ORDINANCE NO. 14-008

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DIXON
ADDING CHAPTER 14.02, WATER, TO THE DIXON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF DIXON DOES ORDAIN AS FOLLOWS:

SECTION 1: Chapter 14.02, Water, is hereby added to Title 14, Water and Sewers, of the Dixon Municipal Code, which shall read:

Chapter 14.02

WATER

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Article I. General Provisions
14.02.100 Purpose, policy, and title.

This chapter shall be known and may be cited as "The water code of the City of Dixon". The provisions of this chapter apply to:

A. Water supplies and services operated by the City;
B. The design, construction, alteration, use and maintenance of public water mains, reservoirs, distribution systems, pumping equipment and facilities, pressure reducing stations, connections and other services operated by the City;

C. All system appurtenances connecting to the City's distribution system;

D. The issuance of permits and the collection of fees for services and improvements to the City's distribution system;

E. Fees to pay for the cost of checking plans, inspecting construction and making record plans of City facilities permitted in this chapter;

F. Providing penalties for violations of any of the provisions of this chapter; and

G. All other necessary or related matters.

14.02.110 Administration.

Except as otherwise provided herein, the Director of Public Works shall administer, implement, and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the Director of Public Works may be delegated by the Director of Public Works to other City of Dixon personnel or contractor hired by the City.

14.02.120 Abbreviations

The following abbreviations, when used in this chapter, shall have the designated meanings:

AWWA  American Water Works Association

FCCC & HR  Foundation for Cross-Connection Control and Hydraulic Research

14.02.130 Definitions.

For the purpose of this chapter, the following terms shall have the following meanings unless the context clearly indicates otherwise:

“Applicant” means the owner, agent, or authorized tenant of the owner of the property for which water service is being requested.

“Business service” means the provision of water for use in connection with commercial premises devoted primarily to operations for profit, other than industrial purposes, including offices, stores, markets, apartments, hotels, motels, automobile trailer parks or courts, service stations and the like.
“City Council” means the City Council of Dixon.

“Corporation stop” or “corporation cock” means the valve adjoining the water main on a service connection.

“Curb stop” means the shut-off valve on the service connection at the property line.

“Customer” means the owner, agent or authorized tenant of the owner of the property receiving water service.

“Distribution system” means the system of pipelines and other appurtenances by which the City conveys water to its customers. Unless otherwise specified, “distribution system” does not include pipelines and appurtenances operated by California Water Service Company.

“Director” shall mean the Public Works Director of the City and any persons authorized to act in such capacity.

“Flat rate service” means the provision of water in unmeasured quantities for a fixed periodic charge.

“Industrial service” means the provision of water to industrial premises where the water is primarily used in manufacturing or processing activities.

“Mains” or “water mains” means those portions of the distribution system located within streets, highways, public ways or easements, which are used to deliver water to the City’s customers.

“Manager” means the City Manager of the City.

“Metered service” means the provision of water in measured quantities for a charge based on the quantity of water supplied.

“Metered service connection” means the portion of the distribution system by which water is conveyed from the water main to the premises, including the tap, meter, meter box, pipe, corporation stop, curb stop or shut-off valve.

“Multiple-family dwelling” means a dwelling occupied as a permanent residence or home for two or more customers, or families of customers, living independently of each other.
“Premises” means a parcel of real estate, including any improvements thereon, which is determined by the City to be a single unit for purposes of receiving, using and paying for service. In making this determination, the City shall take into consideration such factors as whether the unit could reasonably be subdivided and whether the unit is being used for a single enterprise, apartment or dwelling.

“Private water line” means the portion of the distribution system located on the customer’s side of the metered service connection.

“Record drawings” means a set of construction plans updated to reflect all changes occurring after plan approval and during the construction of work, showing exact dimensions, geometry and location of all elements reflecting as-built conditions.

“Residential service” means the provision of water for household purposes, including water used on the premises for irrigating lawns, gardens and shrubbery; washing vehicles; and other similar and customary purposes pertaining to single or multiple-family dwellings.

“Service connection” generally means the pipe, valves and other facilities by which water is conveyed from the water main to the premises, and includes the tap, corporation stop or shut-off valve and may include meter or service box depending on the type of service.

“Water facilities” means all wells, sources of supply, storage, treatment, transmission, distribution and pumping facilities, service connections and any other appurtenance in connection with the City’s distribution system. Unless otherwise specified, “water facilities” do not include facilities and appurtenances operated by California Water Service Company.

Article II. General Water Use Requirements

14.02.200 General.

The City shall operate and maintain the water system in an efficient and economical manner and supply water as fairly and equitably as possible. The charges to be made for service shall be set at rates necessary to enable the City to recover all costs of supplying water including, but not limited to, the costs for the following:

A. Purchasing, pumping, treating, storing, transmitting and distributing water;

B. Customer service;
C. Administration;

D. Overhead;

E. Debt service;

F. Replacement and maintenance of facilities; and

G. All other necessary and appropriate expenses.

14.02.205 Responsibility.

The City shall be responsible for operating, maintaining and replacing all portions of the distribution system and water facilities which are owned by the City. The City shall not be responsible for operating, maintaining or replacing any water facilities or portions of the distribution system that are not owned by the City. The installation of a measuring device upon private property or within a portion of the distribution system not owned by the City shall not create any obligation of the City for the operation, maintenance or replacement of any water facilities not owned by the City.

14.02.210 Ownership—Control.

Any portion of the distribution system, including any water main, service connection or meter which is located in City property, the public right-of-way or in easements, shall be under the exclusive control of the City and owned, managed and operated under the direction of the Director.

14.02.215 Unauthorized service.

No person shall supply water to any person or to any premises except as authorized by City permit or as approved in writing by the City for service outside the City or for temporary service.

14.02.220 Fraudulent use.

When the City has discovered that a customer has obtained water service by fraudulent means, or has diverted the water service for unauthorized use, at the discretion of the Director, the service to that customer may be discontinued without notice. The City shall not be required to restore service until the customer has complied with all rules and requirements of the City and the City has been reimbursed for the full amount of the service rendered and the actual or estimated costs to the City incurred by reason of the fraudulent use.
14.02.225 Private water lines.

The customer shall be responsible for the proper operation and maintenance of the customer's private water line and for any damages to the distribution system or the property of a third party or loss or waste of water resulting from the customer's private water line. All water must be applied efficiently and used in a reasonable and beneficial manner.


The City shall have access at all reasonable hours, and at all times during emergency situations at the discretion of the Director, to meters, service connections and other property owned by the City, whether located on or off the customer's premises, for the purposes of inspection, installation, repair, maintenance, operation, turn on, turn off or removal of the City's property.

14.02.235 Unsafe apparatus.

If an unsafe or hazardous condition is found to exist on the customer's premises, or if the use of water thereon by apparatus, appliances, equipment or otherwise is found to be detrimental or damaging to the City or its customers, the service may be shut off without notice; provided, that the City shall notify the customer immediately of the reasons for the discontinuance and the corrective action to be taken by the customer before service can be restored.

14.02.240 Inspection.

A customer's private water line shall be open for inspection at all reasonable times for a good cause to a representative of the City. However, before a City representative enters a customer's premises for the purpose of inspecting non-City-owned facilities, the City shall obtain the occupant's consent or the City shall give twenty-four hour advance notice, in writing, to the occupant of the City's intention to enter and inspect the customer's private water line.

14.02.245 Interference with City employees.

Except as provided in Section 14.02.240, it is unlawful for any person to interfere, seek or cause to interfere with the inspection, installation, removal, maintenance or other lawful activity by a City representative, of any part of the distribution system owned by the City, or with the inspection by a City representative of non-City owned facilities.
14.02.250 Obstructions prohibited.

No person shall place or cause to be placed on any water line easements any wires, fences, trees, buildings or other structures, either temporary or permanent, or any refuse, rubbish, debris or other objects which may impede or otherwise interfere with the ready access by the City to any portion of the distribution system owned by the City or which impedes or otherwise interferes with the optimal flow of the water line. Any such obstruction, upon the written request of the Director, shall immediately be removed by the violator at no expense to the City or removed by the City at violator's expense, and shall not be replaced.

14.02.255 Continuity of service.

The City shall not be liable for any interruption, shortage or insufficiency of water supply or for pressure at the customer's point of connection, or for any loss or damages occasioned thereby.

