

ORDINANCE NO. 96-1

**An Ordinance of the Board of Directors
of Centerville Community Services District
Establishing Fees, Rates and Charges**

BE IT ORDAINED by the Board of Directors of the Centerville Community Services District as follows:

Section 1. Rates, Fees and Charges: Rates, fees and charges levied by the Centerville Community Services District (the "District") shall be as specifically set forth in this Ordinance No. 96-1.

Section 2. Plant Capacity Fee: The District will collect a fee to help insure the continued availability of physical facilities through periodic system expansion and replacement of existing facilities. The fee will be charged for each new service connection at the time of meter installation as follows:

5/8 Inch Service*	\$8,040.00
3/4 Inch Service	\$12,055.00
1 Inch Service	\$20,095.00
1-1/2 Inch Service	\$40,180.00

*5/8 inch services shall be available only for lots one-half (1/2) acre in size or less.

Revised by Ordinance No. 96-2 June 19, 1996
Revised by Ordinance No. 97-1 July 16, 1997
Revised by Ordinance No. 98-1 June 17, 1998
Revised by Ordinance No. 99-1 July 21, 1999
Revised by Ordinance No. 01-3 August 22, 2001
Revised by Ordinance No. 02-03 August 21, 2002
Revised by Ordinance No. 03-02 July 16, 2003
Revised by Ordinance No. 10-02 June 16, 2010

Section 2(b). New Water Purchase Fee: The District in accordance with this ordinance shall collect A New Water Purchase Fee. The amount of the New Water Purchase Fee shall be the sum of Six Hundred Dollars (\$600.00) per new water connection. The District will collect the New Water Purchase Fee at the time of a request for water service by a customer. New Water Purchase Fees collected will be deposited to the District's Water Rights Reserve to be used for the acquisition of additional water supply."

Added by Ordinance No. 2006-04 November 15, 2004

Section 3. Service Installation Fee: The District will collect a fee for each new service connection which is installed by the District. A deposit of the estimated cost of the Service installation shall be paid prior to the installation of the service.

The fee is calculated to be a cost reasonably related to the District's actual costs incurred for water service connections.

The service installation fee shall be that fee as is calculated pursuant to the "New Service Quotation Sheet" attached hereto.

Revised by Ordinance No. 9801 June 17, 1998

Revised by Ordinance No. 02-04 August 21, 2002

Revised by Ordinance No. 2011-01 August 17, 2011

Section 4. Annexation Fee: An annexation will be collected in accordance with Resolution 95-21, adopted November 28, 1995. The amount of the annexation fee shall be the sum of Three Thousand Four Hundred Seventy Dollars (\$3,470.00) per parcel, plus the 1995 Water Project Assessment District cost per parcel of Two Thousand Twenty Dollars (\$2,020.00), ad adjusted, which 1995 Water Project Assessment District cost is to be inflated based on the prime interest rate plus two percent (2%) annually to a maximum amount of Four Thousand Forty Dollars (\$4,040.00).

Revised by Ordinance No. 01-1 February 21, 2001.

Section 4(a). Water Supply Annexation Fee: A water supply annexation fee will be collected in accordance with Resolution 01-2, adopted January 24, 2001. The amount of the water supply annexation fee shall be the sum of Four Hundred Dollars (\$400.00) per household equivalent (HE).

Added by Ordinance No. 01-2 April 18, 2001

Revised by Ordinance No. 2006-05 December 20, 2006

Section 5. Detachment Payment: A payment for detachment of real property from the District shall be imposed and collected pursuant to Resolution No. 95-22 adopted November 28, 1995, and amended January 25, 1996. The amount of that payment shall be set for each requested detachment in accordance with Resolution No. 95-22.

Section 6. Miscellaneous Fees: The following miscellaneous fees shall be collected by the District upon the occurrence of each of the following:

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|-----|---|----|-------|
| (a) | Turn Off fee | \$ | N/C |
| (b) | Turn On fee | \$ | 40.00 |
| (c) | 24-Hour shut off notice
On site posting | \$ | 15.00 |
| (d) | Return check charge | \$ | 15.00 |
| (e) | Renter's deposit
Upon applying for water service from the District, a tenant shall deposit with the District the renter's deposit. This deposit is refundable upon payment of the closing bill, provided that the tenant notifies the District on or before the date he terminates his occupancy of the property and at that | | |

time presents his deposit receipt. If any deposit is not claimed within ninety (90) days of termination of the water service, it will be forfeited to the District.

