



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

"SHIRTSLEEVE" SESSION

Date: October 27, 2015

Time: 7:00 a.m.

For information regarding this Agenda please contact:

Jennifer M. Ferraiolo

City Clerk

Telephone: (209) 333-6702

Informal Informational Meeting

A. Roll Call by City Clerk

B. Topic(s)

B-1 Receive Information Regarding Proposed Changes to Public Works Policies, Charges Related to the Provision of Public Works Services, and Changes to Lodi Municipal Code Title 13 – Public Services (PW)

C. Comments by Public on Non-Agenda Items

D. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Jennifer M. Ferraiolo
City Clerk

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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Receive Information Regarding Proposed Changes to Public Works Policies, Charges Related to the Provision of Public Works Services, and Changes to Lodi Municipal Code Title 13 – Public Services

MEETING DATE: October 27, 2015 (Shirtsleeve)

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Receive information regarding proposed changes to Public Works Policies, charges related to the provision of Public Works Services, and changes to Lodi Municipal Code Title 13 – Public Services.

BACKGROUND INFORMATION: Operations within the Water and Wastewater Divisions have evolved over the past two decades. As a result, several of the existing policies need to be updated, and new policies need to be created, to reflect current conditions within those utilities. In addition, this provides an opportunity to inform the City Council regarding the respective roles and responsibilities of the City and its customers.

The Public Works Policies and Procedures Manual covers a wide range of services, including: administration, engineering, storm, streets, sewer, water, transit, and solid waste. The action requested of the City Council herein is specific to the sewer and water policies as described below. Copies of the various policies are attached.

A comprehensive listing of Public Works fees for services is proposed. A majority of the fees are existing fees, with a few new fees proposed. In addition, some of the fees will be reset to reflect the cost of providing the service. A standard annual indexing is proposed that would apply to most of the fees.

Water Policy No. 6 – Water Service Upgrading (Exhibit A)

This is an existing policy that requires property owners of parcels which are to be developed, or redeveloped, to upgrade water services that do not conform to existing City standards. The principal change to the policy is the addition of this statement, “Installation of the water meter shall be performed by the City.”

The Water Meter Program will install, relocate, and upgrade all residential, industrial, commercial and multi-family water services within the City. The charge to the property owner is the cost of the meter assembly (based upon meter size) and all other related work is paid by the water utility. Property owners required to upgrade their water service prior to and after the Water Meter Program is complete, did not or will not benefit from the utility’s subsidy. Some customers have complained about the inequity of this application of the policy.

Water Policy No. 9 – Water Service Maintenance (Exhibit B)

This is a new policy that establishes the responsibility for maintenance of water service. The property owner is responsible to repair and maintain the water service lateral from the service side of the water meter box to

APPROVED: _____
Stephen Schwabauer, City Manager

the building. The City will repair and maintain the water service from the public water main up to the service side of the water meter box at no cost to the property owner. In conjunction with the Water Meter Program, the City has paid for the repair of customers' water service laterals when the City's contractor is nearby and a repair is needed as part of the program. Generally, the City has provided this service for a two-year period following acceptance of a water meter program phase that is the same as the warranty period required of the contractor.

Water Policy No. 10 – Water Meter Installation (Exhibit C)

This is a new policy that establishes the procedures for installing water meters. The policy is backed by State law requiring all water customers within the Lodi service area to have meters by 2025. At locations with a standard meter box assembly for which a meter has been purchased, there is no charge for City forces to set the meter. At locations with a standard meter box assembly for which a meter has not been purchased, the meter charge is based upon size. A recommended meter charge schedule is included in the resolution that, if approved, charges would annually change indexed to the Consumer Price Index beginning January 1, 2017. That date is selected based upon staff's objective to distribute water meter invoices to all non-residential, multi-family and condominium customers by that date. Those invoices will be based upon the water meter charge schedule approved by City Council as presented in Exhibit G.

Sewer Policy No. 4 – Wastewater Lateral Maintenance (Exhibit D)

This is an existing policy that is not changing, but a few differences exist from Water Policy No. 9 – Water Service Maintenance, that we bring to the City Council's attention. First, the property owner is responsible for maintaining the entire wastewater lateral from the main to the building that includes rodding, flushing, roto-rooting, etc. If a lateral needs to be repaired, the City will only repair the lateral from the main to the property line at no cost to the property owner. The property owner is responsible for all costs of determining maintenance and/or repair needs for the entire lateral. If a lateral is located in a back yard, the City is responsible for the portion from the main to the cleanout.

Over the past many years, this policy has been enforced at a variety of levels. The purpose of bringing this to the City Council is to re-establish a consistent approach and response to customer lateral maintenance and repair. We would adhere to the policy described in the above paragraph.

We have frequently experienced in the past, a property owner will hire a plumbing service to clear a suspected blockage in a lateral only to discover a blockage exists in the publicly owned wastewater main. Sometimes the property owner will seek reimbursement from the City for the cost of investigating the private lateral and routinely these claims are denied on the basis of it being required under the maintenance requirement of the policy.

Sewer Policy No. 8 – Septic Waste Disposal Policy (Exhibit E)

This is an existing policy, however the wording is changed to clarify the area from where septic waste is accepted is "north of Eight Mile Road, west and north to the Sacramento County lines and east to Amador and Calaveras County lines." In addition, the days of service are revised to Monday through Thursday. Fridays are eliminated due to the plant being staffed by a single operator as a result of the current 9/80 work schedule. Service can be provided on Fridays, weekends, and holidays with advance registration and payment of a 20-percent surcharge. The charge for septic waste disposal from areas outside the City limits is 150-percent of the inside City limits charge. This is consistent with other charges to water and wastewater customers receiving service outside the City limits.

Sewer Policy No. 9 – Grease Disposal Policy (Exhibit F)

This is an existing policy with a few of the provisions being revised to reflect current operations. For example, the days that grease dumping is allowed are Monday through Thursday. Fridays are eliminated due to the plant being staffed by a single operator as a result of the current 9/80 work schedule. Service can be provided on Fridays, weekends, and holidays with advance registration and payment of a 20-percent surcharge. The charge for grease disposal from areas outside the City limits is 150-percent of the inside City limits charge. This is consistent with other charges to water and wastewater customers receiving service outside the City limits.

Public Works Fee Schedule (Exhibit G)

The consolidated Public Works Fee Schedule represents a complete listing of fees levied by the Public Works Department. The fees listed have been adopted by various resolutions over time with some subject to inflationary increase and others not. A few new fees are included in the list. An objective is for the Council to approve a complete list of fees by resolution with a common methodology and indexing for annual updates of the fees.

The new fees are the Final Map Processing fee of \$12 per lot; Special Events and Block Party Encroachment Permit fee of \$200 and \$43, respectively; Building Permit (Commercial, Industrial, and Multi-Family) and Building Permit (Residential) of Fats, Oils, and Greases (FOG) Inspection and Re-Inspection fee of \$100 and \$125, respectively. These new fees are computed based upon time records and hourly costs for staff performing the work, except for the FOG fee that was set at the level charged by the City of Stockton. The FOG fee may need to be adjusted in the future as experience is gained in performing the state-mandated inspections. The Block Party fee will not be charged for National Night Out block parties.

The fees for installing a wastewater lateral (4 inch), installing water services (3/4, 1, 1 ½, and 2 inch), and abandoning water services are proposed to be reset based upon experience in the field. Some are increasing (wastewater lateral and abandonment) more than the indexing suggests and others are reducing (water services generally).

Two categories of fees, Transportation and Water Meters, will not be indexed fees. The Transportation fees are set equal to the Caltrans transportation fees. The Water Meter fees are inclusive of the purchase cost and installation and are not set to change until all customers under the Water Meter Program have been charged for their new water meter. This way all water customers pay the same price for their water meter based upon the size of the meter regardless of the installation date.

All the fees listed in the Public Works Fee Schedule will be increased every July 1 by the amount of the 12-month change in the Consumer Price Index, All Urban Consumers, San Francisco-San Jose-Oakland, CA, not including the exceptions noted above. The Old Fee column in Exhibit G is the fees enacted July 1, 2014 and the New Fee column is the fees enacted July 1, 2015 with the exception of the new fees to be approved as part of the proposed resolution.

Lodi Municipal Code Title 13 – Public Services

Staff is recommending changes to Title 13 “Public Services” for the purpose of updating code sections to reflect current practice related to implementation of the Water Meter Program and to clean up language as appropriate. These recommended changes are listed below and provided in red line/strike out form in Exhibit H.