14.02.260 Street work.

A. When a person opens, grades, excavates, fills or performs other street construction where it is deemed necessary to expose, remove, raise, lower or otherwise affect any portion of the distribution system owned by the City, the person performing the street construction shall obtain a City encroachment permit. Advance notice in accordance with requirements of the encroachment permit shall be submitted in writing to the City of the person's intention to perform the construction and immediate notice upon exposure or contact with such system for review and approval by the City.

B. At its option, the City may elect to perform the removal, raising, lowering or other construction of the City's distribution system which is necessitated by the street construction. In the event that the City performs any construction in accordance with the applicant, the applicant shall be required to indemnify the City for the design, construction and installation of the distribution system.

Prior to the City performing construction on its distribution system, the applicant or customer responsible for such street construction shall pay the City a reasonable deposit in an amount not to exceed the estimated cost of the City's construction. Upon completion of the construction, the City shall refund that portion, if any, of the deposit which exceeds the actual costs of construction and the applicant or customer responsible for the construction shall pay the amount, if any, by which the actual costs of construction exceed the deposit.
C. The person performing the street construction shall be liable for any damage to the City's distribution system resulting from the street construction or from the person's construction on the City's distribution system.

14.02.265 Subcontractors.

Portions of this chapter may be waived at the discretion of the Director for persons hired by the City to construct any part of the City's distribution system.

14.02.270 Standards.

All procedures, design, work, materials, capacities, facilities and other improvements shall be based on the applicable provisions of the most current state and local regulations and generally accepted standards of water works practice insofar as deemed appropriate by the City considering the conditions and where not in conflict with City standards. Such regulations and standards are included in but not necessarily limited to the following sources:

A. Waterworks Standards of the California Department of Public Health Services;

B. Titles 17 and 22 of the California Administrative Code;

C. California Safe Drinking Water Act;

D. Uniform Plumbing Code; and

E. American Water Works Association.

14.02.275 Water Efficient Landscaping

Reference is hereby made to City of Dixon Municipal Code Chapter 18.36, Conservation Regulations. Such chapter refers to the State's Model Water Efficient Landscape Ordinance (MWELO), and requires all vegetation and landscaping required by the zoning regulations to employ drought resistant species.

Article III. City Water Facilities—Connection to and Construction

14.02.300 General.

Nothing in this chapter shall be construed as preventing or limiting the right of the City to require or undertake the preparation of engineering, economic, environmental or
financing evaluations from any person requesting water service from the City, which service necessitates the installation of City water facilities, and thereafter to require the construction of such facilities as a condition of service, all without cost to the City.

**14.02.305 Meter required.**

Following the effective date of the ordinance adopted in this chapter, every connection made to the City distribution system or service connection shall provide for and include a meter. A meter shall be supplied or approved by the City and must be installed prior to any connection to the City’s distribution system.

**14.02.310 Installation.**

A. Whenever practicable, the service connection from the water main to the customer’s property line shall be installed at the time the main is constructed.

B. Main line extensions, service connections and meters shall be installed only after the City’s issuance of a permit and after payment by the customer of all City fees and charges.

C. Main line extensions, service connections and meters shall be installed, at the City’s option, either by the City or by persons hired by the City or under the supervision of City employees.

D. When main line extensions, service connections or meters are not installed by the City, the main line extension, service connection or meter shall be installed only by bonded contractors licensed to perform such installation, in accordance with all applicable local, state, and federal laws and regulations, including City standards.

E. When the City determines that any installation shall be performed by the City or persons hired by the City, the applicant shall pay in advance an amount of funds equal to the approximate costs of construction and other necessary expenses. Upon completion of construction, the City shall refund any funds paid by the applicant in excess of the actual costs to be borne by the applicant and the applicant shall pay the amount, if any, by which the actual costs exceed the deposit.

F. When required under California Labor Code, the applicant will comply with all requirements to pay prevailing wages for the construction of City water facilities.
14.02.315 Size of service connection.

The size of the service connection shall be approved by the City in advance. Except when specifically approved by the Director, the maximum size for a single family service connection shall be one inch. The standard size for a single-family service connection shall be three-quarter-inch.

The size of industrial, commercial and multi-family residential service connections shall be determined on a case by case basis by the Director, based on existing capacity or any other factors affecting the City's distribution system.

14.02.320 Installation of private water line.

Applicants and customers shall install all private water lines at their own expense, according to this code, California Plumbing Code and California Building Code, and any other applicable City, state and federal laws or regulations. The private water line shall remain the sole property of the customer.

14.02.325 Installation of City facilities.

An applicant who installs or causes to be installed any part of the City’s water facilities shall be responsible for the costs of installation, and all incidents thereof.

The City may require the installation of facilities larger than that necessary to adequately serve the applicant’s property. When the City requires such an installation, provisions of Sections 14.02.420 and 14.02.430 shall apply.

14.02.330 Relocation of service connection at customer’s request.

Upon a customer’s written request, a service connection may be relocated by the City, provided that the relocation, in the opinion of the Director, is not detrimental to the City’s distribution system. The cost of the relocation shall be borne by the customer and shall be payable in advance to the City. The cost of the relocation shall include the applicable costs and fees for all construction (if the construction is performed by persons hired by the City), design, installation, inspection, administration, legal expenses, overhead and any other necessary related expenses.

14.02.335 Relocation of service connection at City’s request.

Where a service connection is relocated for the convenience or protection of the City, the relocation shall be at the expense of the City provided the relocation is not made necessary by the customer.
14.02.340 Change of meter at customer’s request.

A. A customer may apply in writing to the City to change the size of an installed meter in accordance with this chapter. Such approval shall be at the sole discretion of the Director. Any increase in the size of a meter shall only be approved if sufficient capacity exists to accommodate such increase.

B. If the existing service connection is adequate to serve the proposed change in meter size and the City determines that the change is necessary or advisable, the City shall authorize a change. Before the meter is changed, the customer shall pay all applicable fees and charges to the City, including meter installation costs.

C. If the existing service connection is inadequate to serve the proposed meter change, the service connection can be changed at the customer’s expense. Before the meter and service connection are changed, the customer shall pay all applicable fees and charges to the City.

14.02.345 Separate service connection.

Each service connection shall serve a single premises. No person shall cause or permit water to be received by a premises from a service connection that serves a different premises.

14.02.350 Division of services.

When a premises currently served by the City’s distribution system through a single service connection is divided into two or more premises, the existing meter and service connection shall be considered to belong to the premises which the meter or service connection most directly enters, and the new premises shall require the installation of additional meters and service connections and the payment of all applicable fees and charges.

14.02.355 Plans.

A. Each application for a permit for which installation of City water facilities is necessary shall conform to any submittal requirements set forth by the Community Development Department, City Engineer and Public Works Department.

B. Plans submitted by the applicant for installing City water facilities shall be the exclusive property of the City. A statement indemnifying the City for the design, construction and installation of City water facilities shall be included on the cover sheet or general notes sheet of such plans.
C. The Director shall determine the adequacy of the proposed City water facilities as to size, type and quality of materials, and as to the location of facilities to serve the proposed development, including off-tract pipelines and other appurtenances.

D. The Director must certify in writing whether plans and specifications submitted conform to City standards before any permits related thereto can be issued.

14.02.360 Easements and rights-of-way.

A. Any applicant who installs or proposes to install public water facilities shall furnish the City all necessary easements and rights-of-way for such public facilities and the subsequent operation and maintenance thereof.

Any applicant who installs or proposes to install private water facilities connecting to the City’s distribution system shall provide evidence to the City of all necessary easements and rights-of-way for the inspection of such private facilities.

The City shall not obtain any private easements on behalf of an applicant.

B. If the applicant cannot furnish the necessary easements and rights-of-way for public water facilities that applicant proposes to connect to the City’s distribution system, the City may, at its sole option, acquire such easements and rights-of-way. In such case, the applicant shall be required to pay all costs to the City for the acquisition of the easement or right-of-way.

C. Until the necessary easements and rights-of-way have been properly executed and recorded, the City shall not approve any plans for City water facilities to be constructed by a person across the property of another person, the City shall not accept for public use any such City water facilities, and no person shall place into use any such City water facilities. In such cases, the applicant shall indemnify the City for any damage to the property of another prior to approval of any plans.

