

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

WATER RATES, RULES, AND REGULATIONS

APPLICABLE TO THE

WATER UTILITY

CITY OF FULLERTON
303 W. COMMONWEALTH AVE.
FULLERTON, CALIFORNIA 92832

The following Water Rates, Rules, and Regulations have been approved by resolution by the City Council of the City of Fullerton (City) in accordance with Municipal Code 12.04. Failure to adhere to the Rates, Rules, and Regulations is considered a code violation and enforced as such. No official or employee of the City has any authority to waive, alter, or amend these rates, rules, and regulations or any part thereof in any respect, except in the manner provided herein.

The City Council of the City of Fullerton may, at any time, amend or cancel these rates, rules and regulations by resolution. Reasonable effort will be made to issue revised pages whenever any changes so require. Copies of the rates, rules and regulations in effect can be found on the City's website at www.cityoffullerton.com. They will also be kept on file and up to date in the offices of the Water Utility. Customers or others contemplating any expenditures or activities governed by these rates, rules and regulations should assure themselves that they have the most current and correct information by contacting the Utility.

Effective on 8/17/21

Resolution No. 2021-63

Dated 8/17/21

Superseding Resolution No. 9826

Dated: 6/20/06

CITY OF FULLERTON
 Water Utility
 303 West Commonwealth Avenue
 Fullerton, CA 92832

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 Public Works Department
 Water System Management Division

TABLE OF CONTENTS

| | <u>PAGE</u> |
|---|-------------|
| WATER UTILITY POLICY | 1.1.1 |
| RULES AND REGULATIONS | |
| 1 Definitions and Summary of Charges | 2.1.1 |
| 2 Description of Service | 2.2.1 |
| 3 Application for Service | 2.3.1 |
| 4 Contracts | 2.4.1 |
| 5 Special Information Required on Utility Forms | 2.5.1 |
| 6 Establishment and Re-establishment of Credit | 2.6.1 |
| 7 Deposits | 2.7.1 |
| 8 Notices | 2.8.1 |
| 9 Rendering and Payment of Bills | 2.9.1 |
| 10 Disputed Bills | 2.10.1 |
| 11 Discontinuance and Restoration of Service | 2.11.1 |
| 12 Information Available to the Public | 2.12.1 |
| 13 Temporary Service | 2.13.1 |
| 14 Continuity of Service | 2.14.1 |
| 15 Main Extensions | 2.15.1 |
| 16 Service Connections, Meters, and Customer's Facilities | 2.16.1 |
| 17 Water Meters | 2.17.1 |

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CITY OF FULLERTON
 Water Utility
 303 West Commonwealth Avenue
 Fullerton, CA 92832

Issued By:
 Public Works Department
 Water System Management Division

TABLE OF CONTENTS
 (Continued)

| | <u>PAGE</u> |
|--|-------------|
| RULES AND REGULATIONS | |
| 18 Meter Tests and Adjustments of Bills for Errors | 2.18.1 |
| 19 Service to Separate Premises and Multiple Units and Resale of Water | 2.19.1 |
| 20 Fire Protection | 2.20.1 |
| RATE SCHEDULES | |
| W-CA Commodity Adjustment Clause | 3.1.1 |
| W-R Residential - Single Family Water Service Rate | 3.2.1 |
| W-RM Residential - Multifamily Water Service Rate | 3.3.1 |
| W-RL Residential Single and Multifamily Landscape Water Service Rate | 3.4.1 |
| W-C Commercial Water Service Rate | 3.5.1 |
| W-I Industrial Water Service Rate | 3.6.1 |
| W-T Temporary Water Service Rate | 3.7.1 |
| W-A Agricultural Water Service Rate | 3.8.1 |
| W-FL Fire Line Water Service Rate | 3.9.1 |
| W-M Municipal Water Service Rate | 3.10.1 |

Effective on 8/17/21

Resolution No. 2021-63

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Superseding Resolution No. 9826

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CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, CA 92832

Issued By:
Public Works Department
Water System Management Division

CITY OF FULLERTON

WATER UTILITY POLICY

Under the provisions of the California Constitution and Chapter 12.04 of the Municipal Code for the City of Fullerton, the City owns and operates a public utility service for water.

The objectives of the Water Utility organization are to plan and carry out the development of the water resources of the City for the greatest benefit to the area. This includes providing dependable service without discrimination and consistent with overall sound business principles in planning, in financing, in construction of facilities, and in the operation and maintenance of the City's Utility facilities. The accomplishment of these objectives will maximize the benefits to the public.