13.04.030 -- Includes provision of termination of public services for delinquent payment. This could include termination of electric and water service that would result in an uninhabitable structure. Also, provides for

levying a charge for disconnection and reconnection as is the current situation with the Electric Utility. If electric and water service were disconnected and reconnected, the existing Electric Utility fee of \$75.00 would be charged and provisions for deposits would be enacted.

13.04.040 -- Includes an allowance for licensed contractors to install water and sewer service connections.

13.04.060 -- Includes condominiums with the apartment and flat provisions of this section. Added language, "When one or more meters are installed on the water service(s) to parcels with apartments, condominiums, and flats, the water and sewage charges will be billed based upon the usage recorded by the meter to the owner or the owner's agent-in-charge. Water and sewer charges for individually metered apartments, condominiums, and flats will be billed to the occupant."

13.04.140 -- Adds a section as follows, "Tampering with or Destruction of Utility Systems or Equipment. Damage or destruction to city utility equipment or systems, including water meters, water or sewer lines, electric meters, or electric lines or connections, in addition to the diversion of water to bypass a meter or energy theft diversion, are each punishable as a misdemeanor, in addition to any administrative fee or penalty which may be imposed under this code."

13.08.050 -- Includes in the "Metered Service" section that meters and appurtenant facilities are the property of the City, the City has right to access meter facilities (particularly those located in backyards), water meters are only to be installed on City-owned facilities unless approved by the City Council, and property owners (City properties exempt) are required to pay for the meter charge.

13.08.055 -- Establishes a procedure for the City to charge for meter testing although no charge is recommended at this time. Property owners will need to submit a written request to have their meter tested. If the test results demonstrate the meter is accurate within plus or minus three percent, the customer will be required to pay for testing the meter if a charge has been put into effect by the Council. If it is determined the meter is inaccurate by more than plus or minus three percent, customer's bill will be adjusted and there will be no charge for the meter test and the meter will be replaced.

13.08.140 -- "Major crossings" section should be removed because it is no longer a component of the Impact Mitigation Fee Program.

13.08.150 -- For all water customer classes where an oversized meter is installed, meter charge and monthly base charge will be based upon the right-sized meter. For example, a new residential unit with fire suppression may require a 1-inch meter for fire suppression but a 3/4-inch meter for service. The customer will be charged based upon the 3/4-inch meter size. Similarly, a non-residential customer that received a new 2-inch meter but its service requirements are for a 1-inch meter, the customer meter and monthly service charge will be based upon a 1-inch meter size.

13.08.170 -- Adds two sections describing the customer's responsibility for testing, maintenance, and repair of backflow prevention assemblies.

13.08.230 -- Further defines water waste to include overspray, excessive watering, operation of a water feature using non-recycled water, and watering outside permitted times.

13.08.240 -- Provides clarification on watering days, exemption for parks due to size and use patterns, and authorizes the Public Works Director to modify permitted watering times during drought conditions.

13.08.250 -- Established enforcement procedures, fines for water waste according to the schedule provided below, and an appeal process. The water waste fines will be established by ordinance and the recommended fines are included below.

1. Informational notification
2. First written water waste notice
3. Second written water waste notice within 12-month period - \$35.00
4. Third written water waste notice within 12-month period - \$75.00
5. Fourth written water waste notice within 12-month period - \$200.00
6. Fifth written water waste notice within 12-month period - \$500.00
7. Additional water waste notice within 12-month period – service disconnection

A review of the ordinance changes provided in Exhibit H will reveal other minor grammatical and clarifying changes that have not been noted above.

FISCAL IMPACT: Revenues collected from fees will increase as the Consumer Price Index increases.

FUNDING AVAILABLE: Not applicable.

F. Wally Sandelin
Public Works Director

Prepared by F. Wally Sandelin/Public Works Director
FWS/FWS/tb

Attachments



CITY OF LODI

PUBLIC WORKS DEPARTMENT

POLICIES AND PROCEDURES

WATER – 6

WATER SERVICE UPGRADING

04/26/2010

GENERAL

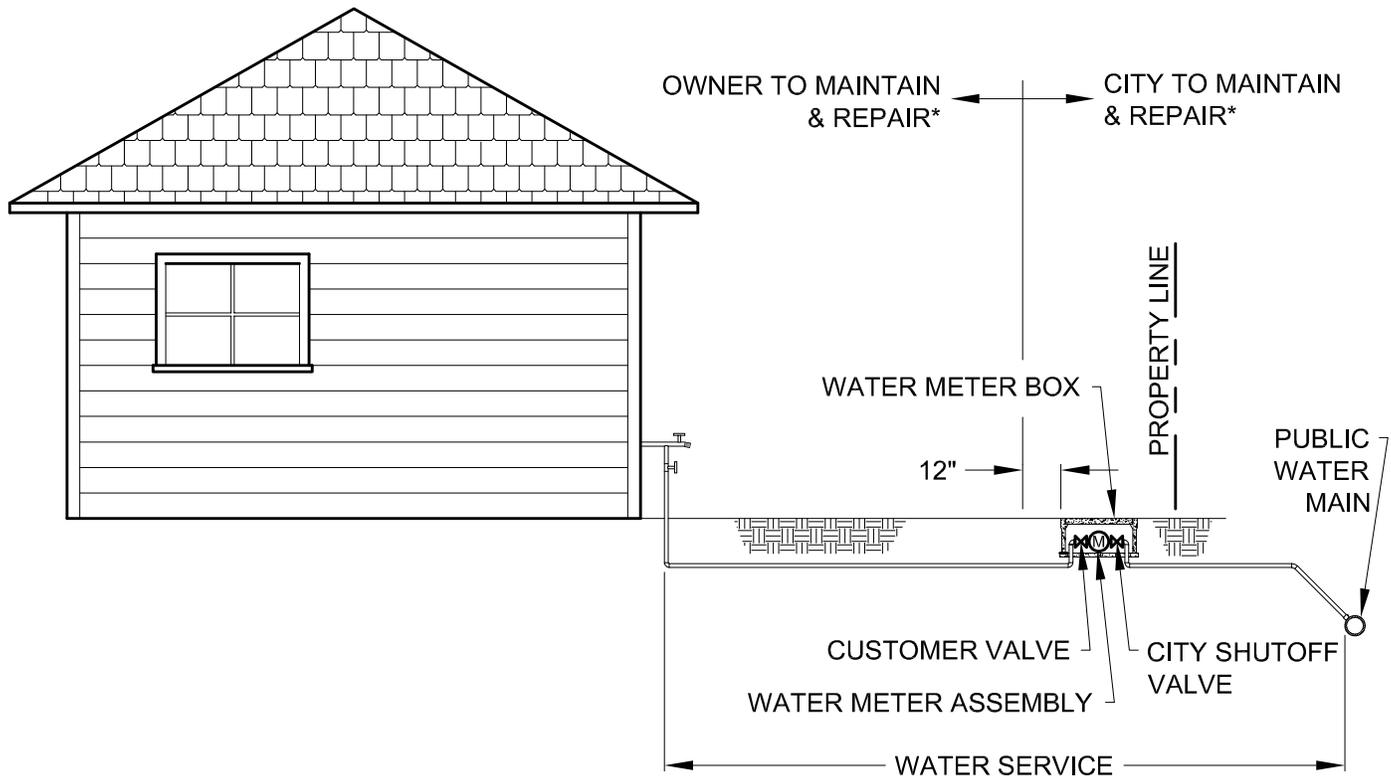
Existing parcels, which are to be developed or redeveloped, on which there are existing water services, that do not conform to existing City Standards, are to have the services upgraded at the time of construction.

Construction of new, or additions to existing, single-family houses with existing services are exempt.

DEVELOPER'S RESPONSIBILITY

- On parcels where the development falls under the requirements of the off-site improvement ordinance and where there is no change required in the size of the water service, the cost of upgrading the existing water service to present standard will be borne by the developer. The work may be done by the City or the developer's plumber, depending on conditions of the existing service.
- In all cases where new service is required, the entire cost of installation and/or abandonment is the responsibility of the developer. The work will normally be done by the City.
- In all cases where a water meter is required, the cost of the meter is the responsibility of the developer/builder/property owner. Installation of the water meter shall be performed by the City.
- It is also the developer's responsibility to disconnect the existing service prior to demolition and to be aware of its location during demolition.

