

ORDINANCE NO. 48

EXHIBIT "A"

Financial penalties will be assessed when a customer who violates the requirements outlined in Section 4 of Ordinance 48, Reduced Water Usage. The penalties are as follows:

- (a) First violation. The District shall issue a written notice of a first violation to the water customer.
- (b) Second violation. For a second violation, the District shall impose a penalty in the amount of Fifty Dollars (\$50.00) which will be added to the water customer's water bill.
- (c) Third violation. For a third violation, the District shall impose a penalty in the amount of One Hundred Dollars (\$100.00) which will be added to the water customer's water bill.
- (d) Fourth violation. After a fourth and any subsequent violation, the District shall impose a penalty in the amount of One Hundred Fifty Dollars (\$150.00) which will be added to the water customer's water bill.

The regulatory purposes of imposing the requirements and financial penalties, as set forth in this Ordinance and Exhibit "A," are to conserve water, deter waste and unreasonable use of water, encourage efficiency, and to cover the costs incident to the investigation, inspection, and administration of the enforcement of this Ordinance and Exhibit "A." Such costs of this regulatory program include, but are not necessarily limited to, the cost of District personnel for administration of this program, notices, publications, implementation of conservation measures/programs and the monitoring and enforcement of penalties.

NOTICING

The District shall give notice of violation of Ordinance No. 48 to the water customer as follows:

- (a) The first notice of violation shall be a warning given to the customer by using a door hanger.
- (b) The second violation shall be in writing by regular mail to the address at which the water customer is normally billed.
- (c) Notice of subsequent violations shall be given in writing in the following manner:
 - (i) By giving the notice to the customer at the property where the violation occurred;
or
 - (ii) If the water customer is absent from or unavailable at the premises at which the violation occurred, by leaving a copy with some person of suitable age and discretion

at the premises and sending a copy through the regular mail to the address at which the water customer is normally billed; or

(iii) If a person of suitable age or discretion cannot be found, then by affixing a copy in a conspicuous place at the premises at which the violation occurred, and also sending a copy through the regular mail to the address at which the customer is normally billed.

The notice shall contain a description of the facts of the violation and a statement of the penalties for each violation.

APPEAL PROCESS

- (1) The application of this Ordinance is not intended to have a disproportionate impact on customers who have implemented conservation methods or installed water saving devices.
- (2) A water customer may appeal to the District in writing if he/she feels that this Ordinance causes an undue hardship. The written request shall provide a justification for a reduction of a restricted use violation. Documentation must be provided to support the request and reasons outlining the hardship must be included.
- (3) The request shall be reviewed by the General Manager or designee(s) and the customer will receive a written response from the District.
- (4) A customer may appeal the District's decision by requesting a review by a committee designated by the Board of Directors. The decision of this committee will be final.