It is recognized that the City Council is the governing body of the City and as such is responsible to the citizens of Fullerton for the Water Utility. At the City Council's direction and guidance, the City's management and supervisory personnel shall continually anticipate the water service and related needs of all the customers in the community and shall be responsive to their needs and requirements. Both the City Council and staff shall strive to maintain the highest level of service possible within the capability of the personnel of the Water Utility organization.

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CITY OF FULLERTON
Water Utility
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Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 1

DEFINITIONS AND SUMMARY OF CHARGES

AGRICULTURAL WATER SERVICE: The class of water service supplied for agricultural purposes where there is a bona fide cash crop produced.

APPLICANT: The person, agent, association, developer, corporation, or governmental agency applying for water service.

APPLICATION: A request to the Utility for service, as distinguished from an inquiry as to the availability of or charges for such service, to apply for water and related services.

BACKFLOW PREVENTION DEVICE: An approved device or means to prevent backflow from the customer's private plumbing system into the Utility's potable water system.

BILLING PERIOD: The time interval between consecutive billings.

CITY: The City of Fullerton, California, a municipal corporation.

CITY CLERK: The City Clerk of the City of Fullerton, California.

CITY COUNCIL: The City Council of the City of Fullerton, California.

CITY TREASURER: The City Treasurer of the City of Fullerton, California.

CLASS OF WATER SERVICE: The categories of water service established by the various Rate Schedules. The classes of water service are: Residential – Single Family, Residential – Multifamily, Residential Single and Multifamily Landscape, Commercial, Industrial, Temporary, Agricultural, Fire Line, and Municipal.

COMMERCIAL SERVICE: The class of water service rendered to premises devoted primarily to commercial operations.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT: The Community and Economic Development Department of the City of Fullerton, California.

CUSTOMER: The entity/person in whose name service is rendered on the application, contract, or agreement for that service, by the receipt and payment of bills regularly issued in their name, regardless of the identity of the actual user of the service.

CUSTOMER'S MAILING ADDRESS: The address specified in a customer's application or contract, or any other address subsequently given to the Utility by the Customer, to which any notice or other communication is to be mailed.

DATE OF PRESENTATION: The date upon which a bill or notice is mailed to the Customer.

DIRECTOR OF ADMINISTRATIVE SERVICES: The Chief Administrative Officer of the Department of Administrative Services of the City of Fullerton, California.

DIRECTOR OF PUBLIC WORKS: The Chief Administrative Officer of the Department of Public Works of the City of Fullerton, California.

DISTRIBUTION MAINS: Pipelines located in streets, highways, public ways, easements, or private rights-of-way, which are used to serve the general public with water.

CITY OF FULLERTON
 Water Utility
 303 West Commonwealth Avenue
 Fullerton, California 92832

Issued By:
 Public Works Department
 Water System Management Division

RULE NUMBER 1 – Continued

FIRE CHIEF: The Fire Chief of the City of Fullerton, California.

FIRE LINE SERVICE: The class of water service used exclusively for fire protection, whether said lines are connected with an automatic sprinkling system and/or private fire hydrants.

INDUSTRIAL SERVICE: The class of water service rendered to premises where the water is used primarily in manufacturing or processing activities.

MAILED: Any notice or other communication will be considered "mailed" when it is enclosed in a sealed envelope, properly addressed, and deposited in any United States Post Office box, postage prepaid.

MAIN EXTENSION: The extension of water transmission and distribution mains beyond existing facilities.

MULTIFAMILY SERVICE: An apartment building, duplex, mobile home park, court group, or any other group of residential units located upon a single premises, providing the residential units therein meet the requirements for single family service. Hotels, guest or resort ranches, tourist camps, motels, auto courts, and trailer courts consisting primarily of guest rooms and/or transient accommodations are not classed as multifamily service.

MUNICIPAL SERVICE: The class of water service for buildings or facilities operated and maintained by the City of Fullerton.

PERMANENT SERVICE: Service which, in the opinion of the Utility, is of a permanent and established character. This service may be continuous, intermittent, or seasonal in nature.

PERSON: Any individual, group, developer, or organization operating as a single entity.

POINT OF DELIVERY: The point where the piping of the Utility is connected to the piping of the customer's property, regardless of the location of the Utility's meter.

PREMISES: The integral property or area, including improvements thereon, to which water service is provided, or for which an application for water service is filed.

RATE CHARGES: Charges in the rate schedules may include the following:

FIXED METER CHARGE: That portion of the charge for service which is a fixed amount without regard to water consumption in accordance with the rate schedule.

WATER USAGE RATE: That portion of the charge for service that varies with the quantity of water consumed in accordance with the rate schedule.