F. Wally Sandelin
Public Works Director



Water Service Maintenance Policy Adopted by City Council _____, 2015 Resolution No. - 2015

1. The property owner is responsible to repair and maintain the water service lateral from the service side of the water meter box to the building as shown above. Maintenance includes repairing broken or leaking water pipes.
2. The City will repair and maintain the water service from the public water main up to the service side of the water meter box as shown above, including the water meter assembly, radio transponder, and the meter box, at no cost to the property owner.
3. The property owner shall not tamper with the water meter assembly or the city shut off valve inside the water meter box. Any damages caused by the tampering will be repaired at the property owner's expense.
4. The property owner shall not alter the elevation or location of the water meter box and the water meter assembly. No stationary object shall be placed directly on top of the water meter box.
5. For water service problems that do not appear to be property owner's responsibility, call the City Utilities Operation at (209) 368-5735. The City will confirm if it's their problem.

* In cases where the water main is in a rear/side yard easement, the demarcation will be at the water shut off at the easement line.

F. WALLY SANDELIN, PUBLIC WORKS DIRECTOR



CITY OF LODI

PUBLIC WORKS DEPARTMENT

POLICIES AND PROCEDURES

WATER – 10

Water Meter Installation

9/2015

GENERAL

Current State Law requires that all customers within the Lodi Service Area have meters installed by 2025. Since 1979, new residential development and some residential redevelopment has been required to install meter boxes but was not required to purchase a water meter. Since 1992, new residential development and some residential redevelopment has been required to install meter boxes and to pay for a water meter that generally was not set in the box. Since 2002, the City has rehabilitated portions of the water system and has installed meter boxes in the process but has not yet installed meters. Approximately 11,000 residential properties constructed prior to 1979 in the Lodi Service Area have neither meter box nor meter.

Construction of new housing is required to install the meter box assembly and meter as is the requirement for all non-residential development.

Developer/Property Owner Responsibility

1. At residential service locations where the meter box assembly has been installed by the developer/property owner and a meter has not been paid for, the cost for the new meter, installation, and permit is the obligation of the property owner. This cost shall be in an amount determined by the City Council by resolution.
2. At residential service locations where the meter box assembly has been installed by the developer/property owner and a meter has been paid for, there is no cost to the developer/property owner for the installation and permit for setting the meter.
3. At residential service locations where neither meter box assembly nor meter has been set, the cost for the meter box assembly, meter, meter purchase and permit is the responsibility of the developer/property owner. This cost shall be in an amount determined by City Council by resolution.

City Responsibility

1. The City is responsible for implementing a program to complete the installation of water meters to all customers by January 21, 2025.
2. The City is responsible for the cost to upgrade any part of the meter box assembly or meter to a new standard for all existing residential meters.
3. Installation of water meters into meter box assemblies.

F. Wally Sandelin
Public Works Director

Approved by City Council _____
Resolution No. 2015-____

Procedure

1. All water meters shall be installed by City forces or by Contractors under contract with the City.
2. The cost for the meter installation shall be in an amount determined by City Council by resolution.
3. Installation of a meter or meter box assembly/meter requires the issuance of a Work Order by the Finance Department. The work is to be performed by City forces or by Contractors under contract with the City. The Work Order will be activated by only one of the following:
 - a. Issuance of a Building Permit or Plumbing Permit by the Community Development Department for the installation of a new, upgraded, or altered water service.
 - b. Issuance of a Water Service Upgrade Permit by the Public Works Department to upgrade or add a service.
 - c. Issuance of a Water Meter Installation Permit by the Public Works Department for the installation of a pre-purchased meter in an existing meter box assembly.
 - d. Issuance of a Water Meter Installation Permit by the Public Works Department for the installation of a meter purchased by the developer/property owner in an existing meter box assembly.

F. Wally Sandelin
Public Works Director

Approved by City Council _____
Resolution No. 2015-____



CITY OF LODI

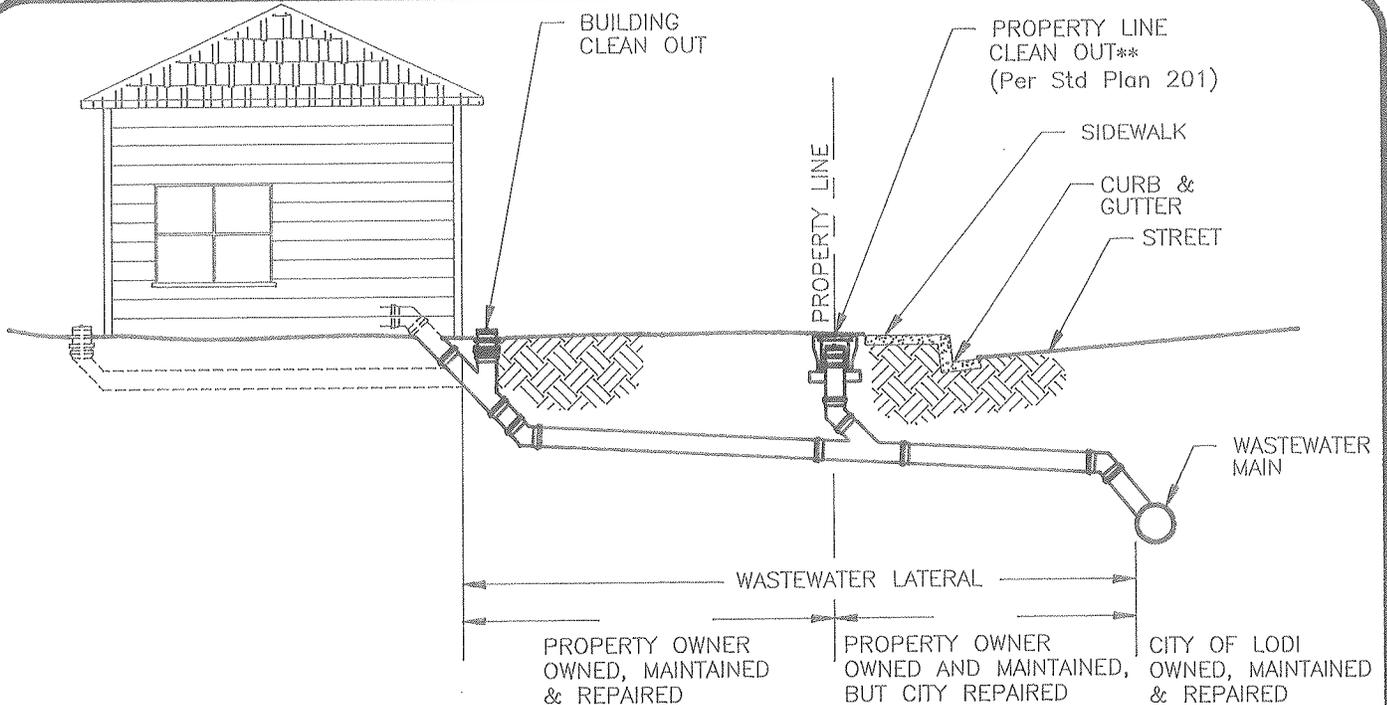
PUBLIC WORKS DEPARTMENT

POLICIES AND PROCEDURES

SEWER-4

WASTEWATER LATERAL MAINTENANCE

12/93



WASTEWATER BUILDING LATERAL MAINTENANCE POLICY ADOPTED BY CITY COUNCIL DECEMBER 6, 1967

1. The property owner is responsible for maintaining the entire wastewater lateral from the wastewater main to the building. Maintenance includes rodding, flushing, roto-rooting, etc.
2. The property owner is responsible for costs of determining maintenance and/or repair needs for the entire lateral.
3. When the wastewater lateral needs to be repaired, the City will only repair the lateral from the wastewater main to the property line*, at no cost to the property owner.
4. The above clean outs must be (re)installed by the property owner whenever their portion of the lateral is being replaced or repaired. The City will normally install the property line clean out** if the City portion is being replaced.
(In cases of laterals existing before January 1987 where the building clean out is within 25' of the property line*, the property line clean out installation may be waived by the Public Works Department.)
5. For wastewater problems that do not appear to be the property owner's responsibility, call the City Utilities Operator at 368-5735. The City will confirm if it's their problem.

* In cases where the wastewater main is in a rear/side yard easement, the demarcation will be at the property line clean out**, and if there is no property line clean out the demarcation will be at the water shut off at the easement line.

** The property line cleanout could be located on either side of the property line or easement line, see Public Works Department Standard Plan 201.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

POLICIES AND PROCEDURES

SEWER – 8

SEPTIC WASTE DISPOSAL POLICY

Rev. 9/2015

The City has agreed with San Joaquin County to accept septic tank waste from the north part of county (north of Eight Mile Road, west and north to the Sacramento County lines, and east to Amador and Calaveras County lines). Wastes generated outside the prescribed area will not be accepted. Wastes generated outside Lodi city limits will be assessed a surcharge (See Fee and Service Charges Schedule).

This procedure outlines requirements and/or restrictions that must be followed by septic tank pumper companies authorized to discharge domestic holding tank waste at the White Slough Water Pollution Control Facility (WSWPCF), located at 12751 North Thornton Road.