14.02.365 Performance bond.

Each applicant or customer shall post a surety bond, cash or other security satisfactory to the City to guarantee the faithful performance of any agreement or obligation for the construction of City water facilities. The surety bond, cash or security shall be in the sum of one hundred percent of the estimated cost of the work, or in such other sum as may be fixed by the City. The surety bond, cash or security shall, in addition to guaranteeing the faithful performance of the work, guarantee the maintenance of the portion of City water facilities constructed by the applicant for a period of one year following the City’s written acceptance of the work.
14.02.370 Liability.

The City and its officers, agents and employees shall not be liable for any injury or death of any person or damage to any property arising during or stemming from the performance of any work by applicant. The applicant shall be answerable for, indemnify and hold harmless, the City and its officers, agents and employees, including all costs, expenses, attorney’s fees and other fees and interest incurred in defending the same or in seeking to enforce this provision. The applicant shall be solely liable for any defects in the performance of the applicant’s work or for any failure, damage, injury, claim or loss which may develop therefrom. Any agreement entered into between the City and an applicant pursuant to this chapter shall require the applicant to carry insurance in a form acceptable to the City and shall require the applicant to indemnify the City.

14.02.375 Dedication requirements.

An offer of dedication of City water facilities, excluding any private water lines, shall be included in any application for a permit. The City shall not accept for dedication any portion of City water facilities which are not constructed in conformity with the requirements of this chapter or any agreement with the City.

14.02.380 Record drawings.

Record drawings, including blueline prints, reproducible drawings and electronic files delineating as-built conditions of water lines and appurtenances, consistent with building permit and Community Development Department and/ or Public Works Department requirements, shall be filed with the City prior to, and as a condition of, the City’s approval and acceptance of construction by an applicant. No certificate of final inspection shall be issued until such prints and drawings are filed.

14.02.385 Inspection.

The Director shall have the right to inspect all work during and subsequent to its construction. When the construction is completed, the work must be inspected and approved by the Director before the newly constructed City water facilities may be connected to the City’s distribution system.

14.02.390 Certification.

The Director shall authorize the acceptance of water facility improvements after the Director determines that all work done under a permit or agreement has been constructed according to, and meets the requirements of, all applicable provisions of
this chapter, all other applicable City, state and federal laws or regulations, and all permit or agreement conditions, and after all fees have been paid.

14.02.395 Ownership upon dedication.

When the certificate of final inspection and completion is issued, the City shall accept the offer of dedication and authorize the connection of the new City water facilities. Upon connection to the City’s distribution system, the new City water facilities, excluding private water lines, shall become the exclusive property of the City.

Article IV. Main Line Extensions

14.02.400 Water main extension.

Any person requesting water service from the City which necessitates an extension of the City’s main line shall enter into an agreement with the City.

14.02.410 Assessment district formation.

At the City’s sole option, the City may utilize any statutory or other procedure concerning assessment districts to finance the construction of the main line extension, metered service connections and related appurtenances.

14.02.420 Size of new main line.

The City may require the installation of a main line larger than that necessary to adequately serve the applicant’s property. When the City requires the installation of a larger main line, the City shall either:

A. Pay the difference in cost, as determined by the City, between the size necessary to serve the applicant’s construction and the larger main line; or

B. Perform the installation itself, subsequent to the receipt from the applicant of a sum sufficient to cover necessary expenses, of the main line required by the applicant; or

C. Require the applicant to construct the larger line subject to reimbursement as hereinafter provided; or

D. A combination of subsections A through C of this section.
14.02.430 Reimbursement for extensions.

When an applicant enters into an agreement with the City which requires the installation of a main line larger than that necessary to adequately serve the applicant's property, the agreement shall provide for a refund to the applicant above its fair share cost, as negotiated and specified in the agreement.

Article V. Permits and Fees

14.02.500 Connection permit required.

No persons, other than those specifically excluded by this chapter, shall uncover or cause to be uncovered, construct or cause to be altered, or connect to or cause to be connected to, any public water main or other portion of the City's distribution system or services owned by the City without first obtaining a permit from the Director, paying the applicable fees, and complying with all other applicable provisions of this chapter.

14.02.510 Application.

Any person legally entitled to apply for and receive a permit shall make application for a connection permit on forms provided by the City for that purpose and shall provide any additional information required by the City to evaluate the application. An applicant shall describe the proposed construction and location, ownership, occupancy and use of the premises in connection therewith. The Director may require, in addition to the information specified, any additional information from the applicant which will enable the Director to determine that the proposed connection complies with the provisions of this chapter.

14.02.520 Transfer of permit.

A. Upon prior written approval of the City, a person to whom a connection permit has been issued may transfer such permit to another person solely for the same use and premises for which the permit was issued, subject to all terms and conditions under which permit was issued. The transferee shall meet the requirements of the City relating to the transfer.

B. Usage of a connection permit for a premises other than the premises for which the permit was issued shall be an unauthorized usage and shall render the permit void and invalid.

C. A person engaging in an unauthorized usage of a connection permit shall be in violation of this chapter. The City may discontinue service or impose any other
penalty provided in this chapter or at law, in accordance with the provision so this chapter. Any usage not specifically authorized by a valid connection permit shall require a new application to the City. If the City issues the permit, the applicant shall pay the appropriate current fees and charges.

14.02.530 Waiver.

The provision of this article may be waived by the Director for contractors constructing City water facilities or improvements under contract with the City, or under contract awarded by the City under proceedings pursuant to any of the special procedure statutes of the state provided for the construction of City water facilities and the assessing of the expenses thereof against the lands benefited thereby.

14.02.540 Issuance requirements.

A. Plan Checking. No permit shall be issued until the Director has checked and approved the plans in accordance with the applicable provisions of this chapter.

B. Payment of Fees and Charges. No permit shall be issued until all fees and charges in connection therewith are paid to the City.

14.02.550 Compliance.

The applicant’s signature on an application for a permit or the applicant’s acceptance of any permit shall constitute an agreement by the applicant to comply with all the provisions, terms and requirements of the City’s water code, with all other rules and regulations of the City, and with the plans and specifications the applicant has filed, together with such corrections or modifications, if any, as may be permitted or required by the City in writing. This agreement shall be binding upon the applicant and the applicant’s successors in interest, and may be altered only by the City in writing upon the applicant’s written request.

14.02.560 Duration.

If work under a permit is not commenced within six months from the date of issuance of the permit or if, after commencing, any work is discontinued for a period of one year, the connection permit shall become void and no further work shall be undertaken until a new permit shall have been secured and a new fee paid therefore at applicable rates then in effect, unless otherwise agreed to in writing by the Director or City Manager or by approval of the City council.
Article VI. Rates and Charges

14.02.600 Service when service connection adequate.

Where an existing and adequate service connection and meter are properly connected to the City’s distribution system, which is or has been legally servicing the premises for which a prior City connection permit has been issued, an applicant for water service from the City may use such service connection after the applicant submits an appropriate application to the City, pays a service fee as prescribed by resolution of the City council and complies with all other regulations of the City. However, if the applicant is delinquent in any bills to the City, the applicant shall pay such bills in full prior to receiving City water service.

14.02.610 Service when service connection inadequate.

Where the installation or enlargement of a main line, service connection or meter is necessary prior to the City’s supplying service to an applicant for service, if the City has sufficient water supply and system capacity to supply water, the City shall accept the application. The City shall furnish the water service subsequent to the applicant’s payment for construction, or construction, of the necessary portions of the City's distribution system. Water service shall be furnished provided the applicant has paid all fees to the City, complied with all City rules and regulations and paid in full all delinquent charges, if any, owed to the City.

14.02.620 Connection fees.

When the City installs a service connection or meter, the City shall collect the connection fees prescribed by resolution of the City council from the applicant prior to the installation of service connections and meters, except for service under Section 14.02.710 for temporary water service. The installation of any service connection or meter which entails unusual conditions resulting in additional costs shall be installed on the basis of actual cost.

14.02.630 Service charge rate structure (cost of service).

Service charges shall be charged by user class, reflecting the different capacity and water volume requirements for each class. Each user in a class shall pay charges in two parts:

A. A service charge based on the size of the water meter to be paid regardless of water use; and
B. A volume charge to be the result of the rate that applies to the customer based on the customer’s volume of use for the premises during the applicable billing cycle.

14.02.640 Adoption or revision of rates.

Charges for the services or facilities furnished by the City pursuant to this chapter shall be prescribed or revised from time to time by City council resolution.

Article VII. Special Water Services

14.02.700 Outside City.

A. The City may provide or allow water service to persons outside its boundaries when the Director finds, and the City council concurs, that such service shall not adversely affect the water service within the City and that a surplus of water and pipeline capacity exists.