MINIMUM CHARGE: The least amount for which service will be rendered in accordance with the rate schedule.

RESIDENTIAL SERVICE: The class of water service supplying water to single and multifamily accommodations for household purposes, including water used on the premises for sprinkling lawns, gardens, and shrubbery, washing vehicles, and other similar and customary purposes pertaining to single or multifamily accommodations.

RESIDENTIAL SINGLE AND MULTI FAMILY LANDSCAPE: The class of water service supplying water to single and multi-family service for landscape purposes.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 1 – Continued

RETURNED ITEM: Includes but is not limited to, the following forms of returned payment: checks/credit cards/debit cards/other electronic payments.

SERVICE CONNECTION: The pipe or tubing, fittings, and valves necessary to conduct water from the distribution main to and through the meter.

SINGLE FAMILY ACCOMMODATION: A house, apartment, or other dwelling unit which is used as a residence by a single family.

TEMPORARY SERVICE: The class of water service for enterprises or activities which are temporary in character, or where it is known in advance that service will be of limited duration. Service, which in the opinion of the Utility, is for operations of a speculative character or the permanency of which has not been established, is also considered temporary service.

THEFT OF WATER: The taking of water from any City water main, fire hydrant, service, or facility without a meter, permit, or application as provided for in the Rates, Rules, and Regulations, or with the intent to avoid payment therefor.

TRACT or SUBDIVISION: An area which may be identified by filed subdivision plans or as an area in which a group of dwellings may be constructed about the same time, either by a large-scale builder, or by several builders working on a coordinated basis.

UTILITY - ADMINISTRATIVE SERVICES: The municipal water system of the City of Fullerton for matters related to billing, account transactions, account adjustments, payments, etc.

UTILITY - PUBLIC WORKS: The municipal water system of the City of Fullerton for matters related to meters, construction, infrastructure, etc.

UTILITY'S OPERATING CONVENIENCE: The term refers to the utilization, under certain circumstances, of facilities or practices not ordinarily employed which contribute to the overall efficiency of the Utility's operations. It does not refer to customer convenience or to the use of facilities or adoption of practices required to comply with applicable laws, ordinances, rules, or regulations, or similar requirements of public authorities.

WATER METER: An instrument used for measuring the water delivered to the customer.

WATER METER ASSEMBLY: A part of the service connection that includes the meter and associated appurtenances necessary for testing and maintenance.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 2

DESCRIPTION OF SERVICE

A. QUANTITIES

The Utility will endeavor to supply water dependably and safely in adequate quantities to meet the reasonable customer needs and requirements.

B. PRESSURES

1. Normal Operation and Variations

The Utility will endeavor to maintain normal operating pressures per applicable Division of Drinking Water Code of Regulations at the service connection. Due to topography and other causes, the pressure is not uniform over the entire service area of the Utility, and the Utility reserves the right to change to different pressures in various areas served.

2. Customer Responsibility

Where higher or lower pressures than those provided by the Utility at the point of service connection are required, it shall be the customer's responsibility to install and maintain necessary booster pumps, pressure regulators, pressure relief valves, etc.

C. QUALITY

The Utility will endeavor to maintain water quality per applicable Division of Drinking Water Code of Regulations.

D. SERVICE AREA

The Water Utility will furnish water in all areas within the city's boundaries as they may be amended from time to time and in those areas outside the city boundaries which may be serviced upon approval of the City Council.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92833

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 3

APPLICATION FOR SERVICE

A. APPLICATION FOR SERVICE

Each applicant for utility service may be required to furnish the following information:

1. Name of applicant
2. Location of premises to be served
3. Date applicant will be ready for service
4. Whether the premises were previously supplied
5. Customer's mailing address
6. Whether applicant is owner, tenant of, or agent for the premises
7. Legal owner information
8. Information to establish credit of applicant
9. Such other information as the Utility may reasonably require

The above information may be supplied by the applicant either in writing or by telephone, or by other means if the applicant's signature is not required.

The application is a request for service and does not in itself bind the Utility to serve nor does it bind the customer to take service for a longer period than the minimum requirements of the rate schedule.

B. INDIVIDUAL LIABILITY FOR JOINT SERVICE

Two or more persons who join in one application or contract for service shall be jointly and severally liable thereunder and shall be billed by means of a single periodic bill sent to the person designated on the application to receive the bill.

C. CHANGE IN CUSTOMER'S EQUIPMENT OR OPERATIONS

Customers shall give the Utility written notice of the extent and nature of any material change in the size or character of the plumbing, equipment, or operations for which the Utility is supplying service before making any such change.