- Must have a current City of Lodi Wastewater Discharge Permit (renewable every two years).
- Wastes must comply with Lodi Municipal Code (LMC) Chapter 13.12 and any special provisions established for this type of waste.
- All grease must be of animal or vegetable origin. No mineral-based greases will be accepted.
- No waste will be accepted whose origin is a sand/oil trap.
- No waste will be accepted that is deemed hazardous by any federal, state or local regulations.
- Grease Interceptor waste must originate from within City of Lodi limits (See Grease Disposal Policy).
- Domestic holding tank waste shall only be discharged to the City's sewer system at the designated dump station, located at 12751 North Thornton Road, between the hours of 7:00 a.m. and 3:30 p.m., Monday through Thursday, excluding holidays.
- In extreme situations or emergencies, the City will accept waste on weekends/holidays. Due to limited staff (one person) during these time periods, an appointment must be scheduled in advance with the duty operator. This scheduling can be accomplished by calling the WSWPCF at (209) 333-6749 between 7:00 a.m. and 12:00 p.m., Friday, Saturday, Sunday or holidays. If no answer, you will automatically enter the City's voice mail system. Our duty operator will review the voice message system at 12:00 p.m. and return any septic waste hauler's call to schedule a time to discharge at the WSWPCF. On no occasion will this be before 7:00 a.m. or after 3:30 p.m. If hauler is unable to make the appointment it is their responsibility to notify City staff and reschedule. This weekend/holiday schedule service allowed in extreme situations and/or emergencies does take our staff from their normal duties and will disrupt their schedules. Therefore, weekend/holiday dumping privileges will constitute an additional 20 percent charge above the current rate.
- A domestic holding tank manifest must be submitted for each load detailing origins of waste. Drivers must also sign a WSWPCF log before dumping each load.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

POLICIES AND PROCEDURES

- Septic tank pumper companies and their employees will be responsible for maintaining and cleaning of any spills at this designated grease pump station.
- Bills are issued after the first of each month for the preceding month and are due and payable within 45 days of issue. (See current Public Works fee and service Charge Schedule). Failure to pay a bill in this time period will result in revocation of Wastewater Discharge Permit and will also be subject to a required cash deposit established by the City's Finance Director as defined in the LMC, Chapter 13.04.
- Reinstatement of a revoked Wastewater Discharge Permit will require reapplying for said permit along with a \$75 fee to process a reissuance of a Wastewater Discharge Permit. Wastewater Discharge Permits revoked more than twice during a 12 month period will not be reinstated for a period of one year.

F. Wally Sandelin
Public Works Director

Approved by City Council _____
Resolution No. 2015-____



CITY OF LODI

PUBLIC WORKS DEPARTMENT

POLICIES AND PROCEDURES

SEWER – 9

GREASE DISPOSAL POLICY

Rev. 9/2015

The City has agreed with San Joaquin County to accept grease trap waste from commercial and industrial grease traps from the north part of county (north of Eight Mile Road, west and north to the Sacramento County lines, and east to Amador and Calaveras County lines). Wastes generated outside the prescribed area will not be accepted. Wastes generated outside Lodi city limits will be assessed a surcharge (See Fee and Service Charges Schedule).

This procedure outlines requirements and/or restrictions that must be followed by grease tank pumper companies authorized to discharge domestic holding tank waste at the White Slough Water Pollution Control Facility (WSWPCF), located at 12751 North Thornton Road.

- Must have a current City of Lodi Wastewater Discharge Permit (renewable every two years).
- Wastes must comply with Lodi Municipal Code (LMC) Chapter 13.12 and any special provisions established for this type of waste.
- All grease must be of animal or vegetable origin. No mineral-based greases will be accepted.
- No waste will be accepted whose origin is a sand/oil trap.
- No waste will be accepted that is deemed hazardous by any federal, state or local regulations.
- Grease trap waste shall only be discharged to the City's sewer system at the designated dump station, located at 12751 North Thornton Road, between the hours of 7:00 a.m. and 3:30 p.m., Monday through Thursday, excluding holidays.
- In extreme situations or emergencies, the City will accept waste on weekends/holidays. Due to limited staff (one person) during these time periods, an appointment must be scheduled in advance with the duty operator. This scheduling can be accomplished by calling the WSWPCF at (209) 333-6749 between 7:00 a.m. and 12:00 p.m., Friday, Saturday, Sunday or holidays. If no answer, you will automatically enter the City's voice mail system. Our duty operator will review the voice message system at 12:00 p.m. and return any septic waste hauler's call to schedule a time to discharge at the WSWPCF. On no occasion will this be before 7:00 a.m. or after 3:30 p.m. If hauler is unable to make the appointment it is their responsibility to notify City staff and reschedule. This weekend/holiday schedule service allowed in extreme situations and/or emergencies does take our staff from their normal duties and will disrupt their schedules. Therefore, weekend/holiday dumping privileges will constitute an additional 20 percent charge above the current rate.
- A grease trap manifest must be submitted for each load detailing origins of waste. Drivers must also sign a WSWPCF log before dumping each load.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

POLICIES AND PROCEDURES

- Grease trap pumper companies and their employees will be responsible for maintaining and cleaning of any spills at this designated grease pump station.
- Bills are issued after the first of each month for the preceding month and are due and payable within 45 days of issue. (See current Public Works fee and service Charge Schedule). Failure to pay a bill in this time period will result in revocation of Wastewater Discharge Permit and will also be subject to a required cash deposit established by the City's Finance Director as defined in the LMC, Chapter 13.04.
- Reinstatement of a revoked Wastewater Discharge Permit will require reapplying for said permit along with a \$75 fee to process a reissuance of a Wastewater Discharge Permit. Wastewater Discharge Permits revoked more than twice during a 12 month period will not be reinstated for a period of one year.

F. Wally Sandelin
Public Works Director

Approved by City Council _____
Resolution No. 2015-____

Public Works Fee Schedule for July 1, 2015				
	Engineering Fees	Old Fee	New Fee	Note
1	Inspection on overtime callout (per hour)	\$ 80.00	\$ 139.00	
2	Improvement Agreement	\$ 1,991.00	\$ 2,048.00	
3	Improvement Agreement Addenda	\$ 663.00	\$ 682.00	
4	Partial Project Acceptance	\$ 293.00	\$ 301.00	
5	Deferred Improvement Agreement	\$ 1,991.00	\$ 2,048.00	
6	Annexation ²	\$ 763.00	\$ 784.00	
7	Building Permit - Commercial, Industrial, Multi-Family ¹	\$ 726.00	\$ 1,050.00	
8	Building Permit - Single Family Residential ¹	\$ 134.00	\$ 525.00	
9	Development Plan ^{1,2}	\$ 1,270.00	\$ 1,306.00	
10	per lot over 4 lots	\$ 18.00	\$ 19.00	
11	Parcel Map Check/Processing	\$ 328.00	\$ 337.00	
12	per lot over 4 lots	\$ 12.00	\$ 12.00	
13	Final Map Processing	\$ 264.00	\$ 271.00	
14	per lot over 4 lots	n/a	\$ 12.00	
15	Tentative Parcel Map & Non-Residential Condominium Conversion ¹	\$ 1,015.00	\$ 1,044.00	
16	Tentative Subdivision Map ^{1,2}	\$ 1,270.00	\$ 1,306.00	
17	per lot over 4 lots	\$ 18.00	\$ 19.00	
18	Site Plan / SPARC	\$ 508.00	\$ 523.00	

	Storm Drainage Permit Compliance Inspection	Old Fee	New Fee	Note
19	Initial Monthly Construction Inspection	\$ 183.00	\$ 195.00	
20	Subsequent Monthly Construction Inspection	\$ 139.00	\$ 155.00	
21	Post-Construction BMP Annual Inspection	\$ 138.00	\$ 155.00	

	Document Fees	Old Fee	New Fee	Note
22	Design Standards	\$ 20.00	\$ 20.00	
23	Construction Specifications	\$ 20.00	\$ 20.00	
24	Standard Plans	\$ 20.00	\$ 20.00	