Deposit – Monthly Billing	\$ 50.00
Deposit – Bi-monthly Billing	\$ 100.00

- (f) Temporary service connection fee
Prior to temporary service being supplied through a fire hydrant or other connection the applicant shall secure approval, in the form required by the District and pay the required fees.

3/4 inch nonrefundable deposit plus installation cost	\$ 50.00
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Fire hydrant meter (nonrefundable deposit)	\$ 50.00
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- (g) Meter test fee (Field Test) \$ 50.00

The District may test meters at any time and shall field test a meter upon the request of a customer who first deposits the current meter testing fee with the District. If the test indicates the meter is registering within five percent (5%) of accuracy, the testing fee shall be retained by the District to cover its cost of testing. If the test indicates the meter is greater than five percent (5%) in error, the testing fee shall be refunded and the meter will be repaired or replaced. If the meter error over five percent (5%) is in the customer's favor, the District shall refund to the customer the estimated overcharge for the three month period immediately preceding the meter test. If the error is in the District's favor, a supplemental bill may be rendered for the estimated undercharge for the period of three months immediately preceding the meter test.

- (h) Inspection fee
An inspection fee shall be paid to the District prior to final acceptance of a Construction project affecting the District's facilities.

Inspection Fee (Per Lineal Foot)	\$.30
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- (i) **Bond**
 A bond shall be provided to the District to guarantee payment for and completion of all new mainline extensions.

 Bond fee (Per Lineal Foot) \$ 1.00

- (j) **Improvement plan processing fee**
 subdividers and proposers of line extensions shall submit to the District four (4) sets of improvement plans of any proposed pipeline or District facility improvements or additions, and three (3) copies of the final tract or parcel map. The subdivider or proposer shall be billed for the actual cost of the District engineer's review of the plans.

- (k) **Subdivision review fee**
 A subdivision review fee shall be paid to the District for review of all tentative land division maps.

Divisions of 1-4 lots (per lot)	\$ 15.00
Divisions of 5-50 lots (first 4 lots)	\$ 15.00
(additional per lot)	\$ 10.00
Divisions over 59 lots (first 50 lots)	\$ 520.00
(additional per lot)	\$ 5.00

- (l) **Pump Surcharge Fee**
 All services located within a pressure zone which utilizes pumping separate from the District as a whole will be charged a pump surcharge fee to offset the cost of power to such pumps.

Zone A (per month, per service)	\$ 4.50
Each 100 cubic feet (per month, Per service)	\$.181
Zone A1 (per month, per service)	\$ 9.00
Each 100 cubic feet (per month, Per service)	\$.427

Amended by Ordinance 02-02 August 21, 2002
 Amended by Ordinance 2010-05 July 21, 2010
 Amended by Ordinance 2014-03 August 20, 2014

- (m) **Multiple Units**
Multiple units with a single meter shall be charged the minimum rate per month for each unit whether occupied or not, plus the standard consumption rate.
- (n) **Delinquency charge**
A delinquency charge of ten percent (10%) of any bill or portion thereof not paid by the due date shown on such bill shall be charged by the District.
- (o) **Backflow Prevention Assembly Testing:** The State of California Department of Health Services requires the annual testing of all Backflow Prevention Devices. Customers who have a Backflow Device up to and including 2" in diameter will be charged a service fee of \$3.00 per month for the required annual testing and all necessary repairs. This fee includes the cost of materials, repairs and labor. For those customers who have a Backflow Device larger than two inches in diameter, a service fee of \$4.00 a month will be charged for the required annual testing. Repairs for devices larger than 2" in diameter would be provided at the cost for materials plus an additional 20% for shipping and handling, and a \$60.00 hourly labor cost.

Added by Ordinance No. 2005-01 April 20, 2005

Section 7. Water Rates:

- a) **Residential Rate:** Each installed service shall be charged a basic rate as depicted below per month whether or not water is used. An allocation of 300 cubic feet of water will be received for the base rate.