D. FINAL BILL - CHANGE OF ADDRESS

Water service shall not be given to any customer until all delinquent charges the customer owed on a prior account be paid in full, or at the discretion of the Utility, the unpaid balance may be transferred to the new account.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92833

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 3 – Continued

E. SERVICE ESTABLISHMENT CHARGE

1. For each establishment of utility service, the Utility shall charge the "Service Establishment Charge" listed in the adopted fee resolution.

The following applicable charge will be added to the Service Establishment Charge and reflected on the customer's first regularly scheduled water bill rendered:

- a. In addition to the service establishment charge, a service turn-on charge shall be made each time a turn-on of utility service or a meter reading is made. Such charge shall be added to the customer's first regularly scheduled water bill rendered; this charge is designated as the "Service Turn-On Charge – Future Date" in the adopted fee resolution.
- b. In case the customer requests that utility service be turned on the same day of the request, an additional charge shall be made. This charge is designated as the "Service Turn-On Charge – Same Day Request" in the adopted fee resolution.
- c. In case the customer requests that the utility service be turned on outside of regular business hours, an additional charge shall be made. This charge is designated as the "Service Turn-On Charge – Outside of Regular Business Hours."

F. OTHER CONDITIONS OF SERVICE

Before the Utility provides water service, the customer shall obtain any approval of facilities furnished or installed by customer which may be required by the City of Fullerton or any other authority whose approval is required by law.

G. PRESSURE AND SERVICE CONDITIONS

An application for a water connection or water service constitutes acceptance to such conditions of pressure and service as may exist in rule or practice as may be amended from time to time. The applicant thereby agrees to hold the Utility harmless from any and all damage caused by or arising out of low or high fluctuating pressure or interruption of service.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92833

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 4

CONTRACTS

A. SERVICE REQUIRING CONTRACTS

Contracts, other than applications, may be required prior to service, under the following conditions:

1. Where required by provisions in these Water Rates, Rules, and Regulations.
2. When a main extension to be made under the provisions of Rule Number 15 is subject to refunds.
3. For temporary service not covered under the provisions of Rule Number 13.
4. For any service to be furnished at rates or under conditions other than the rates and conditions contained in these Water Rates, Rules, and Regulations.
5. When service is requested to supply a premises situated at such an elevation that it cannot be assured of a water supply at adequate pressure, water service shall not be furnished until the property owners of record execute an agreement to accept such water service as the Utility is able to furnish from its existing distribution system and provide any additional facilities required by any applicable law or plumbing code.
6. For connections with other water utilities.
7. For special standby service.
8. Any other conditions as determined by the Utility.

B. CONTRACT

Contracts shall become effective only after authorization by the appropriate Utility official.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 5

SPECIAL INFORMATION REQUIRED ON UTILITY FORMS

A. UTILITY SERVICE BILL

The following statements will be printed on each Utility service bill:

"Payment is due and payable now and accounts become delinquent if not paid by the due date. AFTER THE DUE DATE, UNPAID BALANCES WILL BE CHARGED A LATE CHARGE. SERVICE MAY BE DISCONTINUED AFTER SIXTEEN (16) DAYS (NON-RESIDENTIAL ACCOUNTS) OR SIXTY (60) DAYS (RESIDENTIAL ACCOUNTS) PAST THE DUE DATE. Please do not send cash. Please make check payable to: City of Fullerton. See reverse side for important information."

"FOR BILLING CALCULATIONS, ALL MONTHS ARE CONSIDERED TO HAVE 30 DAYS. A BILL IS DELINQUENT IF NOT RECEIVED IN OUR OFFICE BY 5:00 PM. ON THE DUE DATE SHOWN ON THE FRONT. SERVICE MAY BE DISCONTINUED AFTER SIXTEEN (16) DAYS (NON-RESIDENTIAL ACCOUNTS) OR SIXTY (60) DAYS (RESIDENTIAL ACCOUNTS) PAST THE DUE DATE. IF SERVICE IS DISCONTINUED, ALL CHARGES MUST BE PAID, AND A DEPOSIT MAY BE REQUIRED TO RE-ESTABLISH CREDIT AND/OR SERVICE."

"MAKE CASH PAYMENT(S) IN PERSON ONLY."

"PAYMENT MAY BE MADE AT CITY HALL OR BY DEPOSITING IT IN THE BOXES PROVIDED FOR THIS PURPOSE, OUTSIDE OF CITY HALL, ON THE NORTH SIDE. THE CITY ASSUMES NO LIABILITY FOR LOSS FROM POSTAL DELAYS OR PAYMENTS MADE ELSEWHERE. For water emergencies ONLY, after normal business hours, please call the Fullerton Police Department at (714) 738-6700."