	Prints/Copies of File Maps, Plans, Etc. (bond)	Old Fee	New Fee	Note
25	Size A (8 1/2 x 11)	\$ 0.15	\$ 0.15	
26	Size B (11x17)	\$ 0.50	\$ 0.50	
27	Size C, D (17x22, 22x34) First Sheet	\$ 5.00	\$ 5.00	
28	Each Additional Sheet	\$ 2.00	\$ 2.00	
29	Size E and Larger (34x44) First Sheet	\$ 6.00	\$ 6.00	
30	Each Additional Sheet	\$ 3.00	\$ 3.00	
31	Plans & Specifications Sets for bidding (picked up)	\$ 25.00	\$ 25.00	
32	Plans & Specifications Sets for bidding (mailed)	\$ 30.00	\$ 30.00	
33	Certified Payrolls First Sheet	\$ 1.00	\$ 1.00	
34	Each Additional Sheet	\$ 0.25	\$ 0.25	
	Plotted Copy of Existing Map (bond)	Old Fee	New Fee	Note
35	Size C, D (17x22, 22x34) First Sheet	\$ 16.00	\$ 16.00	
36	Each Additional Sheet	\$ 7.00	\$ 7.00	
37	Size E and Larger (34x44) First Sheet	\$ 17.00	\$ 8.00	
38	Each Additional Sheet	\$ 7.00	\$ 7.00	

Public Works Fee Schedule for July 1, 2015

	Encroachment Permit	Old Fee	New Fee	Note
39	Sidewalk/Driveway (Single Parcel)	\$ 85.00	\$ 88.00	
40	Utility Encroachment	\$ 85.00	\$ 88.00	
41	Nonconstruction	\$ 42.00	\$ 43.00	
42	Downtown Sidewalk Encroachment	\$ 42.00	\$ 43.00	
43	Special Events	n/a	\$ 200.00	
44	Block Party	n/a	\$ 43.00	

	Public Improvement Reimbursement Agreement	Old Fee	New Fee	Note
45	Agreement Preparation	\$ 878.00	\$ 903.00	
46	Reimbursement Collection	\$ 234.00	\$ 241.00	

	Miscellaneous	Old Fee	New Fee	Note
47	Address Change	\$ 67.00	\$ 69.00	
48	Document Preparation	\$ 85.00	\$ 88.00	
49	Miscellaneous Easement Abandonment	\$ 425.00	\$ 437.00	
50	Impact Mitigation Fee Payment Agreement	\$ 664.00	\$ 683.00	
51	Lot Line Adjustment	\$ 1,592.00	\$ 1,637.00	
52	Street Abandonment	\$ 1,227.00	\$ 2,500.00	
53	Street Name Change	\$ 425.00	\$ 437.00	

	Transportation Permit	Old Fee	New Fee	Note
54	Single Trip	\$ 16.00	\$ 16.00	per current Caltrans Fee
55	Annual Repetitive Route	\$ 90.00	\$ 90.00	per current Caltrans Fee

	Streets	Old Fee	New Fee	Note
57	Street Name Sign (Per set - 4 signs)	\$ 410.00	\$ 410.00	
58	AC Replacement up to 4 inches in depth (per SF)	\$ 17.63	\$ 17.63	
59	AB Placement up to 6 inches in depth (per SF)	\$ 12.48	\$ 12.48	
60	Seal Coat (per SF)	\$ 0.08	\$ 0.08	

	Wastewater Service Installation	Old Fee	New Fee	Note
61	4 " Service (if jacking required converts to T & M)	\$ 2,582.71	\$ 2,932.00	
62	6" & Larger Service	T & M	T & M	
63	Disconnect/Abandon Service	\$ 1,610.24	\$ 1,745.00	
64	Charge 80% if water service concurrently installed			

Public Works Fee Schedule for July 1, 2015

	Miscellaneous	Old Fee	New Fee	Note
65	Septic Tank Waste (per 1,000 gallons)	\$ 312.34	\$ 321.00	Within City Limits
66	Septic Tank Waste (per 1,000 gallons)	\$ 663.06	\$ 482.00	Outside City Limits
67	Grease Waste (per 1,000 gallons)	\$ 312.34	\$ 321.00	Within City Limits
68	Grease Waste (per 1,000 gallons)	\$ 663.06	\$ 482.00	Outside City Limits
69	Winery Waste (per 1,000 gallons)	\$ 301.04	\$ 301.04	
70	Fats, Oils and Greases Inspection Fee	n/a	\$ 100.00	
71	Fats, Oils and Greases Re-inspection Fee	n/a	\$ 125.00	

	Water Service Installation (exclusive of meter charge)	Old Fee	New Fee	Note
72	3/4"	\$ 5,254.00	\$ 5,080.00	
73	1"	\$ 5,356.46	\$ 5,080.00	
74	1 1/2"	\$ 6,428.51	\$ 5,881.00	
75	2"	\$ 7,222.24	\$ 6,815.00	
76	3" & Over	T & M	T & M	
77	Dual Domestic Water Service	\$ 5,312.23	\$ 5,312.00	Per Standard Plan 418
78	Charge 80% if wastewater service concurrently installed			

	Meter Charge	Old Fee	New Fee	Note
79	3/4"	\$ 300.00	\$ 300.00	
80	1"	\$ 350.00	\$ 350.00	
81	1 1/2"	\$ 780.00	\$ 780.00	
82	2"	\$ 970.00	\$ 970.00	
83	3"	\$ 1,980.00	\$ 1,980.00	
84	4"	\$ 3,570.00	\$ 3,570.00	
85	6"	\$ 6,760.00	\$ 6,760.00	
86	8"	\$ 11,520.00	\$ 11,520.00	

	Disconnect/Abandon Water Service	Old Fee	New Fee	Note
87	2" & under	\$ 1,883.19	\$ 2,050.00	
88	Over 2"	T & M	T & M	

	Miscellaneous	Old Fee	New Fee	Note
89	Meter Testing	n/a	No Charge	
90	Bacterial Sampling Fee (per sample)	\$ 45.00	\$ 45.00	
91	Fire Hydrant Meter Deposit	\$ 1,000.00	\$ 1,000.00	
92	6-Inch Meter Deposit	\$ 5,000.00	\$ 5,000.00	
93	Meter Rental Charge (per day up to 45 days)	\$ 1.00	\$ 1.00	
94	per day 46 through 60	\$ 2.50	\$ 2.50	
95	per day 61 through 90	\$ 5.00	\$ 5.00	
96	per day over 90 days	\$ 10.00	\$ 10.00	
97	Water Usage (per CCF)	\$ 1.00	Tier 1	

ORDINANCE NO. _____

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING
LODI MUNICIPAL CODE TITLE 13 "PUBLIC SERVICES"
BY REPEALING AND REENACTING CHAPTER 13.04 –
"SERVICE GENERALLY" AND CHAPTER 13.08 –
"WATER SERVICE" IN THEIR ENTIRETY

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Chapter 13.04 "Service Generally" is hereby repealed and reenacted to read as follows:

CHAPTER 13.04 - SERVICE GENERALLY

Sections:

- 13.04.010 Definitions
- 13.04.020 Application for Service or Discontinuance.
- 13.04.025 Deposits.
- 13.04.030 Bill Payment and Delinquency.
- 13.04.040 Connections Generally.
- 13.04.050 Connection Charges.
- 13.04.060 Apartments, Condominiums and Flats.
- 13.04.070 Restriction or Interruption.
- 13.04.080 Connection or Reconnection by Plumbers.
- 13.04.090 Right of Access for Inspection.
- 13.04.100 Pipe and Facility Maintenance.
- 13.04.110 Service Only to Contracted Premises.
- 13.04.120 Bill Adjustment.
- 13.04.130 Low Income Adjustments.
- 13.04.140 Tampering with or Destruction of Utility Systems or Equipment.

13.04.010 Definitions.

For the purposes of this chapter, the following words and phrases when used in this chapter shall have the meanings respectively ascribed to them by this section:

- A. "Delinquent bills" means all accounts that have not been paid to the city within twenty-six days after the issue date of the bill for the services provided for by this chapter.
- B. "Director of Finance" means the person named from time to time by the City Manager to be in charge of the financial records and accounts of the city.
- C. "Electric connection" means all wires, insulators, conduits, fuse blocks, fuses, and switches up to and including the meter used to connect the consumer's electric wiring to the city's electrical distribution system.
- D. "~~Garbage collecting~~ Refuse collection service" means that service described in Chapter 13.16 relating to garbage.
- E. "Sanitary sewer tap" means all connections, valves, pipes, and fittings used to connect the customer's sewer system to the city sewer mains.

F. "Service" means the supplying of water, electrical energy, the collection of garbagesolid waste refuse, and the disposal of sewage.

G. "Sewage disposal service" means that service provided for in Chapter 13.12 relating to sewers.

H. "Water tap" means the connection valves, pipes, and fittings used to connect the customer's water system to the city water mains.

13.04.020 Application for service or discontinuance.

All applications for service or discontinuance of service shall be made to, and on forms provided by, the Director of Finance. The Director of Finance shall issue all orders for services, changes, or discontinuances.

