MARIPOSA COUNTY ORDINANCE NO. 929

AN ORDINANCE AMENDING CHAPTER 13.02
ENTITLED "WATER REGULATIONS"

WHEREAS, it is desirable to update provisions of the Ordinance entitled "Water Regulations" to reflect the current regulations and operations in the county dependent special district or county service area zone that provides a treatment works; and

WHEREAS, the maintenance advisory committees and staff, during public meetings, have reviewed and recommended revisions of the Ordinance to the Board of Supervisors; and

WHEREAS, the Board of Supervisors desires to implement regulations that are consistent with current regulations to serve all users; and

WHEREAS, the Board of Supervisors held duly noticed public hearings with regards to the aforementioned regulations.

NOW THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does amend all Sections and Exhibits to Chapter 13.02, attached hereto.

PASSED AND ADOPTED this 25th day of November, 1997, by the Board of Supervisors of Mariposa County by the following vote:

AYES: REILLY, BALMAIN, STEWART, PARKER, PICKARD
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE

[Signature]
Robert C. Stewart, Chairman
Board of Supervisors

ATTEST:

[Signature]
MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

[Signature]
JEFFREY G. GREEN
County Counsel
Chapter 13.02

WATER REGULATIONS

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13.02.001 Short title.
The ordinance codified in this chapter may be referred to as "Water Regulations." It may be amended by a majority vote of the Board of Supervisors.

13.02.002 Regulations.
The following regulations respecting water system construction and connection to the water system of the district and all work in respect thereto shall be performed as herein required and not otherwise.
13.02.003  Retroactivity.
To the extent that this ordinance provides certain minimum standards, provisions and requirements for design, methods of construction and use of materials in water system facilities hereafter installed, altered or repaired, it shall not apply retroactively and in the event of an alteration or repair hereafter made, it shall apply only to the new materials and methods used therein.

13.02.010  Definitions
For purposes of this chapter:
A. "Applicant" means the person making application for a permit for a water service installation and shall be the owner of premises to be served by the water service for which a permit is requested, or his/her authorized agent.
B. "Board" means the board of directors of the service area. The Mariposa County Board of Supervisors acts as the board of directors for the county dependent special districts.
C. "Commercial use" means all retail stores, restaurants, office buildings, laundries, and other private business and service establishments, including churches and lodges.
D. "Cost" means the cost of labor, material, transportation, supervision, engineering and all other necessary overhead expenses.
E. "Cross-connection" means a connection or potential connection between any part of a potable water system and any other environment containing other substances in a manner that, under any circumstances would allow such substances to enter the potable water system. Other substances may be gases, liquids, or solids, such as chemicals, waste products, steam, water from other sources (potable or nonpotable), or any matter that may change the color or add odor to the water.
F. "Distribution mains" means water lines in streets, roads, highways, alleys and easements used for public and private fire protection or general distribution of water.
G. "District" means any county dependent special district or county service area zone that provides a community water system.
H. "Owner" means the person owning the fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the county recorder's office, or the person in possession of the property or buildings under claim of, or exercising acts of, ownership over same for himself/herself, or as executor, administrator, guardian or trustee of the owner.
I. "Health officer" as used in this chapter of the County Code means the health officer or his/her authorized deputy, agent or representative.
J. "Person" means any human being, individual, firm, company, partnership, association or private or public or municipal corporation, the United States of America, the state, districts, and all political subdivisions, and governmental agencies.
K. "Private fire protection system" means water service and facilities for building sprinkler systems, hydrants, hose reels and other facilities installed on private property for fire protection, and the water available therefor.
L. "Premises" means a lot or parcel of real property under one ownership, except that any separate structure under one roof shall be deemed separate premises. Apartment houses, motels, office buildings and structures of like nature may be classified as single premises.
M. "Public fire protection service" means the service and facilities of the entire water supply, storage and distribution system of the district, including the fire hydrants affixed thereto and the water available for fire protection, excepting house service connections and appurtenances thereto.
N. "Public works director" as used in this chapter of the County Code means the
director of operations for all districts, service areas, etc., within the County, or his/her authorized
deputy, agent or representative.