Tiered Base Rate Structure

<u>Meter Size</u>	<u>Proposed Rate</u>
5/8"	\$20.75
3/4"	\$21.00
1"	\$21.25

The Tiered Consumption Rate Structure will increase on September 1, 2014 as follows, for all charges per one hundred (100) cubic feet rounded to the nearest one hundred (100) cubic feet on usage above the base allocation amount of 300 cubic feet:

Tiered Consumption Rate Structure

		September 1, 2014
Tiers	Usage	Rate
Tier 1	0-7,000 cubic feet	.670
Tier 2	7,001 – 12,000 cubic feet	.690

Unofficial Conformed Version

Tier 3	12,001 – 17,000 cubic feet	.710
Tier 4	17,001 – 22,000 cubic feet	.730
Tier 5	22,001 – 26,000 cubic feet	.750
Tier 6	26,001 – 30,000 cubic feet	.770
Tier 7	30,001 +	.790

Revised by Ordinance No. 97-1 March 19, 1997
Revised by Ordinance No. 98-1 June 17, 1998
Revised by Ordinance No. 99-1 July 21, 1999
Revised by Ordinance No. 00-2 July 19, 2000
Revised by Ordinance No. 02-01 August 21, 2002.
Revised by Ordinance 03-01 July 16, 2003
Revised by Ordinance No. 2011-02 July 20, 2011
Revised by Ordinance No. 2014-02 August 20, 2014

b) Commercial & Industrial Rate: Each commercial and industrial installed service shall be charged a basic rate depending on the meter size. The rate to be charged is in accordance with the Basic Rate Schedule shown below. The Basic Rate is a minimum per month charge whether or not water is used. An allocation of 300 cubic feet of water will be provided for the Basic Rate. A Consumption Rate per one hundred (100) cubic feet rounded to the nearest one hundred (100) cubic feet will be charged on usage above 300 cubic feet according to the Consumption Rate Schedule shown below.

BASIC RATE SCHEDULE

<u>Meter Size</u>	<u>Rate</u>
¾ Inch	\$ 21.00 / Month
1 Inch	\$ 21.25 / Month
1-1/2 Inch	\$ 41.25 / Month
2 Inch	\$ 81.75 / Month

CONSUMPTION RATE SCHEDULE

<u>Water Usage</u>	<u>Amount</u>
301-5,445 cf	\$.670/100 cf
5,446-10,890 cf	\$1.38/100 cf
10,891-16,335 cf	\$2.07/100 cf
16,336-21,780 cf	\$2.76/100 cf
21,781-27,225 cf	\$3.45/100 cf
27,226-32,670 cf	\$4.14/100 cf

Added per Ordinance No. 02-05 October 16, 2003
Revised by Ordinance No. 2011-03 July 20, 2011
Revised by Ordinance No. 2014-02 August 20, 2014

c) **Grant School Service Rate:** Grant School shall be charged a basic rate on their 2" meter of \$81.75 per month. The Basic Rate is a minimum per month charge whether or not water is used. An allocation of 300 cubic feet of water will be provided for the Basic Rate. A Consumption Rate per one hundred (100) cubic feet of water rounded to the nearest one hundred (100) cubic feet of usage above 300 cubic feet will be charged according to the Consumption Rate Schedule shown below.

CONSUMPTION RATE SCHEDULE

<u>Tiers</u>	<u>Usage</u>	<u>Rate</u>
Tier 1	0-7,000 cubic feet	.535
Tier 2	7,001 – 12,000 cubic feet	.555
Tier 3	12,001 – 17,000 cubic feet	.565
Tier 4	17,001 – 22,000 cubic feet	.575
Tier 5	22,001 – 26,000 cubic feet	.585
Tier 6	26,001 – 30,000 cubic feet	.595
Tier 7	30,001 +	.605

This section regarding Grant School was deleted effective January 1, 1999 by Ordinance No. 98-1.

Revised by Ordinance No. 2011-04 July 20, 2011

Revised by Ordinance No. 2014-02 August 20, 2014

- d) **Landscape Service:** Water for landscape watering will be charged according to Section 7 (a).
- i. Landscape water service may be reduced, limited, or terminated according to Section III. C-6 of Ordinance No. 8.

