

ORDINANCE NO. 2019-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOWLER AMENDING SECTIONS 6-4.707 AND 6-4.709 OF ARTICLE 7, OF CHAPTER 4, OF TITLE 6, AND AMENDING SECTION 6-4.1109 OF ARTICLE 11, OF CHAPTER 4, OF TITLE 6 OF THE FOWLER MUNICIPAL CODE RELATING TO THE CITY'S RESIDENTIAL WATER SERVICE.

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

SECTION 1. AMENDMENT TO SECTION 6-4.707 OF FOWLER MUNICIPAL CODE.

Section 6-4.707, or Article 7, of Chapter 4, of Title 6 of the Fowler Municipal Code, is hereby amended to read as follows:

6-4.707 – Due dates – Payment – Copy of Bill

(a) Water charges shall be due and payable at the office of the Water Department thirty (30) days from the issuance of the bill and shall thereafter become delinquent. Water services may be discontinued in accordance with Section 6-4.1109 of the Fowler Municipal Code.

(b) The water charges shall begin when a service connection is installed and the meter is set, unless the water is ordered to be left shut off when the service connection is ordered to be installed.

(c) Anyone wishing an additional copy of a bill shall pay a fee as established by resolution of the City Council.

SECTION 1. AMENDMENT TO SECTION 6-4.709 OF FOWLER MUNICIPAL CODE.

Section 6-4.709, or Article 7, of Chapter 4, of Title 6 of the Fowler Municipal Code, is hereby amended to read as follows:

6-4.709 - Delinquencies.

(a) Penalties. Any charges set forth in this chapter which are not paid on or before the day of delinquency shall be subject to a penalty of fifteen (15) percent.

(b) Suits for Collection. All unpaid rates, charges, and penalties provided for in this chapter may be collected by suit.

(c) Suits for Collection—Costs. The defendant shall pay all costs of suit in any judgment rendered in favor of the City.

(d) Written Policy. Delinquencies shall be subject to any written policy approved by the City Council, which policy shall be posted on the City's internet website. If there is any conflict between this section and the written policy, the written policy shall control.

SECTION 3. AMENDMENT TO SECTION 6-4.1109 OF FOWLER MUNICIPAL CODE.

Section 6-4.1109, of Article 11, of Chapter 4, of Title 6 of the Fowler Municipal Code, is hereby amended to read as follows:

6-4.1109 – Disconnections

(a) Water services to a premises may be disconnected or refused connection where cross-connections exist, unsafe appliances or apparatus are used, there is noncompliance with regulations and laws relating to water distribution systems, or to protect the city against fraud or abuse.

(b) Upon vacating premises users shall notify the City Water Department two (2) days prior to vacating to disconnect service. Failure to notify will result in the user being liable for charges whether or not water is used.

(c) Nonresidential users may have service disconnected for nonpayment of charges on or after the twentieth (20th) day of the month of billing.

(d) Residential users may have service disconnected for nonpayment of charges upon due notice and under the provisions of Sections 10010 and 10010.1 of the Public Utilities Code of the State, or otherwise in accordance with any written policy approved by the City Council, which policy shall be posted on the City's internet Website. If there is any conflict, the written policy shall control.

(e) No disconnections shall occur during the time period when the business office of the Water Department is closed.

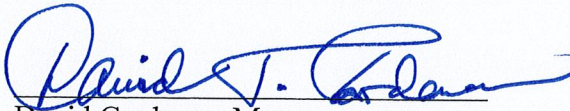
(f) A reconnection fee, as established by Council resolution, shall be paid before water services are reconnected.

SECTION 3: EFFECTIVE DATE.

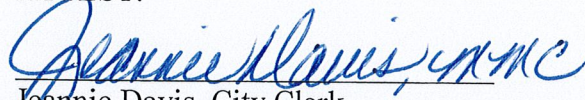
This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council held on March 5, 2019 and was adopted at a regular meeting of said Council held on March 19, 2019 by the following vote, to wit:

AYES: Hammer, Kazarian, & Parra
NOES: None
ABSENT: Cardenas & Rodriquez
ABSTAIN: None


David Cardenas, Mayor

ATTEST:


Jeannie Davis, City Clerk

Dated: 3/19/19