13.04.025 Deposits.

1. Services. A deposit for the furnishing or continuance of service may be required by the Director of Finance. Such deposit shall not exceed the estimated amount of charges for two months' service.

2. No United States Issued Identification. In addition to a deposit for services, the Director of Finance may require a deposit not to exceed the estimated amount of charges for two months' services of a customer who is unable to provide a United States issued identification.

3. Length of Deposit.

a. Deposits for services shall remain on the account until twelve consecutive billing periods have passed without late charges being assessed, unless the account is discontinued prior to such event. Return of deposit amounts shall be in the form of credit to the account, unless the account is discontinued, in which case the deposit shall be applied to the final billing and any excess shall be returned to the customer by check.

b. Deposits for no United States issued identification shall remain on the account until the account is discontinued, or until valid United States issued identification is provided. Return of deposit amounts shall be in the form of a credit to the account, unless the account is discontinued, in which case the deposit shall be applied to the final billing and any excess shall be returned to the customer by check. A non-U.S. identification deposit will not be required where at least one U.S. Identification exists on the account.

13.04.030 Bill payment and delinquency.

A. Payment. All bills for the services enumerated in this chapter are due and payable upon receipt thereof, at the finance division, Lodi, California, and become delinquent twenty-six days after the issue date of the bill.

B. Delinquency and Termination of Services. The Director of Finance shall send notice of delinquent bills, and if all delinquent charges for services are not paid within ten days after mailing this notice, then the Director of Finance may discontinue all service furnished to the customer by the city. Within this ten-day notice period, the Director of Finance shall provide a notice forty-eight hours prior to discontinuance of services. Termination of utility services shall be in accordance with Government Code section 54346.

C. Appeal. Prior to any discontinuance of service furnished to the customer by the city, the customer may request the opportunity to be heard as to any adjustment or cancellation of any bill. The hearing shall be held before the Director of Finance or ~~his~~ designee. In the event of a discontinuance of service, as provided in this subsection, the Director of Finance may require as a condition precedent to the resumption of service that the customer pay:

1. All amounts due and owing;
2. ~~The cost to the city of discontinuing and resuming service~~A disconnection/reconnection charge as determined by City Council Resolution, for each occasion that the city has to disconnect and/or reconnect service discontinued for nonpayment of utility services; and
3. A deposit in an amount not exceeding the estimated amount of charges for two months' service.

The Director of Finance or designee may waive delinquent amounts and negotiate a repayment schedule for up to three months (within any twelve-month period) when in the opinion of the Director of Finance or designee the customer can demonstrate financial hardship. No more than two repayment schedules may be allowed in any twelve-month period.

CED. Closing Bills. Closing bills are due on the date on which service is discontinued.

DFE. Late Charges Penalties. Delinquent bills shall be assessed ~~a late charge penalties~~ which will be set from time to time by ~~the~~ City Council Resolution. The ~~late charge penalties~~ may be waived by the Director of Finance when the customer can present evidence of financial hardship or convincing information that timely payment could not have been reasonably expected. Penalties will not exceed those permitted by Government Code section 54348.

13.04.040 Connections generally.

No person except a duly authorized employee of the city shall make any water, electrical, or sewer service connection to the city supply lines. Alternatively, an Encroachment Permit may be issued for water and sewer connections to the city supply lines if the work is to be performed by a state licensed contractor under contract with the property owner. Water and sewer tapping includes bringing the supply lines to a point six inches inside the property line. Electrical connection includes the service drop and necessary meter. On all new and reconstructed buildings where water, sewer, and electrical connections are involved, the equipment and equipment locations must be approved by the inspecting authority.

A service charge will be charged to the applicant when trouble calls involve customer caused service interruptions. All costs of water tapping and sewer connections shall be borne by the applicant and shall be charged at actual cost to the city. However, a flat rate may be established by the provisions of Section 13.04.050 of this chapter.

13.04.050 Connection charges.

The Public Works Director may, with the approval of the Director of Finance, establish or change rates charged for water and sewer connections based on the average cost to the city for such connections made within the preceding six-month period.

13.04.060 Apartments, [Condominiums](#) and flats.

When more than one flat, apartment, building, [condominium](#) or premises is supplied through one water tap, each occupant may pay his own water and sewage bill if flat rates apply. However, if at any time the water is used by an occupant and such fact is not reported to the city, the Director of Finance may require that the owner or the owners' agent-in-charge pay all the water and sewage charges applying to the flats, apartments, buildings, [condominiums](#), or premises being supplied through one tap. When one or more meters are installed on the water service(s) to parcels with apartments, condominiums, and flats the water and sewage charges will be billed based upon the usage recorded by the meter to the owner or the owner's agent-in-charge. Water and sewer charges for individually metered apartments, condominiums and flats will be billed to the occupant.

13.04.070 Restriction or interruption.

The city reserves the right to limit the amount of water supplied to any customer or to different parts of the city should it appear necessary to do so, and shall not be liable for temporary discontinuance of any service while making repairs or replacements.

13.04.080 Connection or reconnection by plumbers.

No plumber shall leave water turned on at any newly erected building unless it is by consent of the city, nor shall he connect or reconnect any service found shut off at the service stop.

13.04.090 Right of access for inspection.

Authorized employees of the city shall have the right of access to any premises receiving any service named in this chapter at reasonable hours for the purposes of inspection.

13.04.100 Pipe and facility maintenance.

The owner or occupant of premises where city services are supplied shall keep all service pipes, valves, connections or other facilities used in connection with such supply in good repair at all times, and the city shall not be liable for damage sustained by reason of such owner or occupant's neglect.

13.04.110 Service only to contracted premises.

No person shall supply service to any premises other than the one to which the service contract applies.

13.04.120 Bill adjustment.

Application for the adjustment or cancellation of a bill any consumer believes to be inconsistent with the provisions of this code or other ordinances of this city relating to water, electric, [garbage refuse collection](#), and sewage services shall be made to the Director of Finance. Appeal from the decision of the Director of Finance may be made to the City Manager whose decision may, upon request, be subject to a final review by the City Council. Decisions of the City Council are final.

13.04.130 Low income adjustments.

The rates for residential refuse collection service, as they now exist or may hereafter be modified under this chapter, shall be reduced as established by Resolution for those residential

accounts in the names of persons meeting the eligibility criteria for applicable electric service discounts as provided in this title. Proof of eligibility will be required by the city to qualify for the rate adjustments provided herein.

13.04.140 Tampering with or Destruction of Utility Systems or Equipment.

Damage or destruction to city utility equipment or systems, including water meters, water or sewer lines, electric meters, or electric lines or connections, in addition to the diversion of water to bypass a meter or energy theft diversion, are each punishable as a misdemeanor, in addition to any administrative fee or penalty which may be imposed under this code.

SECTION 2. Lodi Municipal Code Chapter 13.08 “Water Service” is hereby repealed and reenacted to read as follows:

CHAPTER 13.08 - WATER SERVICE

Sections:

Article I. Generally

- 13.08.010 Setting of Rates.
- 13.08.020 Rates Outside City.
- 13.08.030 Rates by Contract.
- 13.08.040 Commencement and End of Charges.
- 13.08.050 Metered Service.
- 13.08.055 Testing Water Meters
- 13.08.060 Oversized Meter Development Impact Fee
- 13.08.070 Tampering with City Property - Bypassing Meters.
- ~~13.08.060~~80 Turning Off During Fires.
- ~~13.08.065~~90 Billing Adjustments.

Article II. Main Extensions

- 13.08.~~070~~100 Policy.
- 13.08.~~080~~110 Application – Determination of Necessity.
- 13.08.~~090~~120 Applicant’s Obligation.
- 13.08.~~100~~130 Mains to Extend Full Frontage.
- 13.08.~~110~~140 Minimum Size.
- 13.08.~~120~~150 Fire Hydrants.
- 13.08.~~130~~160 Oversized Mains.
- ~~13.08.140~~170 ~~Major Crossings.~~
- 13.08.170 Testing of Approved Backflow Prevention Assemblies.
- 13.08.180 Maintenance and Repair of Approved Backflow Prevention Assemblies.

Article III. Water Conservation

- 13.08.220 Waste.
- 13.08.230 Defined.
- 13.08.240 Watering Days/Hours.
- 13.08.250 Enforcement Procedures.
- 13.08.260 Strict Application.
- 13.08.270 Appeals.
- 13.08.280 Violation—Infraction.
- 13.08.290 Emergency Water Conservation—Purpose.

Article I. - Generally

13.08.010 Setting of rates.

The schedule of water rates will be those established and adopted by the City Council from time to time by Resolution.