O. "Regular water service" means water service and facilities rendered for normal
domestic, commercial and industrial purposes on a permanent basis, and the water available
therefor.

P. "Residential use" means any residence, apartment house, habitation, trailer or other
structure customarily occupied by one family. Property improved for multifamily purposes shall
constitute the number of residential units that the facilities thereon provide in number of facilities for
residential units.

Q. "Service" or "service connection" means the pipeline and appurtenant facilities such
as the curb stop, meter and meter box, if any, all used to extend water service from a distribution
main to premises. Where services are divided to serve several customers, each such branch service
shall be deemed a separate service.

R. "Temporary water service" means water service and facilities rendered for
construction work and other uses of limited duration, and the water available therefor.

S. "Water department" means the board of directors of the district performing functions
related to the district water service, together with the public works director and other duly
authorized representatives. (Ord. 484 Art. II Sec. 201--214, 1978).

13.02.020 Use of words and phrases.
For the purpose of this chapter, all words used in this chapter in the present tense shall
include the future, all words in the plural number shall include the singular number, and all words in
the singular number shall include the plural number. (Ord. 484 Art. II Sec. 101, 1978).

13.02.030 Creation of water department.
A water department is created comprising the following positions: public works director
and/or other duly authorized representatives. (Ord. 484 Art. II Sec. 401, 1978).

13.02.040 Furnishing of water system and facilities.
The district will furnish a system, plant, works and undertaking used for and useful in
obtaining, conserving and distributing water for public and private uses, including all parts of the
system, all appurtenances to it, and lands, easements, rights in land, water rights, contract rights,
franchises, and other water supply, storage and distribution facilities and equipment. (Ord. 484 Art.
II Sec. 102, 1978).

13.02.050 Application for service form.
Applications for regular water service, where no main extension is required, shall be made
upon a form provided by the district. (Ord. 484 Art. II Sec. 501, 1978).

13.02.060 Application for service—signifies willingness to comply with regulations.
Application for service will signify the customer's willingness and intention to comply with
this chapter and other ordinances or regulations relating to the regular water service and to make
payment for water service required. (Ord. 484 Art. II Sec. 502, 1978).
13.02.070 Application for service--Acceptances of pressure conditions.  
All applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection, and to hold the district harmless for any damages arising out of low pressure or high pressure conditions or interruptions in service. (Ord. 484 Art. II Sec. 104, 1978).

13.02.080 Application for service--Payment for previous service.  
An application will not be honored unless payment in full has been made for water service previously rendered to the applicant by the district. (Ord. 484 Art. II Sec. 503, 1978).

13.02.090 Installation of services.  
Regular water services will be installed at the location desired by the applicant of the size determined by the water department. Service installations will be made only to property abutting on public streets or abutting on such distribution mains as may be constructed in alleys or easements, at the convenience of the water department. Services installed in new subdivisions prior to the construction of streets or in advance of street improvement must be accepted by the applicant in the installed locations. (Ord. 484 Art. II Sec. 504, 1978).

13.02.100 Changes in customer's equipment.  
Customers making any material change in the size, character or extent of the equipment or operations utilizing water service or whose change in operations results in a large increase in the use of water shall immediately give the district written notice of the nature of the change and, if necessary, amend their application. (Ord. 484 Art. II Sec. 505, 1978).

13.02.110 Main extensions--Procedure upon application for service.  
The following rules are established whenever a property owner within the district makes application for service, such application shall also comply with Sections 13.02.110 through 13.02.140:

A. Determination of Necessity. Upon receipt of any application for water service or request for an application form, the public works director shall determine whether a main extension is necessary to provide service. A main extension shall be installed in the manner provided in this section whenever, in the judgment of the public works director and the board, such main extension is necessary to provide regular water service to property described in such application or request.