B. In the event that, because of increased usage or other causes, service outside the City becomes adverse to the City’s interests or the interest of City customers located within the City, or surplus water or pipeline capacity is no longer available for such outside use, the City may discontinue or disconnect the service outside the City one hundred twenty days after the City gives written notice to the person or premises receiving the water that such outside service is to be terminated. In cases of emergency, at the sole discretion of the Director, the City may make exceptions to the noticing requirement.

C. Except as set forth in this section, the rules and regulations of the City shall apply to all customers outside the City.

D. Rates and charges to all customers outside the City shall be one hundred fifty percent of the applicable rates and charges for customers within the City set forth in Article VI of this chapter.

E. Prior to receiving service, a customer outside the City shall deposit an amount equal to six months of the City’s applicable rates for water service.

F. The supply of water to persons outside the City shall not create a vested right with the person outside the City to continue to receive water service from the City nor any credit or refund for improvements made to receive such water service.
14.02.710  Construction water permit.

A. Before temporary construction water service can be supplied through a fire hydrant, the applicant shall procure a City construction water permit.

B. All fees and deposits under the construction water permit shall be paid prior to permit issuance. Monthly City equipment rental charges, deposit amounts, and water usage fees shall be set by resolution.

C. Application Procedure.

1. The applicant shall pay a nonrefundable application fee for connection to a meter or outlet of locations and conditions at Director's discretion. In addition to the application fee, the applicant shall pay a nonrefundable maintenance fee for future maintenance, testing and recalibration of the City's equipment.

2. An approved reduced pressure backflow prevention device may be required by the City for construction water service per this section. If such a device is required by the City, the applicant shall provide his or her own certified backflow device. Such device must be approved by the City prior to any water being used through the device.

3. In addition to the fees described in subsections 1 and 2 of this section, the applicant shall make a quantity rate deposit toward monthly charges and water usage to be determined by the City based on the estimated duration of the temporary service and the estimated quantity of water to be used. Any overpayment shall be refunded upon verification of the final meter reading and duration of temporary service. Applicant shall pay any excess charges determined upon final meter reading within thirty calendar days the applicable bill being mailed or otherwise delivered to applicant by the City.

4. In addition to payments under subsections 1 through 3 of this section, the applicant shall also pay a deposit for all City equipment to be rented. The deposit amount shall be determined by the City based upon the replacement cost of all items rented, including administrative costs. Upon termination of temporary service and return of all rented equipment, the City shall refund the deposit if the equipment and the outlet to which it was attached have not been damaged.
5. All charges imposed in subsections 1 through 4 of this section shall be paid in advance of service.

6. Rates and fees for temporary construction water service shall be set by resolution.

D. Water Trucks.

1. All water trucks utilizing a fire hydrant within the City as a water source must obtain a construction water permit from the City, and be equipped with a certified air gap separation device or use an approved reduced pressure backflow preventer when filling the truck’s water tank.

2. All water trucks wishing to utilize an air gap separation device instead of an approved backflow prevention device must submit evidence of certification of the air gap separation device for review and approval by the City. Upon approval by the City, the construction water permit will be modified to include an air gap separation device approval. The permit must be required to be with the water truck at all times.

3. The air gap separation device approval shall be good for two years from the month of issuance. All trucks using an air gap separation device instead of a backflow prevention device for all temporary construction water usage through a fire hydrant within the City shall submit certification of the air gap device annually.

E. Construction Water Permit Conditions.

1. The City may designate a particular hydrant or hydrants to be used under a particular construction water permit. Any hydrant restrictions will be noted on the face of the permit.

2. The permit or a complete copy shall be kept at the job site or in the water truck and upon request must be shown to any representative of the City.

3. The permit is valid for one year from the date of issuance. In order to continue to obtain water through a fire hydrant after one year, the permittee must bring in the meter/backflow unit for inspection and an intermediate meter reading and apply for reissuance of the permit.

4. The permittee shall so conduct his or her operations as to offer the least possible obstruction and inconvenience to the public. The permittee shall be
solely and completely responsible for the safety of all persons and property
surrounding the hydrant or work area and by accepting the permit shall agree to
indemnify the City for any damage or injury that occurs as a result of any actions
authorized by the permit.

5. The permittee shall take whatever precautions necessary to
prevent damage to all existing improvements, including above ground and
underground utilities, trees, shrubbery that is not specifically shown to be
removed, fences, signs, mailboxes, survey markers and monuments, buildings,
structures, the City's property, adjacent property, and any other improvements or
facilities within or adjacent to the work area. If such improvements or property are
damaged by the permittee's operations, they shall be repaired or replaced at the
permittee's expense, to a condition at least as good as the condition they were in
prior to the start of the permittee's operations.

6. The permittee must replace all improvements in City rights-of-way
and within public streets to a condition equal to or better than what existed prior
to his or her entry onto the job site.

7. All public or private facilities, including but not limited to gravel
surfacing at existing canals, structures, telephone cables, roadways, curbs,
gutters, parking lots, private drives, levees and embankments for creeks, ponds
and reservoirs disturbed during construction shall be repaired or replaced by the
permittee to match facilities existing prior to construction. In addition, the
permittee shall be responsible for any materials or workmanship repairs required
to such facilities or adjoining areas for a period of one year after acceptance of
such facilities.

8. The permittee shall adopt all practical means to minimize traffic
interference and public inconvenience, discomfort or damage. The permittee
shall protect against damage to any pipes, conduits, or other structures crossing
the trenching or encountered during the work and shall be responsible for any
damage done to such pipes or structures, or damage to property resulting
therefrom. The permittee shall repair or replace any such structures without
delay.

9. In the event that the permittee refuses or neglects to restore any
loss or repair any damage for which he or she is responsible under this permit,
the City may itself, or through the employment of others, restore any such loss or
repair any damage; the cost and expense of doing so, including any reasonable
engineering, legal, consultant, or contractor fees, and any costs for administrative and managerial services, shall be charged to the permittee.

10. The permittee agrees to operate the hydrant main valve and any other valves used to control the flow of water with a pentagon spanner-type fire hydrant wrench only. Use of pipe wrenches or other devices which damage or deform the bronze operating nut is strictly prohibited. All hydrant outlet caps shall be replaced when the hydrant is not in use. Permanent attachments to fire hydrants are not permitted. Fire safety dictates that attachments to hydrants shall be removed at the end of each work day. Permittee shall cease using temporary construction water from any fire hydrant at any time upon request of the Director.

11. The permittee may be billed a monthly charge for rental of City equipment in an amount specified by City resolution.

12. Water usage through the meter shall be paid first from the initial water usage fee, then from the deposits paid for City equipment.

13. Deposits for City equipment shall be refunded upon return of the equipment to the City, less appropriate deductions for water used over the initial water usage fee and for items or elements lost, damaged, stolen, or otherwise rendered unusable as determined by the City. If the deposit amount does not cover all water usage fees above the initial amount paid or the repair or replacement of any damaged City equipment, the permittee will be billed directly and shall pay in full within thirty calendar days of the bill being mailed or otherwise delivered by the City.

14. The meter and backflow assemblies must be used in the proper configuration at all times when obtaining temporary construction water from any fire hydrant within the City.

15. In submitting a permit application, the permittee specifically obligates him or herself and thereby agrees to protect, hold free and harmless, defend and indemnify the City, and each of its officers, employees and agents, from any and all liability, penalties, costs, losses, damages, expenses, causes of action, claims or judgments, including attorney’s fees, which arise out of or are in any way connected with the permittee’s, his or her contractor’s, or his or her subcontractor’s agents, employees and representatives, resulting in liability irrespective of whether or not any acts or omissions of the parties to be indemnified hereunder may also have been a contributing factor to the liability.
16. In any and all claims against the City or the engineer and his or her consultants, and each of their officers, employees and agents, by any employee of the permittee, his or her contractor, any subcontractor, anyone directly or indirectly employed by any of them, or anyone for whose actions any of them may be liable, the indemnification obligation under this section shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the contractor or any subcontractor under worker’s compensation statutes, disability benefit statutes, or other employee benefit statutes.

17. Any City equipment issued for a particular construction job shall be returned to the City prior to final of any engineering permits.

18. The City may require a performance bond and/or liability insurance to be submitted prior to issuance of the permit. Further information on these requirements are specified by City policy, adopted and updated by resolution from time to time.