13.08.020 Rates outside city.

The city will not normally serve water outside the city limits. In those cases where it is authorized by the City Council, the rate shall be one hundred fifty percent of the rate for service inside the city limits.

13.08.030 Rates by contract.

In cases not provided for by this chapter, the rate may be fixed by special contract, as agreed upon by the Director of Finance and the Public Works Director on behalf of the city, and the water user involved. If such rates cannot be agreed upon, the city council shall fix and determine proper rates, and such determination shall be final.

13.08.040 Commencement and end of charges.

Water charges shall in all cases commence to accrue when water is turned on, at rates proportioned for the period from that date until the following last day of the billing period, as may be established by the city.

13.08.050 Metered service.

A. Meters will be required on all new residential, commercial, and industrial water services covered by the following conditions:

1. All new property annexations to the city requesting city water service;
2. All existing parcels which have had no previous city water service and city water service is requested;
3. When a parcel is split, water services to all parcels will be metered;
4. All parcels at which a single family dwelling(s) is being replaced by multiple family units or a nonresidential use;
5. At all parcels where off-site improvements are required;
6. When any water customer requests water service upsizing or relocating.

7. Meters and appurtenant facilities are the property of the city.

8. The city shall have the right of access to the customer's premises at all reasonable hours for any purpose related to the furnishing of water service including, but not limited to, meter reading, testing, inspection construction, maintenance and repair of meter. Service may be refused or disconnected if permanent safe accessibility is not provided by the customer or property owner. Upon termination of service the city shall have the right of access to the service premises to shut off or remove the water meter and service.

9. Water meters shall only be installed on water services connected to the city owned water main, unless otherwise approved by the City Council.

B. Metered water service shall be installed on all existing residential, commercial, and industrial users~~of~~ when the Public Works Director determines the installation of metered water service to be in the best interest of the city. The property owner is required to pay the meter purchase charge based upon size as determined from time to time by City Council Resolution. City facilities are exempt from meter purchase charges.

C. Meters on existing commercial and industrial water services not covered under subsection A of this section shall be installed by the city at the city's expense. Meters and installation costs on all new water services and those covered in subsection A of this section shall be installed by the city, but shall be paid for by the ~~user~~property owner as determined by City Council Resolution.

13.08.55 Testing Water Meters.

A. Any metered customer may request in writing that the meter through which water is being furnished be examined and tested by the Public Works Department to determine whether the meter is registering accurately the amount of water that is being delivered through it. Upon receipt of such request, the department shall examine and test the meter. If the meter is found to register over three percent more water than actually passes through it, the customer's water bill will be adjusted accordingly. If the meter is found to register a variance of three percent or less, no bill adjustment will be made. Meter testing will be performed at customer's request, at no charge to the customer, not more than once every twelve months, if the variance is over three percent. If the variance is less than three percent, the customer will be charged a meter test fee, in an amount determined by City Council Resolution, on the customer's utility bill.

B. If a customer requests more frequent meter testing, the customer's request shall be accompanied by a deposit of an amount equal to the meter testing fee. Upon receipt of such request, the department shall examine and test the meter. If the meter is found to register over three percent more water than actually passes through it, the customer's water bill will be adjusted accordingly and the meter test fee shall be returned, without interest. If the meter is found to register a variance of three percent or less, no billing adjustment will be made and the meter test fee will be retained by the city.

13.08.60 Oversized Meter Development Impact Fee.

A. For single family residential services that require automatic fire protection systems pursuant to state law, Lodi Municipal Code Chapters 15.04 or 15.40, the increased connection and meter size will not be assessed an additional fee associated with the fire protection system requirement. Connection fees and monthly service fees shall be based on the required service size as determined by the Uniform Plumbing Code without consideration for any fire protection system requirement.

B. For non-residential and multi-family water services that include or require automatic fire protection systems pursuant to Lodi Municipal Code section 15.20.160 or Chapter 15.40, the increased connection and meter size will not be assessed an additional fee associated with the fire protection system requirement. Connection fees and monthly service fees shall be based on the required service size as determined by the Uniform Plumbing Code without consideration for any fire protection system requirement.

13.08.70 Tampering with City Property – Bypassing Meters.

A. It is unlawful for any person not authorized by the city to do so to tamper with any gates, valves, service cocks, fire hydrants, meters or any of the city's property accessory or appurtenant to the water distribution system, to break the seal on any water meter, or to cause water to bypass any water meter.

B. If city confirms an illegal tampering, bypass or diversion of water at or from city facilities has occurred, the customer will be charged a tampering/bypass inspection fee in an amount to be determined from time to time by City Council Resolution. In addition to the tampering/bypass fee, violation of this section is punishable as a misdemeanor.

13.08.0680 Turning off during fires.

In the case of fire or other emergency, when directed by the city all faucets, taps or other means of letting water run shall be turned off immediately by every owner or occupant and not opened until the fire is extinguished or the emergency resolved.

13.08.06590 Billing adjustments.

When it is found that any charges for water service, meters, connections, installations, abandonments, tampering/bypass etc., have been incorrectly billed or that no billing has occurred, the city has the right to make adjustments as determined by the Public Works Director. Billings for undercharges or credits for overcharges shall be subject to the three-year limitation period found in the California Code of Civil Procedure, section 338.

Article II. Main Extensions

13.08.070100 Policy.

The City Council is desirous of adopting a water main extension policy that is fair and equitable to all developing properties and that provides that the cost of extensions shall be distributed among subsequently developing properties connecting thereto.

13.08.080110 Application—Determination of necessity.

A. Whenever a property owner is desirous of obtaining water service, an application shall be made to the Public Works Director for water service.

B. The Public Works Director shall determine the closest adequate water main and, if an extension is necessary, indicate the size of the main to be extended, and the limits of the extension.

13.08.090120 Applicant's obligation.

Whenever the Public Works Director determines that a water main extension is necessary, the applicant will be required to install at his own expense the water main extension in accordance with engineering plans furnished by applicant and approved by the Public Works Director. The plans shall be prepared in accordance with the current city design standards and this article.

13.08.1030 Mains to extend full frontage.

In every case where a water main is to be tapped to serve a parcel, the same shall be extended the full frontage of the parcel, including any crossings required in the city master water plan.

13.08.1440 Minimum size.

The minimum size water main shall have a nominal inside diameter of six inches except as approved by the Public Works Director in accordance with the city public improvement design standards. In areas zoned or master planned for commercial and industrial uses, the minimum size shall be eight inches in diameter. Larger size mains may be required as determined by the Public Works Director from the city master water plan.

13.08.1250 Fire hydrants.

The installation of fire hydrants or provisions for fire hydrants shall be included in any main extension and the cost of such hydrants shall be paid for by the applicant. Fire hydrant location and type shall be as approved by the Fire Chief.

13.08.1360 Oversized mains.

Whenever the city requires that a water main larger than eight inches in diameter be installed in order to serve additional property or to conform to the water master plan, the applicant may apply for reimbursement from the benefiting properties that are served by the oversized pipe. A reimbursement application for the difference in cost between the actual water main to be constructed and an eight-inch diameter water main may be obtained through the city. The reimbursement shall be made in accordance with [Chapter 16.40 section 17.62.050](#) of this code.

~~13.08.1470 Major crossings.~~

~~A. Wherever the city master water plan requires that a water main cross a right-of-way listed as follows, the city will reimburse the applicant one-half the estimated cost of that crossing:~~

- ~~1. Woodbridge Irrigation District;~~
- ~~2. Southern Pacific Transportation Company;~~
- ~~3. Central California Traction Company;~~
- ~~4. Highway 99;~~
- ~~5. Highway 12;~~
- ~~6. Lower Sacramento Road;~~
- ~~7. Hutchins Street (south of Kettleman Lane).~~

~~B. The limits of the crossing shall be determined by the Public Works Director.~~

13.08.170 Testing of approved backflow prevention assemblies.

A. The customer is responsible for the cost of and scheduling arrangements for an annual testing and inspection of the approved backflow prevention assembly by the following method:

1. Testing by certified tester. Customers shall use a certified tester to inspect and test an approved backflow prevention assembly at least once per year. The results of the test shall be reported to the City within thirty (30) days of the completion of the test. Annual test results shall be due no later than September 30th of each calendar year.

B. Should a customer fail to comply with the annual testing procedure by September 30th, the City may arrange for testing of the assembly by a licensed contractor and the customer will be billed for the cost of such testing plus a fifteen (15%) percent administrative fee with his regular monthly water bill, which shall be due and payable in full within thirty (30) days of receipt of bill.