B. Application. Any owner of one or more lots or parcels or subdivider of a tract of land where, in the opinion of the public works director, one or more main extensions is required, desiring regular water service to serve such property, shall make a written application therefor to the district, said application to contain the legal description of the property to be served and tract number thereof, and any additional information which may be required by the district, and be accompanied by a map showing the location of the proposed connections.

C. Investigation of Application. Upon receipt of the application, the public works director shall make an investigation of the proposed extension and submit a recommendation and the estimated cost thereof to the board.

D. Ruling on Application. The board shall thereupon consider such application and report and, after such consideration, reject, amend or approve the application.

E. To Remain Property of District. All extensions provided for, in accordance with these regulations, shall be and remain the property of the district.
F. **Dead-end Lines.** No dead-end lines shall be permitted, except as recommended by the public works director and approved by the board. In cases where, subsequent to the approval of a dead-end line by the board, another dead-end line is planned in sufficient proximity to make connection feasible and such connections recommended by the public works director and approved by the board, the dead-end lines shall be connected. In cases where circulation lines are necessary, they shall be designed and installed by the water department as a part of the cost of the extension.

G. **Extent and Design.** All main extensions shall extend to the far property line of developed property. If additional property is developed on the same lot after installation of a main extension, the main extension shall be extended to the far property line of the additionally developed property. All main extensions shall be designed and specified by a California registered civil engineer consistent with the minimum requirements contained in the most recently adopted Mariposa County Improvement Standards subject to approval by the public works director. (Ord. 484 Art. II Sec. 601, 1978).

13.02.120 **Main extensions--To be provided by applicant.**

The applicant will provide and construct all main extensions upon approval of application for service by the board. (Ord. 484 Art. II Sec. 602, 1978).

13.02.130 **Main extensions--Determination of cost -- Advance Payment.**

If the application for service is approved, the board shall determine the cost to the district of the main extension, including all engineering, inspection and other expenses attributable to the line. (Ord. 484 Art. II Sec. 603, 1978). When the board so determines, the applicant shall advance the amount of the estimate and the line shall thereupon be installed by the applicant. If the amount of the advance deposit exceeds the actual cost of engineering, legal, inspection and other charges attributable to the extension, the balance shall be refunded to the applicant. If the amount of the deposit is insufficient to pay all the costs of engineering, legal, inspection and other charges attributable to the extension, the applicant shall pay all such costs to the district prior to the acceptance of the extension by the district. (Ord. 484 Art. II Sec. 604, 1978).

13.02.145 **Connection of land outside district - Permit required.**

Permission shall not be given to connect to any lot or parcel of land outside the service area to any district water works in or under the jurisdiction of the service area unless a permit therefor is obtained. The applicant shall first enter into a contract in writing whereby he/she shall bind himself/herself, his/her heir, successors and assigns to abide by all resolutions, ordinances, rules and regulations in regard to the manner in which such water system shall be used, the manner of connecting therewith and the plumbing and drainage in connection therewith, and also shall agree to pay all fees required for securing the permit and a monthly fee in the amount set by the Board for privilege of using such water works.

13.02.146 **Connection of land outside district - Public hearing.**

The granting of such permission for outside water in any event shall be optional with the board; however, prior to considerations by the board, there shall be scheduled a public hearing in the service area for public input on all applications for outside water contracts. The requirements for a public hearing on service connection applications for service to properties outside the service area shall apply on applications for sewer service as well as water service. The board is under no obligation to approve applications for service outside the district. Approval of application shall be based on recommendations made to the board by the public works director.
13.02.150 **Subdivision water system--Application--Written**
A person desiring to provide a water system within a tract of land which he/she proposes to subdivide within district boundaries shall make written application therefor and comply with Sections 13.02.160 through 13.02.220. (Ord. 484 Art. II Sec. 701, 1978).

