

ORDINANCE NO. 12.19.18.01

**AN ORDINANCE OF THE FLORIN RESOURCE
CONSERVATION DISTRICT BOARD OF DIRECTORS
AMENDING AND REPLACING ORDINANCE NO. 07.18.18.01, EXHIBIT A,
FLORIN RESOURCE CONSERVATION DISTRICT/ELK GROVE WATER DISTRICT
WATER ORDINANCE SCHEDULE OF CHARGES, RATES, FEE AND DEPOSITS**

WHEREAS, Government Code sections 66013 and 66016 authorize the Florin Resource Conservation District (FRCD) to adopt a resolution or ordinance to establish and impose water service fees and charges for its water enterprise the Elk Grove Water District (EGWD); and

WHEREAS, the FRCD Board of Directors ("Board of Directors") adopted Ordinance 07.18.18.01 on July 18, 2018, establishing the FRCD/EGWD Water Ordinance Schedule of Charges, Rates, Fees and Deposits; and

WHEREAS, Government Code Section 36900 and 53069.4 authorizes the FRCD/EGWD to charge fines and penalties for the violation of any FRCD/EGWD ordinances; and

WHEREAS, the Board of Directors wishes to amend and replace Ordinance No. 07.18.18.01, Exhibit A; and

WHEREAS, the shut-off/field service fee of \$100.00 will be changed to a late payment penalty of \$100.00; and

WHEREAS, the above-described data sets forth reasonable cost estimates for the District's provision of the miscellaneous water service fees and charges and establishes that the proceeds generated by the fees and charges do not exceed the total of the estimated costs.

**NOW, THEREFORE, THE FLORIN RESOURCE CONSERVATION
DISTRICT BOARD OF DIRECTORS HEREBY DETERMINES AND ORDAINS AS
FOLLOWS:**

Section 1. Recitals. The above recitals are true and correct and incorporated herein.

Section 2. Amendment to the FRCD/EGWD Water Ordinance Schedule of Charges, Rates, Fees and Deposits. The Florin Resource Conservation District/Elk Grove Water District Water Ordinance Schedule of Charges, Rates, Fees and Deposits is hereby amended.

Section 3. Amendment. Exhibit A of Ordinance 07.18.18.01 is hereby amended and replaced with the attached Exhibit A.

Section 4. California Environmental Quality Act Compliance.

(a) Pursuant to California Public Resources Code section 21080(b)(8), the District's adjustments to the water capacity charges and meter installation charges are not subject to the requirements of the California Environmental Quality Act. In accordance with Section 21080(b)(8), the District finds and determines that these adjustments constitute the modification of charges to meet operating expenses and for obtaining funds for capital projects necessary to provide and maintain water services within the District's service area.

(b) District staff is hereby directed to file a Notice of Exemption with the Sacramento County Clerk with three (3) business days after adoption of this Ordinance.

Section 5. Ordinance Effective Date. This ordinance shall take effect upon its adoption.

PASSED AND ADOPTED by the Florin Resource Conservation District Board of Directors on this 19th day of December 2018 by the following vote:

AYES: Gray, Medina, Mullberg, Nelson, and Scherman
NOES: 0
ABSENT: 0
ABSTAIN: 0



Tom Nelson
Chairperson of the Board of Directors

ATTEST:



Stefani Phillips
Board Secretary

EXHIBIT "A"

**FLORIN RESOURCE CONSERVATION DISTRICT/ELK GROVE WATER DISTRICT
WATER ORDINANCE**

"SCHEDULE OF CHARGES, RATES, FEES AND DEPOSITS"

[Attached behind this cover page]

EXHIBIT A

Florin Resource Conservation District / Elk Grove Water District Water Ordinance Schedule of Charges, Rates, Fees, and Deposits

1. Account Set-Up Fee. A new occupant of a residence will be considered a new account and will be charged an account set-up fee of \$30.00
2. Returned Check Service Charge. Any person who submits to the District a check for which there are insufficient funds shall be subject to a charge of \$35.00, in addition to the amount of the check.
3. 24-Hour Turn-On Fee. \$100.00 shall be charged to a realtor or other responsible party for the temporary turn-on of water service at a vacant property for the purposes of inspection.
4. Over the Phone Payments. A \$5.00 credit card processing fee shall be charged for payments made by telephone.
5. Photocopies. A per-page fee of ten cents for black and white copies and fifteen cents for color copies shall be charged for copies provided in response to a Public Records Act request or other requests for substantial photocopy services.
6. Delinquency Shut-Off. When water service is discontinued because of delinquency in payment of a bill, the service shall not be restored until the Customer has paid:
 - a. The amount of the unpaid bill,
 - b. \$25.00 door tag fee, and
 - c. A late payment penalty of \$100.00.

During the door-hanger period, termination of service may be avoided by payment of the unpaid bill and the \$25.00 door hanger fee. All of the forgoing fees must be paid in cash, cashier's check, money order or credit card only.

7. Change of Meter Size or Location. When a Customer requests a change of meter size or relocation of an existing meter or service connection for the Customer's convenience, the change will be made by the District and billed to the Customer at a time and materials costs.
8. Testing of Meters and Fire Flow. Meters will be tested upon request of the Customer and payment of the cost of the test and District staff's time at the hourly rate of \$47.00. If the meter is faulty, fees will be waived. Fire flows shall be tested upon request of the Customer and payment of a fee of \$156.00.
9. Backflow Tag Fee. All Customer backflow devices installed and tested, whether by the District or by a contractor, are assessed a \$25 tag fee.
10. Meter Re-read. A meter may be re-read upon request of the Customer. The first re-read will be performed at no charge. Each subsequent re-read with-in a 12-month period from the date of the first re-read, will be subject to a charge of \$25.00.
11. Plan Check Fees for Water Systems Extensions. Any person required by this Ordinance to have plans checked shall deposit with the Elk Grove Water District the following fee or fees for the service:

a. Irrigation only:	\$500.00
b. One lot, building unit, or EDU:	\$500.00

- c. Two to Nine lots, building units, or EDUs: \$2,000.00
- d. Ten or more lots, building units, or EDUs: \$5,000.00

This deposit will serve as credit towards fees for plan check, inspection, engineering and administrative costs of the project and actual fees will be calculated on a time and material basis. Expenses incurred beyond the deposit will be billed monthly and the project will not be accepted by Elk Grove Water District until all outstanding balances have been paid. Credits not used after acceptance of a project shall be refunded to the project.

11. Construction and other temporary services. Rates for construction and other temporary water service rendered for street paving, grading and trench flooding, and water delivered to tank trucks from fire hydrants or other outlets for such purposes, are as follows:

Permits will be charged an installation and removal charge of \$194.00 and a weekly rental fee of \$50.00 for use of the District's equipment (e.g., meter; reduced pressure backflow device). Charges for water actually used will be billed at the non-residential rate.

The applicant for temporary service shall be required to deposit with the District the amount of \$2,000.00. Upon permit expiration, the Contractor should bring the water meter used for the permit into the District where a final meter reading will be collected. The District will determine if additional monies or a refund is due, and collect the amount or process a refund. If a refund is owed, a check will be prepared and mailed to the Contractor.

12. Fines for Violation. Any violation of this Ordinance shall be subject to a fine in the amount of \$100.00 for the first occurrence, \$200.00 for the second occurrence within one year and \$500.00 for each additional occurrence within one year.