F. Violations/Penalties.

1. Failure to comply with any of the permit conditions noted herein shall result in a verbal warning to the person or company that they are in violation of the this code and construction water meter policy and must immediately correct the violation. An issued construction water permit may be revoked for failure to immediately correct the violation or for repeated violations.

2. Any person or company violating any provisions of this chapter, or any permit conditions, shall be deemed guilty of an infraction, and, in addition to any other City remedies, may be punished by a fine prescribed by resolution of the City Council.

Article VIII. Collection—Enforcement of Rates

14.02.800 Combined billing.

All water service rates and charges may be billed on the same bill as, and collected together with, rates and charges for other City services. If all or any part of such bill is not paid, the City may discontinue any or all of the services for which the bill is rendered in the manner set forth in this article.
14.02.810 Billing period.

The City shall issue bills for residential, commercial and all other forms of service rendered pursuant to this chapter at least every two months. The City may issue bills every month for service rendered. In switching from one billing period to another billing period, the City may issue bills for a service period longer than one month, but less than or equal to two months. Each bill shall specify the dates of the service period.

14.02.820 Liability.

A. The City shall bill the property owner or designee directly for all service provided to the owner’s property.

B. The property owner shall be liable for payment of all City charges regardless of whether the bill is sent to the owner’s personal business or residential address, or to the address of the owner’s property to which the service is supplied.

14.02.830 Due date and delinquency.

The City’s bill for service rendered is due and payable when received. Each bill shall specify the date it is issued. A bill shall be delinquent if payment for the entire amount of the bill is not received by the City by the later of:

A. The last day of the service period specified on the bill; or

B. One month after the date the bill is issued by the City.

14.02.840 Delinquency—Penalties—Partial payment.

A. Basic Penalty. City shall levy one and one-half percent per month penalty to all delinquent charges and basic penalties remaining unpaid, until the City council requests the City finance director to include the amount of all delinquencies on the bills for taxes levied against the appropriate premises as set forth in Section 14.02.850.

B. Partial Payment. Moneys paid where any portion of an account is delinquent shall first be credited to the delinquent portion of the bill and then to the current billing.

C. Basic penalty and additional penalty may be reduced in accordance with criteria authorized by the City council.
14.02.850 Collection.

Any delinquent charges that remain unpaid after an account is closed shall be forwarded to a collection agency on behalf of the City.

14.02.860 Meter testing.

The City may test meters at any time or shall test a meter upon the written request of a customer who first deposits with the City an amount prescribed by resolution of the City council. If the test indicates the meter is registering within five percent of accuracy, the testing fee will be retained by the City to cover its cost of testing. If the test indicates the meter is more than five percent in error, the testing fee shall be refunded to the customer and the City shall repair or replace the meter at its discretion. If the meter error is over five percent, resulting in an overcharge of the customer, the City shall refund to the customer the estimated overcharge for a period of two billing cycles immediately preceding the meter testing. If an error is found that has resulted in the customer underpaying, a supplemental bill may be rendered to the customer equal to the difference between the customer's average bill for the preceding two billing cycles.

14.02.870 Adjustment of bills.

The City may adjust or grant rebates from the rates or fees provided in this chapter in the event of a dispute relating to a charge to a customer.

Article IX. Water Conservation

14.02.900 Requirements.


Article X. Enforcement

14.02.1000 Authority.

The Director shall enforce the provisions of this chapter and, for such purpose, shall have the powers of a peace officer, if deputized or if authorized by law.
14.02.1005 Discontinuance of service.

Service may be discontinued for any one of the following reasons:

A. For service being received through a master meter, delinquency in the payment of any bill, except that residential service shall not be discontinued to a residential occupant for nonpayment in any of the following situations:

1. During the pendency of any investigation by the City of a customer dispute or complaint;

2. When a customer has been granted an extension of the period for payment of a bill;

3. For an indebtedness owed by the customer to any other public agency or when the obligation represented by the delinquent account or other indebtedness was incurred with any public agency other than the City;

4. When a delinquent account relates to another property owned, managed or operated by the customer; or

5. When a public health or building officer certifies the termination would result in a significant threat to the health or safety of the residential occupants or the public.

B. For service through an individual meter, delinquency in the payment of any bill, except that residential service shall not be discontinued to a residential occupant for nonpayment in any of the following situations:

1. During the pendency of any investigation by the City of a customer dispute or complaint;

2. When a customer has been granted an extension of the period for payment of a bill;

3. For an indebtedness owed by the customer to any other public agency or when the obligation represented by the delinquent account or other indebtedness was incurred with any public agency other than the City;

4. When a delinquent account relates to another property owned, managed or operated by the customer; or
5. When: (a) a licensed physician or surgeon certifies that to do so will be life threatening to the customer; (b) the customer is financially unable to pay for service within the normal payment period; and (c) the customer is willing to enter into an amortization agreement with the City and requests permission to amortize, over a period not to exceed six months, the unpaid balance of any bill asserted to be beyond the means of the customer to pay within the normal payment period;

C. The unauthorized taking of water or the taking of water in excess of the amount paid for;

D. Failure of the customer to maintain his or her facilities in a suitable condition to prevent waste of water;

E. The existence of any unprotected cross connections on the customer's premises or the lack of adequate backflow protection at the service connection;

F. Any violation by the customer of any rules and regulations of the City governing water service.

G. Any situation which presents an immediate health hazard to the public water system. In such cases, the City may discontinue water service immediately without notice, and service shall be locked and remain inactive until corrective action has been approved by the City. The City shall attempt to contact the customer by telephone and shall mail a certified letter to the customer as soon as reasonably possible to set forth the reasons for the emergency. Conditions that create a basis for the immediate discontinuance of water service shall include, but are not limited to, the following items:

1. Direct or indirect connection between the public water system and a sewer line;

2. Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants;

3. Unprotected direct or indirect connection between the public water system and an auxiliary water system.

4. Sanitary sewer overflows, either into the storm drainage system or on private property, exacerbated by continued use of the public water system.
14.02.1010 Notice prior to discontinuance of service for nonpayment.

A. Before any proposed discontinuance of service for nonpayment of a delinquent account, except those as described in subsections C and D of this section, the City shall provide a notice of delinquency to the customer to whom the service is billed of the proposed discontinuance.

B. Every notice of discontinuance of service required by this section shall include all of the following information:

1. The name and address of the customer whose account is delinquent;

2. The amount of the delinquency;

3. The date by which payment or arrangements for payment is required in order to avoid discontinuance and, if different, the date discontinuance of service is scheduled;

4. The telephone number of a representative of the City who can provide additional information or institute arrangements for payment.

C. Whenever the City furnishes residential service through a master meter in a multi-unit residential structure, mobile home park or farm labor camp as defined in Section 17008 of the Health and Safety Code, where the owner, manager or farm labor employer is listed by the City as the customer of record, the City shall provide a notice of delinquency to each of the residential occupants similar to that listed in subsection B of this section, except that the notice will state that the property owner is responsible for the delinquent account. If it is not reasonable or practical to post the notice on the door of each residential unit, the City shall post two copies of the notice in each accessible common area at each point of access to the structure or structures.

D. Whenever the City furnishes any individually metered residential service to residential occupants in a multi-unit residential structure, mobile home park or permanent residential structures in a labor camp, as defined in Section 17008 of the Health and Safety Code, where the owner, manager or operator is listed by the City as the customer of record, the City shall provide a notice of delinquency to each of the residential occupants similar to that listed in subsection B of this section, except that the notice will state that the property owner is responsible for the delinquent account. If it is not reasonable or practical to post the notice on the door of each residential unit, the City shall post two copies of the notice in each accessible common area at each point of access to the structure or structures.
14.02.1015 Shut off and turn on of service on weekends, holidays or after hours.

No water service shall be shut off to any customer or user because of any delinquency in payment commencing on any Saturday, Sunday, legal holiday or at any time during which the business offices of the City are not open to the public. Water service may be turned on to a customer or user outside of normal business hours after receipt of payment of delinquencies within 72 hours, regardless of the time of day payment is received by the City.