13.02.160 **Subdivision water system--Application--Contents**
The application to provide a subdivision water system shall state the number of the tract, the name of the subdivision and its location. It shall be accompanied by a copy of the tentative map and of the plans, profiles and specifications for the street work, sanitary sewer and storm drainage work and other underground utilities therein. (Ord. 484 Art. II Sec. 702, 1978).

13.02.170 **Subdivision water system--Application--Investigation**
Upon receiving the application to provide a subdivision water system, the public works director shall review the engineered plans and shall report the findings to the county planning commission, including a recommendation as to the facilities required. The size, type and quality of materials shall be in accordance with county improvement standards in effect at the time of the application. (Ord. 484 Art. II Sec. 703, 1978).

13.02.180 **Subdivision water system--Specifications and construction**
Location of the lines and grades of the subdivision water system shall be designed and specified by a California registered civil engineer consistent with the minimum requirements contained in the most recently adopted Mariposa County Improvement Standards. The actual construction will be done at the expense of and by the subdivider, and supervised and inspected by the public works director. Fire hydrants shall be located at intervals as determined by the district in keeping with National Fire Protection Agency standards along the distribution main. Plans and engineering costs will be the responsibility of the subdivider. (Ord. 484 Art. II Sec. 704, 1978).

13.02.190 **Subdivision water system--Property of district**
All facilities shall be the property of the district and shall be conveyed to the district by a proper instrument in writing at the time the facilities are completed and accepted by the district. (Ord. 484 Art. II Sec. 705, 1978).

13.02.200 **Subdivision water system--Service connections**
The subdivider shall, at his/her cost, provide and install the service connection to each parcel property line in the tract including the pipeline, curb stop and meter box, including the meter. (Ord. 484 Art. II Sec. 706, 1978).

13.02.210 **Subdivision water system--Costs and expenses**
All costs and expenses incurred by the district under Sections 13.02.150 through 13.02.220, including the cost of investigation, inspection, legal and consulting engineer's services, shall be paid to the district by the subdivider prior to approval of the application. (Ord. 484 Art. II Sec. 707, 1978).

13.02.220 **Subdivision water system--Further requirements**
In granting an application to provide a subdivision water system, the board may make whatever further requirements as may be necessary. (Ord. 484 Art. II Sec. 708, 1978).
13.02.230 Number of services per premises.
The applicant may apply for as many services as may be reasonably required for his/her premises, provided that the pipeline system from each service is independent of the others and that they are connected to one service line on the customer side of the meter. The cost of all services shall be borne by the applicant. (Ord. 484 Art. II Sec. 801, 1978).

13.02.240 Supply to separate structures.
Each house or structure for which application for water service is made after the effective date of the ordinance codified in this chapter which fronts on a public street or private road shall have a separate service connection. (Ord. 484 Art. II Sec. 802, 1978).

13.02.250 Water waste prohibited.
No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the district may discontinue the service if such conditions are not corrected within five days after giving the customer written notice. (Ord. 484 Art. II Sec. 803, 1978).

13.02.260 Responsibility for equipment on customer premises.
All facilities installed by the district on private property for the purpose of rendering water service shall remain the property of the district and may be maintained, repaired or replaced by the water department without consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in the protection of the facilities. No payment shall be made for placing or maintaining said facilities on private property. (Ord. 484 Art. II Sec. 804, 1978).

13.02.270 Liability for damages to water system facilities.
The customer shall be liable for any damage to the district owned customer water service facilities when such damage is from causes originating on the premises by an act of the customer or his tenants, agents, employees, contractors, licensees or permittees, including the breaking or destruction of locks by the customer or others on or near a service, and any damage to a service that may result from hot water or steam from a boiler or heater on the customer's premises. The district shall be reimbursed by the customer for any such damage promptly on presentation of a bill. (Ord. 484 Art. II Sec. 805, 1978).

