satisfactory to the District, shall be

the responsibility of the Developer.

- B. The Developer shall be responsible for payment of all Costs for New Sources of Additional Water and all changes in those costs that may occur as a result of changes in the Contract Agreement with the Water Supplier. These obligations shall be detailed in the Contract between the Developer and the District.
- C. The obligation for payment shall also be included as a condition of purchase of parcels within the Development and shall be noted, as approved by the District's Attorney, on all property deeds and mortgages for parcels within the Development.

9. Additional Obligations of Developer.

All obligations and requirements regarding annexation, development, water supply, costs, and fees that are provided by other District Policies remain applicable, except as specifically modified by this Ordinance or by minor amendments to this Ordinance that may be enacted by the Board of Directors to clarify the policies or to correct inconsistencies between policies that may exist.

Water Rates for Developments. For all parcels within New Developments, the parcels shall pay for the additional water, as detailed in Item 9 (**Costs for New Sources of Additional Water**), in addition to the water rates provided in Ordinance 01-05 (as updated or amended).

Will Serve letters.

A. Single Service Connections

Will Serve Letters shall be issued on a "first come, first serve" basis, up to the number of Household Equivalents calculated under Item 7 (**Water Availability**).

B. Developments

Will Serve Letters shall be issued with conditions for development. Execution of a Contract to obtain a New Source of Additional Water shall be a condition of the Will Serve Letter.

V. General Provisions.

A. Violations of the Ordinance.

Any violation of this Ordinance may result in an immediate discontinuance of water service which will not be resumed until the violation is corrected. Any violation of this Ordinance may be referred by the District for prosecution to the Shasta County District Attorney.

B. Damage by Customer or property Owner.

Any damage occurring to a service connection, pipeline, or other property of the district, caused by an act or omission by a customer or property owner or by an agent thereof, shall be charged to and be the responsibility of the customer or property owner and/or damage caused by any individual.

C. Right of Entry for Inspection.

The District shall have the right to enter onto property on which it has an easement for the purpose of inspection, maintenance, and repair of District facilities or onto property requiring inspection for compliance with District requirements after first request and receiving right to enter.

D. Drought Contingency.

Stage 2 of SCSD's drought contingency plan will activate additional fees associated with the use of ACID contract water. The temporary amount of water will be determined by the Board of Directors at such a time as water from the reserved ACID water is utilized.

A temporary fee will be assessed to all rate payers within the SCSD at such a time as any portion of the ACID contract water is utilized by SCSD. The temporary fee will be the difference in costs between reservation of ACID water and the utilization of said water, plus a 15% contingency fee. All fees will be assessed within Ordinance 1-05 for residential, commercial, and trailer units. This temporary fee will be assessed when drought conditions result in Stage 2 drought allotment reductions from Bureau of Reclamation.

VI. Requirements for Bank Depository.

All revenues by the Shasta Community Services District under this Ordinance, except all connection (hook-up) charges provided for, and all refundable deposits made to establish credit are to be deposited within reasonable time after receipt thereof, in a depository bank of the Shasta Community Services District and said sums together with any interest earned thereon shall on or before the first business day of each calendar

month in which such revenues shall have been collected, be deposited with the Shasta Community Services District.

This Ordinance supersedes all previous Ordinances and any and all amendments thereto.

Adopted unanimously by the Board of Directors, Shasta Community Services District.

ATTEST:

Dave Cross, President Shasta
Community Services District

Christina Arias, Secretary to the Board
Shasta Community Services District