14.02.1020 Amortization of delinquent bill for service.

The finance director or his or her designee shall review every request or complaint received by a customer regarding disputed bills or extensions provided that the request or complaint is received by the City within the required timeframe. For complaints or requests pertaining to disputed bills, the customer must submit the complaint or request within five (5) calendar days of receiving the disputed bill which shall be calculated by counting eight (8) calendar days from the date the City mailed the disputed bill. For requests for an extension in time to pay a bill pursuant to Section 14.02.1005(B)(3), the requests must be received within fifteen (15) calendar days of the date the City first mails or posts the notice of discontinuance of service pursuant to this chapter. For requests for extensions, the review shall include consideration of whether the customer shall be permitted to amortize the unpaid balance of the account over a reasonable period of time, not to exceed six months.

14.02.1025 Authority to settle controversies relating to discontinuance and to permit amortization of delinquent bills.

The finance director or designee is authorized to investigate complaints and review disputes pertaining to any matters for which service may be discontinued and to rectify errors and settle controversies pertaining to such matters. The finance director or designee is also authorized, upon a proper showing by a residential customer of the customer's inability to pay a delinquent bill during the normal period, to grant permission to amortize the unpaid balance over a reasonable period of time, not to exceed six months.

14.02.1030 Notice required prior to discontinuance of service for failure to comply with amortization agreement.

If an amortization agreement is authorized by the finance director, no discontinuance of service shall be effected for any residential customer complying with such agreement, if the customer also keeps the account current as charges accrue in
each subsequent billing period. If a residential customer fails to comply with an amortization agreement, the City shall not discontinue service without giving notice to the customer, at least forty-eight hours prior to his or her discontinuance, of the conditions the customer is required to meet to avoid discontinuance; but the notice does not entitle the customer to further investigation by the City.

14.02.1035 Public nuisance.

Continued habitation of any building or continued operation of any commercial or industrial facility where water service has been discontinued is declared to be a public nuisance. The City may cause proceedings to be brought for the abatement of the occupancy of the building or industrial or commercial facility during the period of such violation.

14.02.1040 Abatement.

During the period of any disconnection, the habitation of such disconnected premises by human beings shall constitute a public nuisance, which shall authorize the City to bring proceedings for the abatement of the occupancy of the premises during the period of the disconnection. In such event, and as a condition of restoring service, the City shall be paid necessary charges for or incurred in the restoration of service. In any administrative action or legal proceeding initiated by the city to abate a public nuisance under this chapter, the prevailing party shall be entitled to recover attorney’s fees, provided that attorney’s fees shall only be available in those actions or proceedings in which the City has provided notice at the commencement of such action or proceeding that the City intends to seek and recover attorney’s fees.

14.02.1045 Default—Recovery of costs.

A. In the event that any customer fails to make any payment provided for in this chapter, the customer and subject property shall be in default, and the City may declare the balance, or any remaining balance, due and payable.

B. In the event the City is required to bring legal action to enforce any provision of this chapter, including but not limited to the collection of delinquent fees, penalties or other charges, the prevailing party shall be entitled to recover its reasonable attorney’s fees, interest, court costs and other costs incurred in such action, provided that such fees shall only be available in those actions or proceedings in which the City has provided notice at the commencement of such action or proceeding that the City intends to seek and recover attorney’s fees.
14.02.1050 Means of enforcement only.

The City declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of its ordinances, rules and regulations, and not as a penalty.

14.02.1055 Cumulative remedies.

The remedies set forth in this article for the collection and enforcement of rates, charges and penalties are cumulative and may be pursued alternatively, concurrently or consecutively.

14.02.1060 Violation—Penalty.

Each and every day, or part of a day that a violation of the chapter continues, shall be deemed a separate offense under this chapter and shall be punishable as such.

Article XI. Protection of Drinking Water

14.02.1100 Purpose.

The purpose of this article is as follows:

A. To protect the public potable water supply of the City of Dixon from the possibility of contamination or pollution by isolating, within each customer’s internal distribution system or private water system, such contaminants or pollutants which could backflow into the public water systems; and,

B. To promote the elimination or control of existing cross-connections, actual or potential, between in-plant potable water systems and non-potable water systems, plumbing fixtures and industrial piping systems; and,

C. To provide for the maintenance of a continuing program of protection of drinking water, or Cross Connection Control Program, that will systematically and effectively prevent the contamination or pollution of all potable water systems.

14.02.1110 Responsibility.

The City shall be responsible for the protection of the City’s potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in the judgment of said City or its designated agent, an approved backflow prevention assembly is required at the water service connection to any customer’s premises, for the safety of the water system, the City or its designated agent shall give notice in writing to said customer to install such
an approved backflow prevention assembly at a specific location on its premises. The customer shall immediately install such approved assembly at the customer’s own expense. The failure, refusal or inability on the part of the customer to install, have tested and maintain said assembly shall constitute a ground for discontinuing water service to the premises until such requirements have been satisfactorily met.

14.02.1120 Definitions.

“City or its designated agent” means the City or its designated agent in charge of the cross connection program is invested with the authority and responsibility for the implementation of an effective Cross Connection Control program and for the enforcement of the provisions of this article.

“Approved” means accepted by the City as meeting an applicable specification stated or cited in this chapter, other applicable state law or regulation, or as suitable for the proposed use.

“Auxiliary water supply” means any water supply on or available to the customer’s premises other than the City’s approved public water supply will be considered as an auxiliary water supply. These auxiliary waters may include water from another City’s public potable water supply or any natural source such as a well, spring, river, stream, harbor, etc., or “used waters” or “industrial fluids.” These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the City does not have sanitary control.

“Backflow” means the reversal of the normal flow of water caused by either backpressure or backsiphonage.

“Backpressure” means the flow of water or other liquids, mixtures or substances under pressure into the distribution pipes of a potable water supply system from any source or sources other than the intended source.

“Backsiphonage” means the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply from any source other than its intended source caused by the reduction of pressure in the potable water supply system.

“Backflow preventer” means an assembly or means designed to prevent backflow. Acceptable backflow preventers include:

1. Air-gap (AG). The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe,
measured vertically, above the overflow rim of the vessel; and in no case less than one inch.

2. Reduced pressure principle (RPP) assembly. An assembly of two independently acting approved check valves together with a hydraulically operating, mechanically independent differential pressure relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly. The entire assembly shall meet the design and performance specifications as determined by a laboratory and a field evaluation program resulting in an approval by a recognized and City approved testing agency for backflow prevention assemblies. The assembly shall operate to maintain the pressure in the zone between the two check valves at an acceptable level less than the pressure on the public water supply side of the assembly. At cessation of a normal flow the pressure between the two check valves shall be less than the pressure on the public water supply side of the device. In case of leakage of either of the check valves the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved these assemblies must be readily accessible for in-line testing and maintenance and be installed in location where no part of the assembly will be submerged.

3. Double check valve assembly (DC). An assembly of two independently operating approved check valves with tightly closing shut-off valves on each end of the check valves, plus properly located test cocks for the testing of each check valve. The entire assembly shall meet the design and performance specifications as determined by a laboratory and field evaluation program resulting in an approval by recognized and City approved testing agency for backflow prevention assemblies. To be approved these assemblies must be readily accessible for in-line testing and maintenance.

4. Double check-detector check (DCDC). A complete integral unit consisting of a main-line double check valve assembly, and a low flow by-pass line double check valve assembly complete with a low flow registration meter. The main-line and the by-pass line double check valve assembly shall each consist of two independently operating approved check valves with tightly closing, rising stem, shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve. The entire unit shall meet the design and performance specifications and approval of a recognized and City approved testing agency for backflow prevention devices.
To be approved these devices must be readily accessible for in-line maintenance and testing.

5. Reduced pressure detector check (RPDC). A complete integral unit consisting of a main-line reduced pressure check valve assembly, and a low flow by-pass line reduced pressure check valve assembly, and a low flow registration meter. The main-line and the by-pass line reduced pressure valve assembly shall each consist of two independently acting approved check valves together with a hydraulically operating, mechanically independent differential pressure relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly. The entire assembly shall meet the design and performance specifications as determined by a laboratory and a field evaluation program resulting in an approval by a recognized and City approved testing agency for backflow prevention assemblies. The assembly shall operate to maintain the pressure in the zone between the two check valves at an acceptable level less than the pressure on the public water supply side of the assembly. At cessation of a normal flow the pressure between the two check valves shall be less than the pressure on the public water supply side of the device. In case of leakage of either of the check valves the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved these assemblies must be readily accessible for in-line testing and maintenance and be installed in a location where no part of the assembly will be submerged.

6. Residential Fire Sprinkler System Check Valve (RFSSCV). A check valve installed in the supply line to a fire sprinkler system installed in a one or two family dwelling, located downstream of the service connection and normally integrated into the sprinkler system located within the dwelling.