13.02.280 Ground wire attachments prohibited.
All persons are forbidden to attach any ground wire or wires to any plumbing which is or may be connected to a service connection or main belonging to the district. The district will hold the customer liable for any damage to its property occasioned by such ground wire attachments. (Ord. 484 Art. II Sec. 806, 1978).

13.02.290 Control valve on customer's property.
The customer shall provide a valve on his/her side of the service installation, as close as is practicable to the street, highway, alley or easement in which the water main serving the customer's property is located, to control the flow of water to the piping on his/her premises. The customer shall not use the service curb stop to turn water on and off for his convenience. (Ord. 484 Art. II Sec. 807, 1978).
13.02.300  Cross-connections.
All customers must comply with the state and federal laws governing cross-connection control and the latest version of the Mariposa County cross-connection control policy.

13.02.310  Interruptions in service.
The district shall not be liable for damage which may result from an interruption in service from a cause beyond the control of the water department. Temporary shutdowns may be made by the water department to make improvements and repairs. Whenever possible and as time permits, all customers affected will be notified prior to making such shutdowns. The district will not be liable for interruption, shortage or insufficiency of supply nor for any loss or damage occasioned thereby if caused by accident, act of God, fire, strikes, riots, war or any other cause not within its control. (Ord. 484 Art. II Sec. 809, 1978).

13.02.320  Ingress and egress.
Representatives from the water department shall have the right of ingress and egress to the customer's premises at reasonable hours for any purpose reasonably connected with the furnishing of water service. (Ord. 484 Art. II Sec. 810, 1978).

13.02.330  Tampering with district property prohibited.
No one except an employee or representative of the board shall at any time in any manner operate the curb cocks or valves, main cocks, gates, or valves of the district's system; or interfere with meters or their connections, street mains or other parts of the water system, including fire hydrants. (Ord. 484 Art. II Sec. 105, 1978).

13.02.340  Notices--To customers.
Notices from the district to a customer will normally be given in writing and either delivered or mailed to the customer at the customer's last known address. Where conditions warrant, and in emergencies, the district may resort to notification by either telephone or messenger. (Ord. 484 Art. II Sec. 301, 1978).

13.02.350  Notices--From customers
Notice from the customer to the district may be given by the customer's authorized representative in writing:
A.  At the district's operating office;
B.  To the public works director; or
C.  To an officer or agent duly authorized by the board to receive notices or complaints. (Ord. 484 Art. II Sec. 302, 1978).

13.02.360  User charges.
User charges for water service shall be consistent with a board adopted rate structure for the district and in the amounts as established by the Board of Supervisors from time to time by resolution following a public hearing and set forth in Appendix I of the County Code. The types of user charges that may be in the rate structure are as follows:
A. Residential use: as defined in Section 13.02.010.;
B. Commercial use: as defined in Section 13.02.010.
13.02.370 Billing—period of service.
The regular billing period will be monthly. (Ord. 549 Sec. 1, 1980; Ord. 501 Sec. 2 (part), 1979; Ord. 484 Art. II Sec. 901, 1978).

13.02.380 Billing—Opening and closing bills.
Opening and closing bills for less than the normal billing period shall be prorated, as to both minimum charges and quantity blocks. If the total period for which service is rendered is less than one month, the bill shall not be less than the monthly minimum charge applicable. Closing bills may be estimated by the water department for the final period as an expedience to permit the customer to pay the closing bill at the time service is discontinued. (Ord. 484 Art. II Sec. 902, 1978).

13.02.390 Billing—Rendering and payment of bills.
A. Bills for water service and sewer service shall be rendered at the end of each billing period to include the minimum charge for the following period. Bills shall be payable on presentation.