Revised by Ordinance No. 2010-01 March 17, 2010

Section 8. Billing:

- (a) **Billing Cycle:** The District shall determine by resolution the interval upon which meters shall be read and bills rendered. Presently, the District is on a bi-monthly billing cycle, but has in the past utilized a monthly cycle. Each meter will be read on the same date for each billing cycle, provided that there will be an allowance to adjust for Sundays, holidays and unusual or unforeseen conditions. The District will, as soon as is possible following each meter reading date, mail or deliver to each customer a billing statement for the preceding billing period.
- (b) **Due Date:** All bills or charges shall be due and payable at the District office upon presentation and shall be delinquent on the delinquent date set forth on the billing.
- (c) **Collection of Delinquent Bills:** All rates, charges, penalties and interest which remain delinquent as of the 30th day of May of each calendar year may be collected in the same manner as the general taxes for property in the District, provided that the District shall give notice to each affected property owner as provided by law. This remedy for collection and

enforcement of rate, charges and penalties is cumulative, together with all other remedies provided to the District by law, and such remedies may be pursued alternatively or concurrently. The District hereby declares that the foregoing procedures for collection are established as a means of enforcement of the terms and conditions of this Ordinance and not as a penalty.

Section 9. Discontinuance of Service:

- (a) **Customer Request:** Service may be turned off at the written request of the customer if at the time of such request all bills for that customer are current. Service will be resumed upon payment of the fees currently in effect for such resumed service at the time request for service is made.
- (b) **Termination of Service:** Any service which has become delinquent will be subject to being shut off by the District. A notice of intent to shut off the service will be sent by regular mail to a customer at the address to which District bills are sent seven (7) days prior to termination of service. If bills are still delinquent following the seven (7) day mail notification, a twenty-four (24) hour shut off notice will be delivered and posted at the residence, or if there is no residence, at the meter. If the customer is a tenant and if the owner has agreed to be responsible for unpaid bills, a seven (7) day written notice will also be given to the property owner at the address specified by the property owner or at the address to which real property tax bills are mailed. Any service which remains delinquent following the seven (7) day written notice and the twenty-four (24) hour shut off notice is subject to being shut off by the District.
- (c) **Restoration of Service:** Services which have been discontinued for nonpayment of bills will be reinstated upon payment of all charges due the District, together with payment of the current turn on fee. On services discontinued because of delinquent bills, the District shall have the option of removing the meter.

Section 10. Enactment: This Ordinance is enacted in connection with the operation by the District of a general system for the distribution of domestic water supplies and is immediately required to develop and promote the orderly distribution of domestic water inhabitants of the District. In view of this, it is deemed in the best interest of the District and its customers and due to the necessity to promote public health and safety that this Ordinance 96-1 be, and such Ordinance is hereby declared to be in full force and to be effective immediately upon its adoption by the Board of Directors.

- (a) **Prohibited Acts:** Any person who obtains water services from the District without paying the full lawful charge therefore, or with intent to enable another person to do so, or with intent to deprive the District of any part of the full lawful charges for water services, provides, commits, authorizes, or solicits any of the following shall be liable to the District for the penalties set forth in Section 10 (c).

1. Diverts or causes water to be diverted by any means whatsoever.

2. Prevents any water meter, or other device used in determining the charge for water services, from accurately performing its measuring function by tampering or by any other means.
3. Tampers with any property or equipment owned by or used by the District to provide services.
4. Makes or causes to be made any connection with or reconnection with property or equipment owned or used by the District to provide water services without the authorization or consent of the District.
5. Uses or receives the direct benefit of all or a portion of water services with knowledge or reason to believe that the diversion tampering, or unauthorized connection existed at the time of that use, or that the use or receipt was otherwise without the authorization or consent of the District.