"Contamination" means an impairment of the quality of potable water by sewage, industrial fluids, waste liquids, compounds or any other materials to a degree which creates an actual or potential hazard to the public health.

"Cross-connection" means any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems one of which contains potable water and the other non-potable or industrial fluids of questionable safety, through which, or because of which, backflow may occur into the potable water system. This would include any temporary connections, such as swing connections, removable
sections, four way plug valves, spools, dummy sections of pipe, swivel or change-over devices or sliding multiport tubes.

"Cross-connections - controlled" means a connection between a potable water system and a non-potable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

"Cross-connection control by containment" means the installation of an approved backflow prevention assembly at the water service connection to any customer's premises where it is physically and economically infeasible to find and permanently eliminate or control all actual or potential cross-connections within the customer's water system.

"Hazard, degree of" means the term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

1. Hazard - health. Any condition, device, or practice in the water supply system and its operation which could create, or in the judgment of the City or its designated agent, may create a danger to the health and well-being of the water consumer.

2. Hazard - plumbing. A plumbing type cross-connection in a consumer's potable water system that has not been properly protected by an approved air-gap or approved backflow prevention assembly.

3. Hazard - pollutional. An actual or potential threat to the physical properties or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.

4. Hazard - system. An actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system, or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

"Industrial fluids system" means any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated waters; all types of process waters and "used waters"
originating from the public potable water system which may have deteriorated in
sanitary quality; chemicals in fluid form; plating acids and alkalis, circulating cooling
waters connected to an open cooling tower or cooling towers that are chemically or
biologically treated or stabilized with toxic substances; contaminated natural waters
such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or
systems, etc.; oils, gases, glycerin, paraffins, caustic and acid solutions and other liquid
and gaseous fluids used in industrial or other purposes or for fire-fighting purposes.

"Pollution" means the presence of any foreign substance (organic, inorganic, or
biological) in water which tends to degrade its quality so as to constitute a hazard or
impair the usefulness or quality of the water to a degree which does not create an actual
hazard to the public health but which does adversely and unreasonably affect such
waters for domestic use.

"Water – potable" means any water which, according to recognized standards, is
safe for human consumption.

"Water – nonpotable" means any water which is not safe for human consumption
or which is of questionable potability.

"Service connection" generally means the pipe, valves and other facilities by
which water is conveyed from the water main to the premises, and includes the tap,
corporation stop or shut-off valve and may include meter or service box depending on
the type of service.

"Water – used" means any water supplied by a City from a public potable water
system to a consumer's water system after it has passed through the service connection
and is no longer under the sanitary control of the City.

14.02.1130 Requirements

A. Water system

1. The water system shall be considered as made up of two parts:
The public City system and the private customer system.

2. The City system shall consist of the City's source facilities and the
City's distribution system; and shall include all those facilities of the water system
under the complete control of the City, from the source of supply up to the point
where the customer's system begins. The source shall include all components of
the facilities utilized in the production, treatment, storage, and delivery of water to
the distribution system.
3. The distribution system shall include the network of conduits used for the delivery of water from the source to the customer’s system.

4. The customer’s system shall include those parts of the facilities beyond the termination of the City’s distribution system which are utilized in conveying City-delivered domestic water to points of use.

B. Policy

1. No water service connection to any premises shall be installed or maintained by the City unless the water supply is protected as required by State laws and regulations and these requirements. Service of water to any premises shall be discontinued by the City if a backflow prevention assembly is not installed, tested and maintained, or if it is found that a backflow prevention assembly has been removed, bypassed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

2. The customer’s system should be open for inspection at all reasonable times to authorized representatives of the City to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations exist. When such a condition becomes known, the City or its designated agent shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition in conformance with the State statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto. The City shall provide a written notice to the customer of the discontinuance of service containing the reason for discontinuance and the actions required by the customer to restore the service.

3. An approved backflow prevention assembly shall also be installed on each service line to a customer's water system at or near the property line or, if approved by the City, immediately inside the building being served; but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:

   a. In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source of potable water by the state health agency having jurisdiction, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line appropriate to the degree of hazard.
b. In the case of premises on which any industrial fluids or other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the City system which have been subject to deterioration in quality.

c. In the case of premises having (1) internal cross connection that cannot be permanently corrected or controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line.

4. The type of protective assembly required under subsections B(3)(a), (b), and (c) of section 14.02.1130 shall depend upon the degree of hazard which exists as follows:

a. In the case of any premises where there is an auxiliary water supply as stated in subsection B(3)(a) of section 14.02.1130 and it is not subject to any of the following rules, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly.

b. In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved reduced pressure principle backflow prevention assembly.

c. In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly. Examples of premises where these conditions will exist include sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries and plating plants.
d. In the case of any premises where there are "uncontrolled" cross-connections, either actual or potential, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly at the service connection.

e. In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow from the premises by either an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly on each service to the premises.

f. The following is a list of recommended minimum types of backflow protection devices required to protect the approved water supply at the user's connection. Each situation, whether covered on the list or not, shall be evaluated on a case by case basis and the appropriate backflow protection device shall be determined by the City or its designated agent.