B. On each bill for services rendered by the district shall be printed substantially the following: "If charges are not paid within thirty days after the due date or dates, a penalty of ten percent will be added to said charges plus a further penalty of one percent per month on the first day of each month following. If full charges and penalty, if any, are not paid within sixty days after the due date or dates, district shall discontinue service, and a reconnection charge determined by the board and set forth in Appendix 1 of the County Code will be imposed." (Ord. 616 Sec. 1, 1984; Ord. 501 Sec. 2 (part), 1979; Ord. 484 Art. II Sec. 903, 1978).

13.02.400 Discontinuance of service—Nonpayment of bills.
A. Under the terms of this section, service may be discontinued for nonpayment of bills.

B. A customer's water service may be discontinued if water service furnished at a previous location is not paid for within the time fixed in this chapter for the payment of bills.

C. If a customer receives water service at more than one location and the bill for service at any one location is not paid within the time provided for payment, water service at all locations may be turned off.

D. At least thirty (30) days prior to any discontinuance of service for nonpayment of bills, hereunder, the customer shall be sent a notice, which notice shall contain the following:
   1. That a billing which is specified and itemized is delinquent.
   2. That if the billing is disputed by the customer, the customer may meet with the public works director or a designated employee and that the customer will have the opportunity to present his/her objection to the billing.
   3. The name of the employee and the fact that the employee shall be empowered to act on behalf of the district to correct any errors in the billing.
   4. The address where such employee is located.
   5. The hours of the day wherein the employee will be available to meet with the customer.

   6. That if the billing is determined to be justly due by the district after the meeting between the customer and the district employee, or if the customer fails to avail himself or herself of a meeting, the service will be disconnected on the first regular working day thirty (30) days from the date of the notice described herein, or as soon thereafter as can be done.
   7. The notice required herein shall be sent by United States mail, registered, return receipt requested.
E. The service will not be discontinued, however, until the amount of the deposit, if any, made to establish credit for that service has been fully absorbed. (Ord. 616 Sec. 2, 1984; Ord. 484 Art. II Sec. 1001, 1978).

13.02.410 Discontinuance of service--Reconnection charge.
A reconnection charge plus penalties in an amount determined by the board and set forth in Appendix I of the County Code will be made and collected prior to renewing service following a discontinuance. (Ord. 484 Art. II Sec. 1002, 1978).

13.02.420 Discontinuance of service--Unsafe apparatus.
Water service may be refused or discontinued to any premises where apparatus or appliances are in use which might endanger or disturb the service to other customers. (Ord. 484 Art. II Sec. 1003, 1978).

13.02.430 Discontinuance of service--Prohibited cross-connections.
Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of state or federal laws. (Ord. 484 Art. II Sec. 1004, 1978).

13.02.440 Discontinuance of service--Fraud or abuse.
Service may be discontinued if necessary to protect the district against fraud or abuse. (Ord. 484 Art. II Sec. 1005, 1978).

13.02.450 Discontinuance of service--Noncompliance with regulations.
Service may be discontinued for noncompliance with this chapter or any other ordinance or regulations related to the water service. (Ord. 484 Art. II Sec. 1006, 1978).

13.02.460 Discontinuance of service--Upon vacating premises.
Customers desiring to discontinue service should so notify the water department five days prior to vacating the premises. Unless discontinuance of service is ordered the customer shall be liable for charges whether or not any water is used. (Ord. 484 Art. II Sec. 1007, 1978).

13.02.470 Discontinuance of service--Short-term disconnection.
Upon notification to the water department, short-term disconnections will be made where the time involved comprises multiples of the minimum billing period. (Ord. 484 Art. II Sec. 1008, 1978).

13.02.480 Unpaid charges--Penalty charge.
Rates and charges which are not paid on or before the thirtieth day after the due date or dates shall be subject to a penalty of ten percent, and thereafter shall be subject to a further penalty of one percent per month on the first day of each month following. (Ord. 484 Art. II Sec. 1101, 1978).