"A SERVICE FEE WILL BE CHARGED FOR RETURNED ITEMS, AND REPAYMENT MUST BE MADE BY CASH, CASHIER'S CHECK, CREDIT CARD, DEBIT CARD, OR MONEY ORDER. RETURNED ITEMS INCLUDE, BUT ARE NOT LIMITED TO, CHECKS, CREDIT CARDS, DEBIT CARDS, AND OTHER FORMS OF ELECTRONIC PAYMENTS."

"QUESTIONS REGARDING YOUR UTILITY BILL

Should you have a question regarding this bill, contact Utility Services Division at (714) 738-6890 or utilitybilling@cityoffullerton.com, between the hours of 8:00 AM and 5:00 PM, M – TH and every other Friday. If you thereafter believe you have been billed incorrectly you may submit an appeal per Rule Number 10 of the Water Rates, Rules, and Regulations which can be found on the City website.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 5 – Continued

B. DISCONTINUANCE OF SERVICE NOTICE

The following statements will be printed on each Delinquent Bill:

"BY RECEIVING THIS DELINQUENT BILL, IT MEANS WE DID NOT RECEIVE PAYMENT OF YOUR REGULAR BILL BY THE DUE DATE. IF YOU HAVE ALREADY MAILED THE PAYMENT, PLEASE CALL (714) 738-6890 IMMEDIATELY. IF YOU HAVE NOT MADE PAYMENT, DO NOT MAIL UNLESS YOU ARE SURE IT WILL BE RECEIVED IN TIME. **SEE REVERSE SIDE FOR IMPORTANT INFORMATION ABOUT DISCONTINUANCE OF SERVICE.**"

"URGENT DELINQUENT NOTICE. NO OTHER NOTICE WILL BE GIVEN: PLEASE PAY PROMPTLY. AS OF, _____ WE HAVE NOT RECEIVED PAYMENT FOR YOUR UTILITY BILL. IF YOU HAVE ALREADY MAILED THE PAYMENT, PLEASE CALL (714) 738-6890 IMMEDIATELY. YOUR SERVICE WILL BE DISCONNECTED WITHOUT FURTHER NOTICE IF YOUR PAYMENT IS NOT RECEIVED BY THE DATE AND TIME SHOWN ABOVE IN THE AMOUNT OVERDUE ABOVE."

"IF YOUR SERVICE IS DISCONNECTED, IT WILL BE RESTORED ONLY IF THE FULL AMOUNT DUE AND A RECONNECTION FEE IS PAID. IN ADDITION, A DEPOSIT MAY BE REQUIRED TO RE-ESTABLISH YOUR CREDIT IF YOUR PAYMENT IS NOT RECEIVED BY THE DATE AND TIME SHOWN ABOVE."

"This is a delinquent bill and may include late charges. PAYMENT MUST BE MADE AT CITY HALL OR BY DEPOSITING IT IN THE BOX PROVIDED FOR THIS PURPOSE, OUTSIDE OF CITY HALL, ON THE NORTH SIDE. The City assumes no liability for loss from postal delays or payments made elsewhere. For water emergencies ONLY, after normal business hours, please call the Fullerton Police Department at (714) 738-6700."

"MAKE CASH PAYMENTS IN PERSON ONLY".

"If this bill is not paid by the due date and time shown on the front, **THIS IS A NOTICE OF DISCONTINUANCE OF SERVICE**. If your service is disconnected, it will be restored under the condition that the full amount due and reconnection fee is paid. In addition, a deposit may be required to re-establish your credit and/or service. Unpaid final bills for service at a prior location will be transferred automatically to the new service if not paid, when applicable."

The Water Rates, Rules and Regulations are available for inspection at the City of Fullerton's website Cityoffullerton.com or at Utility Services Division.

"A SERVICE FEE WILL BE CHARGED FOR RETURNED ITEMS AND REPAYMENT MUST BE MADE BY CASH, CASHIER'S CHECK, CREDIT CARD, DEBIT CARD, OR MONEY ORDER. RETURNED ITEMS INCLUDE, BUT ARE NOT LIMITED TO, CHECKS, CREDIT CARDS, DEBIT CARDS, AND OTHER FORMS OF ELECTRONIC PAYMENTS."

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Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 6

ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

A. ESTABLISHMENT OF CREDIT - ALL CLASSES OF SERVICE

All classes of service are required to post a deposit as specified in Rule No. 7. Each applicant for Utility service shall be required to satisfactorily establish credit. Credit is deemed established, to the City's satisfaction, under (either) of the following conditions:

1. If applicant makes a deposit to secure payment of bills for service as prescribed in Rule No. 7.
2. If applicant has prior payment history with the Utility and has no delinquency for the prior 12 consecutive utility bills.

B. ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

1. An applicant who previously has been a customer of the Utility and whose service has been discontinued by the Utility during the past twelve months of that prior service because of nonpayment of bills may be required to re-establish credit by depositing the amounts prescribed in Rule No. 7 for that purpose, and by paying utility bills regularly due. An applicant for residential service will not be denied service for failure to pay such bills for other classes of service as listed in the Water Rate Schedules, except when other classes of water service serve the same premises.
2. A customer who fails to pay bills before they become past due as prescribed in Rule No. 11-A, and who further fails to pay such bills by the date indicated on a discontinuance of service notice for nonpayment of bills, may be required to pay said bills and re-establish credit by depositing the amount prescribed in Rule No. 7. This rule may apply regardless of whether or not service has been discontinued for such nonpayment and is subject to the discretion of the Utility.
3. A customer using service other than residential may be required to re-establish credit in accordance with Rule No. 6-A in case the conditions of service or basis on which credit was originally established have, in the opinion of the Utility, materially changed.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

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Public Works Department
Water System Management Division

RULE NUMBER 7

DEPOSITS

A. GENERAL

A deposit will be required for all classes when a new account is established or service is reconnected following termination for nonpayment and/or when the City Treasurer of the City of Fullerton has determined it is in the best interest of the City of Fullerton.

B. AMOUNT OF DEPOSIT

1. The amount of deposit shall be as listed under "Deposit for New Service" in the adopted Public Works Fee Schedule.
2. In case the new service requested is for a vacant property that is for sale or between rental tenants, the owner of the listed property shall pay a deposit amount listed as "Deposit for Clean and Show" in the adopted Public Works Fee Schedule.
3. The City Treasurer may require a higher deposit amount based on an average monthly bill that is significantly greater than the citywide average.
4. Multi-family units shall be charged the per unit deposit for each unit serviced.

C. RETURN OF DEPOSIT

The utility will refund the customer's deposit by means of a credit to the customer's bill, if the customer makes twelve (12) consecutive payments (2 years for accounts billed bi-monthly and 1 year for accounts billed monthly) with no record of delinquency, or when a customer closes their account.

D. INTEREST ON DEPOSITS

There shall be no interest paid on Utility deposits held by the City.

E. DEPOSITS FOR TEMPORARY SERVICE

Deposits for temporary service shall be specified in Rule No. 13, Temporary Service.

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Water Utility
303 West Commonwealth Avenue
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Public Works Department
Water System Management Division

RULE NUMBER 8

NOTICES

A. NOTICES TO CUSTOMERS

In general, required notices from the Utility to a customer will be given in writing via mail to the customer's mailing address, via delivery in person, via email, or via posting in the local newspaper of record. However, during emergencies the Utility may give notices in the manner most suitable under the existing conditions (City's website, radio, television, telephone, etc.).

B. NOTICE FROM CUSTOMERS

In general, notices from a customer to the Utility may be given by written communication such as via mail, email, or hand delivery to the City Treasurer's office. If, however, written notice is specifically required in an applicable rate schedule or in any written agreement, then the notice provisions of that other rate schedule or written agreement shall control.

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 Water Utility
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 Public Works Department
 Water System Management Division

RULE NUMBER 9

RENDERING AND PAYMENT OF BILLS

A. RENDERING OF BILLS

1. Billing Period

Bills for water service will be rendered bimonthly, monthly, or as otherwise provided in the rate schedules. The Director of Administrative Services may change the billing period of a customer if such change is considered in the best interests of the Utility.

2. Metered Service

- a. Bills for metered service will be based on meter registrations. Meters will be read as required for the preparation of regular bills, opening bills, and closing bills.
- b. If because of unusual conditions or for reasons beyond its control, the Utility is unable to read the customer's meter on the scheduled reading date, the Utility may bill the customer for estimated consumption during the billing period and make any necessary corrections when a reading is obtained. Estimated consumption for this purpose will be calculated considering the customer's prior usage, the Utility's experience with other customers of the same class in that area, and the general characteristics of the customer's operations. Adjustments for any underestimate or overestimate of a customer's consumption will be reflected on the next regularly scheduled bill rendered and based on the actual reading following the period of estimated consumption. If the cause for the Utility's inability to read the meter is because of inaccessibility, then access to the meter sufficient to permit its being read shall be provided by the customer as a prerequisite to the Utility making any downward adjustment of water consumption billed on an estimated basis. Additional details pertaining to estimating consumption can be found in Rule Number 18.