<table>
<thead>
<tr>
<th>Case</th>
<th>Description</th>
<th>Devices</th>
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<tbody>
<tr>
<td>1</td>
<td>Air Conditioning Plants (Commercial AC Equip)</td>
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<tr>
<td>2</td>
<td>Animal Clinics, Animal Grooming Shops and Boarding</td>
<td>RPP</td>
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<tr>
<td>3</td>
<td>Apartment or Office Complex with Pond, Lake or Fountain</td>
<td>RPP</td>
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<tr>
<td>4</td>
<td>Apartments with Laundromats/Laundry Rooms</td>
<td>RPP</td>
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<tr>
<td>5</td>
<td>Auto or Manual Irrigation Systems (Separate from Domestic)</td>
<td>RPP</td>
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<tr>
<td>6</td>
<td>Auto Repair with Steam Cleaner, Acid Cleaning or Solvent Equip</td>
<td>RPP</td>
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<tr>
<td>7</td>
<td>Auxiliary Water System not Interconnected</td>
<td>RPP</td>
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<tr>
<td>8</td>
<td>Auxiliary Water System or Sources Interconnected (Well, Canal)</td>
<td>RPP</td>
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<tr>
<td>9</td>
<td>Bakeries</td>
<td>RPP</td>
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<tr>
<td>10</td>
<td>Barber Shops, Beauty Shops or Salons</td>
<td>RPP</td>
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<tr>
<td></td>
<td>Description</td>
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<td>11</td>
<td>Bars or Cocktail Lounges</td>
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<td>12</td>
<td>Bottling Plants - Beverage or Chemical</td>
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<td>13</td>
<td>Buildings 3 Stories or Higher</td>
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<tr>
<td>14</td>
<td>Buildings with Booster Pumps, Boilers, &amp; Cooling Towers</td>
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<td>15</td>
<td>Buildings with Sewage Ejectors</td>
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<td>16</td>
<td>Buildings where Specific Activity Cannot Be Ascertained</td>
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<td>17</td>
<td>Canneries, Packing Houses or Reduction Plants</td>
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<td>18</td>
<td>Car Washes</td>
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<td>19</td>
<td>Chemical Processing or Storage Facilities</td>
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<td>20</td>
<td>Chemically Treated (Non-Potable) Water Systems</td>
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<td>21</td>
<td>Chemically Treated (Potable) Water Systems</td>
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<td>22</td>
<td>Churches with Baptismal Pools</td>
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<td>23</td>
<td>Civil Works Exempt from City Inspection</td>
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<td>24</td>
<td>Cleaning and Dye Plants</td>
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<td>25</td>
<td>Cold Storage and Ice Manufacturing Plants</td>
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<td>26</td>
<td>Commercial Meat Cutting, Packaging &amp; Cold Storage Lockers</td>
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<td>27</td>
<td>Concrete Plant</td>
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<td>28</td>
<td>Convalescent Homes and Clinics</td>
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<td>29</td>
<td>Convenience Markets</td>
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<td>30</td>
<td>Dairies</td>
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<td>31</td>
<td>Dental Offices</td>
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<td>32</td>
<td>Dialysis Clinics, Experimental Labs</td>
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<td>33</td>
<td>Fabricating Plants (Plastics &amp; Fiberglass)</td>
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<tr>
<td>34</td>
<td>Fire Protection Systems Class 1 &amp; 2</td>
<td>DCDC</td>
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<tr>
<td>34.a</td>
<td>Residential full-flow through fire sprinkler system</td>
<td>RFSSCV</td>
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<tr>
<td>34.b</td>
<td>Residential partial-flow through fire sprinkler system</td>
<td>RFSSCV</td>
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<td>35</td>
<td>Fire Protection Systems Class 3</td>
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<td>36</td>
<td>Fire Protection Systems Class 4</td>
<td>RPDC</td>
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<td>37</td>
<td>Fire Protection Systems Class 5</td>
<td>RPDC</td>
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<tr>
<td>38</td>
<td>Fire Protection Systems Class 6</td>
<td>RPDC</td>
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<td>39</td>
<td>Food Processing facilities Using Non-Toxic Materials</td>
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<tr>
<td>40</td>
<td>Food Processing Facilities Using Toxic Materials</td>
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<td>41</td>
<td>Frozen Food Processing Plant</td>
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<td>42</td>
<td>Garden Centers and Nurseries</td>
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<td>43</td>
<td>Gas Service Stations</td>
<td>RPP</td>
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<td>44</td>
<td>Health Spas</td>
<td>RPP</td>
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<tr>
<td>45</td>
<td>Hospitals</td>
<td>RPP</td>
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<tr>
<td>46</td>
<td>Laboratories</td>
<td>RPP</td>
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<tr>
<td>47</td>
<td>Landscaping with Elevated Areas or with Drip Irrigation</td>
<td>RPP</td>
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<tr>
<td>48</td>
<td>Laundries - Commercial</td>
<td>RPP</td>
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<tr>
<td>49</td>
<td>Laundromats</td>
<td>RPP</td>
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<tr>
<td>50</td>
<td>Machine Shops</td>
<td>RPP</td>
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<tr>
<td>51</td>
<td>Manufacturing, Processing &amp; Fabrication Facilities - Non-Toxic</td>
<td>RPP</td>
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<tr>
<td>52</td>
<td>Manufacturing, Processing &amp; Fabrication Facilities - Toxic</td>
<td>RPP</td>
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<tr>
<td>53</td>
<td>Medical Offices</td>
<td>RPP</td>
</tr>
<tr>
<td>54</td>
<td>Metal Stripping Facilities</td>
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<tr>
<td>55</td>
<td>Mobile Home Parks</td>
<td>RPP</td>
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<tr>
<td>56</td>
<td>Mobile Services (Pest Control, Drain Cleaning, Steam &amp; Rug</td>
<td>RPP</td>
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<td>57.</td>
<td>Mortuaries and Morgues</td>
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<td>58.</td>
<td>Offices or Shopping Centers with Uncommitted Lease Spaces</td>
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<td>59.</td>
<td>Oil &amp; Gas Bulk or Production Facilities</td>
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<td>60.</td>
<td>Painting Shops Using Water in any Process</td>
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<tr>
<td>61.</td>
<td>Paper Processing and Production Facilities</td>
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<tr>
<td>62.</td>
<td>Pest Control Business</td>
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<tr>
<td>63.</td>
<td>Photography Studios with Processing Equipment</td>
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<tr>
<td>64.</td>
<td>Plating Works</td>
<td></td>
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<tr>
<td>65.</td>
<td>Portable Insecticide &amp; Herbicide Spray Tank (from Hydrants)</td>
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<td>66.</td>
<td>Radiator Shops - Repair or Backflushing</td>
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<tr>
<td>67.</td>
<td>Reduction &amp; Rendering Meat Processing Plants</td>
<td></td>
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<tr>
<td>68.</td>
<td>Rest Homes, Ground Floor Only</td>
<td></td>
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<tr>
<td>69.</td>
<td>Rest Homes, Multi-Story</td>
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<tr>
<td>70.</td>
<td>Restaurants and Buildings with Commercial Kitchens (100° Water, Dishwasher)</td>
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<td>71.</td>
<td>Schools w/Kitchens, Chemistry Labs, Boilers &amp; Irrigation Sys</td>
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<tr>
<td>72.</td>
<td>Sewage &amp; Storm Water Pumping Facilities</td>
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<td>73.</td>
<td>Swimming Pools</td>
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<td>74.</td>
<td>Tank Trucks Filling from Fire Hydrants</td>
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<tr>
<td>75.</td>
<td>Temporary Construction Water</td>
<td></td>
</tr>
</tbody>
</table>

**g.** All types of commercial buildings are required to maintain an approved reduced pressure principle backflow prevention device on each service line. In the event a degree of hazard requires the highest degree of protection, and approved air-gap separation is required on each service line.
h. Application to install backflow prevention assemblies. Prior to the installation of any backflow prevention assembly between the public water system and the owner's facility, the owner or contractor shall make application and receive approval from the City Engineer or his/her designated agent. Application forms are available from the City of Dixon Building Department.

i. All backflow prevention assemblies shall be tested immediately after they are installed, relocated or repaired and placed in service.

j. Residential fire sprinkler system check valves (RFSSCVs) shall be inspected by the City prior to starting water service to confirm their installation and conformance to Underwriters Laboratories (UL) requirements.

5. Any backflow prevention assembly required herein shall be a model and size approved by the California Department of Public Health Services, Office of Drinking Water or its designated agent. The term “Approved Backflow Prevention Assembly” shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association entitled:

AWWA C506-84 Standards for Reduced Pressure Principle and Double Check Valve Backflow Prevention Devices;

and have met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research (FCC & HR) of the University of Southern California established by:

Specifications of Backflow Prevention Assemblies Section 10 of the most current issue of the MANUAL OF CROSS-CONNECTION CONTROL.

Said AWWA, and FCCC & HR standards and specifications have been adopted by the California Department of Health Services, Office of Drinking Water. Final approval shall be evidenced by a “Certificate of Approval” issued by an approved testing laboratory certifying full compliance with the said AWWA standards and FCCC & HR specifications.

The following testing laboratory has been qualified by the California Department of Public Health Services, Office of Drinking Water to test and certify backflow preventers:
Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, University Park, Los Angeles, CA 90089-0231

Testing laboratories other than the laboratory listed above may be added to an approved list as they are qualified by the California Department of Public Health Services, Office of Drinking Water.

Backflow preventers which may be subjected to backpressure or backsiphonage that have been fully tested and have been granted a Certificate of Approval by said qualified laboratory and are listed on the laboratory's current list of "Approved Backflow Prevention Assemblies" may be used.

6. The City or its agents, employees or independent contractors shall endeavor to provide for inspection and operational tests of the backflow prevention assemblies on a routine basis. Water users are required to provide notice to the City in any circumstances where assemblies may have been damaged, rendered inoperative, or in any other regard may not be functioning as designed or installed.

7. All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection 14.02.1130(B)(6), be excluded from the requirements of these rules so long as the City or its designated agent is assured that they will satisfactorily protect the water system. Existing assemblies that are determined not to be satisfactory shall be replaced by an approved backflow prevention assembly meeting the requirements of this section at the expense of the customer/user.

14.02.1140 Fees.

The customer/user shall pay to the City all fees specified by resolution of the City Council of Dixon for the testing and perpetual repairs of all backflow prevention devices made under the terms of this chapter. The inspecting official shall have the discretion to waive or reduce fees in the event that unusual circumstances, not the fault of the user or owner, necessitate repeated inspection.

SECTION 2: The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining
provisions, clauses, sentences, sections, words or parts thereof of this Ordinance or their applicability to other persons or circumstances.

SECTION 3: This Ordinance shall take effect and be enforced thirty (30) days following its adoption.

SECTION 4: The City Clerk shall cause this Ordinance to be published in a newspaper of general circulation in the City of Dixon within fifteen days of its enactment; shall certify to the enactment and publication of this Ordinance, and shall cause this Ordinance and its certification to be entered in the Book of Ordinances of the City.

This Ordinance was introduced at a meeting of the City Council of the City of Dixon duly held on the May 27, 2014, and was approved and enacted at a duly held regular meeting or adjourned regular meeting of the City Council held on this June 10, 2014, by the following roll call vote:

AYES: Besneatte, Bogue, Castanon, Batchelor

NOES: Bird

ABSENT: None

ABSTAIN: None

[Signature]
Mayor

[Signature]
City Clerk

ORDINANCE NO.: 14-008
DATE: JUN 10 2014