C. Assemblies which fail to pass inspection and testing by private certified testers shall be repaired and maintained in accordance with section 13.08.180 of this article. The customer shall bear the cost of repairs and additional testing if his device fails a test. The City reserves the right to require more frequent testing or to perform additional testing by City personnel when, in the opinion of the Director, it is necessary for the protection of public health and safety.

13.08.180 Maintenance and repair of approved backflow prevention assemblies

A. The customer shall be responsible for the maintenance and repair of the approved backflow prevention assembly. The customer shall at all times maintain the assembly in proper working order as a condition of continued water service. If an approved backflow prevention assembly should fail to pass inspection and testing pursuant to section 13.08.170 of this article, the customer shall within thirty (30) days after written notification of results provide for the repair of the assembly by the following method:

1. Repair by private personnel. Backflow prevention assemblies shall be repaired by private personnel. Repairs and satisfactory re-testing of the assemblies by a certified tester shall be documented and submitted on an approved form to the City. Failure by the customer to repair an approved backflow prevention assembly within thirty (30) days of being notified by the City in writing shall result in the termination of water service.

B. Water service will be restored upon presentation of the approved form showing that the necessary repairs and successful re-testing have been done.

Article III. - Water Conservation

13.08.220 Waste.

The waste of water is prohibited and any waste shall make the person subject to the provisions of this article.

13.08.230 Defined.

"Waste of water" includes but is not limited to any of the following acts or omissions, whether willful or negligent:

A. Failure to repair or correct a controllable leak ~~of or~~ discharge of water, overspray, and/or low head fixture leakage that results in the flow of water to an impervious surface;

B. The watering of lawns, flower beds, landscaping, ornamental plants or gardens on days or at times other than those allowed in Section 13.08.240 of this article;

C. Washing of sidewalks, driveways, parking areas, tennis courts, patios, streets or other exterior paved areas or buildings except when required to remove any spillage of substances that may be a danger to public health or safety;

D. Washing with water any motor vehicles, trailers or movable equipment other than with a bucket and rinsing the vehicle or equipment by use of a hose for not more than three minutes;

E. Use of a hose without a positive shut off nozzle;

F. The excess watering of any area so that water flows into a gutter or any drainage area ~~for a period exceeding three minutes;~~

G. The unnecessary running of water in any residential, commercial or industrial establishment onto the floor, pavement, ground or into any drain or drainage area, with any equipment or in any way ~~for more than three minutes;~~

H. ~~Over w~~Watering of lawns or landscapes ~~from November 1 through February 28, or~~ during or ~~immediately~~within 48 hours following a measurable rain.

I. Operation of a water fountain or other decorative water feature that does not use recirculated water.

13.08.240 Watering days/hours.

A. Days. The watering of lawns, flower beds, landscaping, ornamental plants or gardens throughout the year shall be allowed as follows:

1. Premises having odd numbered street addresses on Wednesday, Friday and Sunday;

2. Premises having even numbered street addresses on Tuesday, Thursday, and Saturday.

3. No watering will be allowed on Mondays.

B. Hours. Watering of lawns, flower beds, landscaping, ornamental plants or gardens shall not be allowed at any hour ~~except that between May 1 and September 30 (inclusive),~~ ~~watering~~ between the hours of ten a.m. and six p.m. ~~is prohibited.~~

C. City owned Parks, due to their size and use patterns, are exempt only from the provisions of Section 13.08.240(A) and 13.08.240(B) of this code.

D. Upon city declaration of a local water shortage or a State of Emergency declared by the Governor concerning California's water supplies, the Public Works Director or designee may impose revised and/or additional water conservation measures on residential, commercial, and industrial water users. No person shall use, or cause to be used, city water in violation of such limitations. Violations of revised and/or additional conservation measures imposed under this section are punishable as a misdemeanor.

13.08.250 Enforcement procedures.

A. Whenever the city becomes aware of a waste of water, the city shall notify the person at the premises where the waste of water occurred by delivering an information sheet. The information sheet shall describe the waste of water in order that it be corrected, cured or abated immediately or within ~~such specified time as the city believes is reasonable under the circumstances~~72 hours. In addition, the information sheet may be given to any other person known to the city who is responsible for that waste of water or the correction thereof and may be delivered to the premises every time a waste of water occurs. Additionally, a written notice stating the date(s), time(s) and type(s) of water waste shall be delivered to the person who regularly receives the utility bill for the premises where the wasting occurred.

B. In the event of a second waste of water within a consecutive twelve month period, the city will send a written notice ~~stating the date(s), time(s) and type(s) of water waste to the person who regularly receives the utility bill for the premises where the wasting occurred assessing a surcharge in an amount determined from time to time by City Council Resolution, and the surcharge shall be added to the next monthly utility bill for the property on which the waste of water occurred.~~

C. In the event of a third waste of water within twelve months of any previous waste of water, a written notice will be mailed assessing a ~~thirty-five dollar surcharge~~ in an amount determined from time to time by City Council Resolution and the surcharge shall to be added to the next monthly utility bill for the property on which the waste of water occurred.

D. In the event of a fourth waste of water within twelve months of any previous waste of water, a written notice will be mailed assessing a ~~seventy-five dollar surcharge~~ in an amount determined from time to time by City Council Resolution, and the surcharge shall to be added to the next monthly utility bill for the property on which the waste of water occurred.

E. In the event of a fifth ~~or any subsequent~~ waste of water within twelve months of any previous waste of water, a written notice will be mailed assessing a ~~one hundred and fifty dollar surcharge~~ in an amount determined from time to time by City Council Resolution, and the surcharge to shall be added to the next monthly utility bill for the property on which the waste of water occurred. If the property is not already metered, the city may also require the owner or user to pay for the cost of installation of a water meter service as a prerequisite to continuing water service. The city may also install a flow restriction device on the water service and require the owner or user to pay for the costs of installation and/or removal.

F. In the event of any subsequent waste of water within twelve months of any previous waste of water, the city may disconnect a customer's water service for willful violations of restrictions in this chapter, in addition to assessing a surcharge in an amount to be determined from time to time by City Council Resolution. The property owner or user will be required to pay all outstanding utility charges, fees, penalties and surcharges, in addition to a reconnection charge in an amount to be determined from time to time by City Council Resolution, prior to reconnection of water services, and the charge shall be added to the next monthly utility bill for the property on which the waste of water occurred.

13.08.260 Strict application.

If the Public Works Director or ~~a designated representative designee~~ determines the strict application of any of the provisions of this article may cause undue hardship or public health ~~and~~ safety ~~to suffer risk~~, or if other special circumstances exist, the strict application of this article may be waived. Requests for relief under this article must be received by the city at least 24 hours prior to special circumstances. Special circumstances would include, but not be

limited to: newly planted areas, newly seeded areas, washing down after cement work and pressure washing a building before painting. The decision of the Public Works Director may be appealed to the City Council as described in Section 13.08.270 of this article.

13.08.270 Appeals.

If the ruling made by the Public Works Director or designee is unsatisfactory to the person requesting consideration, the person may, ~~within twenty days after notification of the city's action, file an written~~ appeal directed to the City Manager or designee, whose decision may, upon request be subject to final review by the City Council. ~~The written appeal shall be heard by the City Council within twenty days from the date of filing. The City Council shall make a final ruling on the appeal within twenty days of the hearing.~~ The Public Works Director's or designee's decision, action or determination shall remain in effect during such period of reconsideration except that any surcharges assessed under this article will be stayed until the City Council has made its decision. Decisions of the City Council are final.

13.08.280 Violation—Infraction.

In addition to the administrative enforcement procedures and surcharges set forth in this article, ~~any person who wastes water, as defined in each violation of~~ this article may ~~also be charged with be punishable as~~ an infraction.

13.08.290 Emergency water conservation—Purpose.

The purpose of emergency water conservation is to assist meeting water pressure and/or supply demands when the water system cannot or may not be adequate and the failure to meet such demands may result in harm to the water system and/or jeopardize the health and safety of the public. In addition, emergency water conservation serves to protect water supplies during drought conditions. The Public Works Director or ~~a designated representative~~ designee shall determine the degree of emergency and determine what additional restrictions of water use or other appropriate actions must be taken to protect the water system, supply demands, and the citizens of Lodi.

SECTION 3. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 6. Effective Date and Publication. This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council, and a certified copy shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1).

Approved this ____ day of _____, 2015

BOB JOHNSON
MAYOR

ATTEST:

JENNIFER M. FERRAIOLO
City Clerk

State of California
County of San Joaquin, ss.

I, Jennifer M. Ferraiolo, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held November 4, 2015, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held _____, 2015, by the following vote:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. FERRAIOLO
City Clerk

Approved as to Form:

JANICE D. MAGDICH
City Attorney