13.02.490 Unpaid charges--Collectable by suit.
All unpaid rates and charges and penalties provided in this chapter may be collected by suit. (Ord. 484 Art. II Sec. 1102, 1978).
13.02.500 Unpaid charges--cost of suit.
The defendant shall pay all costs of suit in any judgment rendered in favor of the district. (Ord. 484 Art. II Sec. 1103, 1978).

13.02.510 Temporary service--Duration.
Temporary service connections shall be disconnected and terminated within six months after installation unless an extension of time is granted in writing by the public works director. (Ord. 484 Art. II Sec. 1401, 1975).

13.02.520 Temporary Service--Deposit--Rates and charges.
A. The applicant shall deposit, in advance, an amount determined by the board and set forth in Appendix 1 of the County Code for each diameter inch of service desired. Upon discontinuance of service, the actual cost of installing and removing the facilities required to furnish said service and the cost to repair any damages, exclusive of the cost of salvageable material, shall be determined and an adjustment made as an additional charge, refund or credit.
B. If service is supplied through a fire hydrant, the applicant will be charged a flat charge per connection, for both installation and removal of service facilities including meter, in an amount determined by the board and set forth in Appendix 1 of the County Code.

13.02.530 Temporary service--Installation and operation.
All facilities for temporary service to the customer connection shall be made by the water department and shall be operated in accordance with its instructions (Ord. 484 Art. II Sec. 1403, 1978).

13.02.540 Temporary service--Responsibility for meters and installation.
The customer shall use all possible care to prevent damage to any leased facilities of the district which are involved in furnishing the temporary service from the time they are installed until they are removed, or until forty-eight hours' notice in writing has been given to the district that the contractor or other person is through with the meter or meters and the installation. If the meter or other facilities are damaged or lost, the cost of making repairs shall be paid by the customer. (Ord. 484 Art. II Sec. 1404, 1978).

13.02.550 Temporary service--from fire hydrant.
If temporary service is supplied through a fire hydrant, a permit for the use of the hydrant shall be obtained from the proper authority. It is specifically prohibited to operate the valve of any fire hydrant other than by the use of a spanner wrench designed for this purpose. (Ord. 484 Art. II Sec. 1405, 1978).

13.02.560 Temporary service--unauthorized use of water from hydrants.
Tampering with any fire hydrant for the unauthorized use of water therefrom, or for any other purpose, is a misdemeanor punishable by law. (Ord. 484 Art. II Sec. 1406, 1978).

13.02.570 Temporary service--Credit.
The applicant shall pay the estimated cost of service in advance or shall be otherwise required to establish credit. (Ord. 484 Art. II Sec. 1407, 1978).
13.02.580 Fire hydrant--Use restrictions.
Fire hydrants are for use by the district, the Mariposa County Fire Department or by organized fire protection agencies pursuant to contract with the district. Other parties desiring to use fire hydrants for any purpose must first obtain written permission from the water department prior to use and shall operate the hydrant in accordance with instructions issued by the water department. Unauthorized use of hydrants will be prosecuted according to law. (Ord. 484 Art. II Sec. 1201, 1978).

13.02.590 Fire hydrant--Moving or changing.
When a fire hydrant has been installed in the location specified by the proper authority, the district has fulfilled its obligation. If a property owner or other party desires a change in the size, type or location of the hydrant, he/she shall bear all costs of such changes, without refund. Any change in the location of a fire hydrant must be approved by the proper authority. (Ord. 484 Art. II Sec. 1202, 1978).

13.02.600 Private fire protection system--Payment of cost.
The applicant for private fire protection service not now installed shall pay the total actual cost of installation of the service from the distribution main to the customer's premises, including the cost of a detector check meter or other suitable and equivalent device, valve and meter box. Said installation shall become the property of the district. (Ord. 484 Art. II Sec. 1301, 1978).

13.02.610 Private fire protection system--No connection to other system.
There shall be no connection between a private fire protection system provided for by Section 13.08.610 and any other water distribution system on the premises. (Ord. 484 Art. II Sec. 1302, 1978).