3. Prorating

When the total period of service is less than thirty days, no prorations will be made for the customer charge. The bill shall include the full monthly customer charge, plus charges for the commodity used.

B. READINGS OF SEPARATE METERS NOT COMBINED

For the purpose of billing, each meter upon the customer's premises will be considered separately and the readings of two or more meters will not be combined, except where the Utility's operating convenience requires the use of more than one meter per service connection.

C. PAYMENT OF BILLS

1. All bills are due immediately and are considered late if not paid by 5 p.m. on the due date shown on the bill. Payment shall be made to the City of Fullerton, Utility Services Division.
2. Charges for reconnection of service, and payments of deposits or payments to reinstate deposits as required under the rules of the Utility, shall be paid before service will be reconnected.

Effective on 8/17/21

Resolution No. 2021-63

Dated 8/17/21

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Public Works Department
Water System Management Division

RULE NUMBER 9 – Continued

3. If payment of a bill is not received by the Utility Services Division on or before the due date, a late charge as designated in the adopted fee resolution will be added to the total amount due. Upon customer's request, one late charge may be waived in a twelve (12) month period. This waiver must be for the current bill or immediately preceding bill.
4. At the Utility's discretion, and upon customer's request, one payment arrangement may be granted in a twelve (12) month period for customers that have experienced a water leak or unforeseen emergency, by contacting the Utility Services Division.

D. RETURNED ITEM CHARGE

The Utility shall require a charge for any returned item. The amount of said charge shall be set by the adopted fee resolution on file at the City Clerk's Office.

E. CHECK READ CHARGE

When a customer requests that the Utility verify the accuracy of the read as shown on the bill, the Utility shall charge a "Check Read Charge" as designated in the adopted fee resolution, for sending a field representative to the service address to obtain another reading of the meter. If said check read shows that the previous read is in error, no check read charge will be imposed. If reading is correct, Check Read charge will be added to the customer's next regularly scheduled water bill.

CITY OF FULLERTON
 Water Utility
 303 West Commonwealth Avenue
 Fullerton, California 92832

Issued By:
 Public Works Department
 Water System Management Division

RULE NUMBER 10

DISPUTED BILLS

A. WATER BILL DISPUTE

A customer who believes that the utility bill is in error must first contact the Utility Services Division (USD) in writing to the City of Fullerton, C/O Utility Service Division, 303 W Commonwealth Ave, Fullerton, California 92832 or by email at UtilityBilling@cityoffullerton.com before the due date on the bill stating the nature of their dispute. The USD shall respond to the customer within ten (10) business days from the date the dispute is received with a determination. Once a determination has been provided by the USD, the customer shall submit payment for the total or adjusted utility bill before the existing due date listed on the bill or within seven (7) days from the USD's determination if the due date has already passed.

B. DISPUTED WATER BILL APPEAL

1. If the customer is not satisfied with the determination issued by the USD, the customer may formally appeal the disputed bill in question to the Director of Administrative Services and/or Director of Public Works by submitting a written statement (email or letter) setting forth the reasons why the customer believes the bill is incorrect. The customer must submit the appeal within seven (7) days of the initial dispute determination issued by the USD. The appeal should be mailed to the City of Fullerton, c/o Utility Services Division, 303 W Commonwealth Ave, Fullerton, California 92832 or emailed to UtilityBilling@cityoffullerton.com. However, to have the disputed bill considered, the customer must submit a good faith deposit equal to the customer's most recent paid utility bill to the USD (payable to the City of Fullerton). If it is the customer's first bill, the customer would pay an amount in accordance with the city-wide average for the customer's classification as defined in Rule 1 under Class of Water Service. Should the customer be disputing the late charge and no other component of the bill, the remaining charges less the late fee are due immediately. Upon timely receipt of the written statement and payment, a Director or designee will review the basis of the dispute and provide a written reply (email or letter) of the results of the review and determination to the customer. Once a determination has been issued, the customer shall submit payment for the total or adjusted utility bill before the existing due date listed on the bill or within seven (7) days from the Director's determination if the due date has already passed. If the determination is sent via email, it is deemed received as of the email timestamp and the customer has 7 days from the date of the email to submit payment. If the Director's determination is sent via U.S. mail, it is deemed received on the fifth day after it was placed in the U.S. mail, and the customer has seven days from that date to submit payment. In the event the good faith deposit exceeds the payment due, the customer's account will be credited with the amount in excess of the payment due.