(b) Determination of Violation: The Board of Directors of the District, after notice and opportunity to be heard, shall determine whether there has been a violation of the prohibitions of Section 10. In that determination, if there are any of the following objects, circumstances, or conditions on the premises controlled by the customer or by the person using or receiving the direct benefit of all or a portion of water services obtained in violation of this section, then the District may conclusively presume that the customer or person did violate this section:

1. Any instrument, apparatus, or device primarily designed to be used to obtain water services without paying the full lawful charge there for;
2. Any water meter that has been altered, tampered with, or bypassed so as to cause no measurement or inaccurate measurement of water delivered; or
3. The cutting or removal of a seal on any meter or other water measuring device.

(c) Penalties: In the event any person is found liable to the District for violations set forth above in Section 10 (a), each and every person involved in such violation shall be liable to the District as follows:

1. Fines for violations are payable upon demand to the party so assessed, and shall be payable in the following amounts:
 - (i) First violation: cost of unauthorized water taken, plus a fine of up to \$250.00
 - (ii) Second violation: cost of unauthorized water taken, plus a fine of up to \$500.00

- (iii) Third and subsequent violations: cost of unauthorized water taken, plus a fine of up to \$1,000 for each violation.
2. In the event that a person violates the above cited restrictions, and as a part of such violation tampers with a fire hydrant there by increasing danger to life and property, such fire hydrant tampering will result in immediate assessment of a fine of up to \$1,000.00 per incident, plus, in the District's discretion, criminal charges may be pressed with appropriate authorities pursuant to the provisions of the California Penal Code.
3. Any repairs which are required to restore damaged facilities shall be paid for by the person or persons who tampered with the facilities, or the customer to whom the facilities currently serve water, or by any new or different customer requesting water service through the damaged facilities.
4. The foregoing penalties shall be in addition to any such other penalty as is provided by law, including but not limited to California Penal Code Section 498, and any other criminal violations that may result from the unlawful taking of District water supplies.

Revised by Ordinance No. 2009-05 August 19, 2009

Section 11. Enactment: This Ordinance is enacted in connection with the operation by the District of a general system for the distribution of domestic water supplies and is immediately required to develop and promote the orderly distribution of domestic water to inhabitants of the District. In view of this, it is deemed in the best interest of the District and its customers and due to the necessity to promote public health and safety that this Ordinance 96-1 be, and such Ordinance is hereby declared to be in full force and to be effective immediately upon its adoption by the Board of Directors of the District.

Section 12. Severability: If any section or provision of a section in this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are severable. The Board of Directors of the District hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

Section 13. No Mandatory Duty of Care: This Ordinance is not intended to and shall not be construed or given effect in a matter which imposes upon the District or any officer or employee thereof, a mandatory duty of care towards persons or property within the District so as to provide a basis for civil liability for damages, except as otherwise imposed by law.

Section 14. Repeal of Conflicting Ordinances: All ordinances and parts of ordinances and resolutions or parts of resolutions in conflict herewith are repealed insofar as such conflict may exist.

Section 15. Violation is Misdemeanor: A violation of any provision of this Ordinance shall be a misdemeanor, punishable by a fine not to exceed Five Hundred Dollars (\$500.00), or by imprisonment in the County Jail not to exceed six (6) months, or both. Each and every day, or part of a day a violation of this Ordinance continues, shall be deemed a separate offence hereunder and shall be punishable as such.

Section 16. Adoption: The foregoing Ordinance was duly and regularly adopted by a majority of the Board of Directors of the Centerville Community Services District at a meeting held on February 29, 1996.

ADOPTED this 29th day of February, 1996.

Larry Whitehead, President
Board of Directors

Attestation:

Jackie DeWitt, Secretary
Board of Directors

STATE OF CALIFORNIA)
COUNTY OF SHASTA)

I, JACKIE DeWITT, Secretary to the Board of Directors of the Centerville Community Services District, do hereby certify that Ordinance No.96-1 was introduced at a regular meeting of the Board of Directors of the Centerville Community Services District held January 25, 1996, and was thereafter passed and adopted at a regular meeting of said Board of Directors following a public hearing thereon held February 29, 1996, by the following vote:

AYES:	Whitehead, Stubban, Gannon, Moty, Richison
NOES:	None
ABSENT:	None
ABSTAINED:	None

I further certify that Ordinance No.96-1 was approved and signed by the President of the Board on the date of its passage.

Jackie DeWitt, Secretary
Board of Directors