13.02.620 Private fire protection system--Water use restriction.
There shall be no water used through the fire protection service provided for by Section 13.08.610 except to extinguish accidental fires and for testing the fire-fighting equipment. (Ord. 484 Art. II Sec. 1303, 1978).

13.02.630 Private fire protection system--Monthly rates.
The monthly rates for private fire protection shall be established in the district's schedule of rates. (Ord. 484 Art. II Sec. 1304, 1978).

13.02.640 Private fire protection system--Water for fire storage tanks.
Occasionally, water may be obtained from a private fire service for filling a tank connected with the fire service, but only if written permission is secured from the Mariposa County Public Works Department in advance and an approved means of measurement is available. The regular water rates will be applied. (Ord. 484 Art. II Sec. 1305, 1978).

13.02.650 Private fire protection system--Violation of agreement.
If water is used from a private fire service in violation of the agreement or of these regulations, the district may, at its option, discontinue and remove the service. (Ord. 484 Art. II Sec. 1306, 1978).
13.02.660  Private fire protection system--Water pressure and supply.
The district assumes no responsibility for loss or damage due to lack of water or pressure and merely agrees to furnish such quantities and pressures as are available in its general distribution system. The service is subject to shutdowns and variations required by the operation of the system. (Ord. 484 Art. II Sec. 1307, 1978).

13.02.680  Penalty for violation.
For the failure of the customer to comply with all or any part of this chapter and any ordinance, resolution or order fixing rates and charges of this district, a penalty for which has not been specifically fixed by this chapter, the customer's service shall be discontinued and the water shall not be supplied such customer until the customer has complied with the rule or regulation, rate or charge which said customer has violated or, in the event that the customer cannot comply with said rule or regulation, until said customer has satisfied the Mariposa County Public Works Department that in the future said customer will comply with all the rules and regulations established by ordinance of the district and with all rates and charges of this district. In addition thereto, the customer shall pay the district an amount equal to the current reconnection fee for renewal of said customer's service. (Ord. 484 Art. II Sec. 106, 1978).

13.02.690  Water availability charge--Rate.
The water availability charge: An amount per individual lot or parcel per month for each separate lot or parcel, which is not connected to the district water system shall be determined by the board and set forth in Appendix 1 of the County Code.

13.02.700  Water availability charge--Payment.
The water availability charge as determined by the board, shall be payable upon billing and due on the first day of each calendar month. Said monthly charge shall not be subject to proration or refund.

13.02.710  Water availability charge--Billing period.
Monthly, or after the tenth day of each month, each owner of land, as shown by the last equalized assessment roll of the County, shall be billed for the amount of water availability charge which will accrue to such property for the thirty-day preceding period.

13.02.720  Water availability charge--Credit upon connection.
Should a parcel of land become connected to the district water system and subject to monthly service charges, there shall be credited against future service charges so much of the availability charge as has been actually paid that is not yet due as of the date of connection.

13.02.730  Water availability charge--Delinquency--Penalty.
If any water availability charge remains unpaid on the first day of August following its due date, a six-percent penalty thereon shall accrue.

13.02.740  Water availability charge--Collection with taxes.
The total amount of the delinquent unpaid water availability charge plus the penalty shall be added to the annual tax upon the land to which the district water system were available and for which the charge is unpaid and shall constitute a lien on that land in the manner provided in Section 25210.77(d) of the Government Code.
13.02.750  **Water availability charge--Delinquency report.**

No later than August 15 of each year, the public works director shall furnish, in writing to the Board of Supervisors and to the County Auditor of the County of Mariposa, respectively, a report containing a description of each and every parcel of land within the district upon which a standby charge remains unpaid, together with the amount unpaid, plus the penalty, on each parcel. From and after the date, unless the County Auditor agrees otherwise, such delinquent amounts in penalties shall be paid together with, and not separately from, taxes and shall be subject to the same procedures and penalties.