A customer who timely disputes the accuracy of the water consumption portion of a utility bill will not have the water service discontinued for nonpayment and will not be responsible for any late fees that may occur during the review/appeal period. If before completion of the review/appeal period an additional bill becomes due the customer must send payment (payable to the City of Fullerton) for the entire amount of the additional bill. Failure to do so will constitute acceptance by the customer of the bill(s) as rendered, including the disputed bill, and the USD may authorize discontinuance of service in accordance with Rule No. 11.

CITY OF FULLERTON
 Water Utility
 303 West Commonwealth Avenue
 Fullerton, California 92632

Issued By:
 Public Works Department
 Water System Management Division

RULE NUMBER 10 – Continued

2. Failure of the customer to file a written appeal with the Director and provide a good faith deposit to the USD within the required seven (7) day period will constitute customer's acceptance of the initial bill determination rendered by the USD, and the USD may authorize discontinuance of service in accordance with Rule No. 11.
3. If the customer believes the Director's decision is in error, the customer may submit an appeal to the Infrastructure and Natural Resources Advisory Committee or the subcommittee thereof with jurisdiction over the matter (hereinafter, "INRAC"). Within ten (10) days of the Director's dispute determination, the customer must submit a written statement setting forth the reasons why the customer believes the bill is incorrect. The appeal must be sent to the City of Fullerton, c/o Utility Services Division Attn: INRAC, 303 W Commonwealth Ave, Fullerton, California 92832 or emailed to UtilityBilling@cityoffullerton.com.

Upon receipt of the customer's appeal, the INRAC will schedule review of the appeal in a timely manner. The INRAC shall determine whether the customer was charged in error, and to what extent. When making this determination, the INRAC shall not take into consideration the customer's ability to pay, or any other equitable considerations not having to do with the customer's stated reason for why the bill is incorrect. If, for example, the water was registered through the customer's meter, and the meter did not over register consumption, then there would be no basis for the INRAC to overturn the Director's decision.

If the INRAC has made the aforementioned decision, the INRAC may reduce the customer's bill (by waiving penalties, or reducing the overall fees charged) based upon equitable options available to them, provided that: such bill reduction amount is funded solely from sources not subject to Proposition 218 limitations (e.g., penalty payments collected from late charges from water customers); and within the given fiscal year, the INRAC will not have authorized waiving penalties and/or reduction of fees which collectively exceed \$10,000.

If before completion of the INRAC's review, one or more additional bill(s) become due, the customer must submit payment (payable to the City of Fullerton) for the entire amount of the additional bill(s). Failure to do so will constitute acceptance by the customer of the bill(s) as rendered, including the disputed bill, and the USD may authorize discontinuance of service in accordance with Rule No. 11.

A written statement of the INRAC's determination shall be delivered to the customer by e-mail or certified mail within ten (10) business days following the appeal hearing. The INRAC's decision shall be final. The customer shall submit payment for the total or adjusted utility bill before the existing due date listed on the bill, or within seven (7) days of receipt of notice of the INRAC's determination if the due date has already passed. In the event the good faith deposit exceeds the payment due, the customer's account will be credited with the amount in excess of the payment due.

Effective on 8/17/21

Resolution No. 2021-63

Dated 8/17/21

Superseding Resolution No. **2018-15**

Dated: **5/1/18**

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 11

DISCONTINUANCE AND RESTORATION OF SERVICE

A. PAST DUE BILLS

Bills rendered shall be considered past due if not paid on or by the due date shown on the bill.

B. NONPAYMENT OF BILLS/DISCONTINUANCE OF SERVICE

1. When a bill for utility service has become past due and a discontinuance of service notice for nonpayment has been issued, service may be discontinued if the bill is not paid by the due date shown on such notice.
2. If a customer is receiving more than one Class of Water Service through Utility Billing, any or all water services may be discontinued when any water service, regardless of location, is discontinued for nonpayment. However, residential service will not be discontinued because of nonpayment of bills for other classes of water service, except when other classes of water service serve the same premises.
3. Water service may not be discontinued for nonpayment of a bill due to incorrectly billed charges.
4. Bills which require special posting notification on the premises by a field Utility representative shall include a "Special Posting/Shutoff Charge" as designated in the adopted fee resolution.

C. UNSAFE EQUIPMENT AND CROSS-CONNECTIONS

The Utility may refuse or discontinue water service, after notification to a customer, if any part of the customer's plumbing, backflow prevention devices, or other equipment, or the use thereof, is determined by the Utility to be unsafe in violation of applicable laws, ordinances, rules, or regulations of public authorities, or if any condition existing upon the customer's premises is determined to endanger the Utility's service facilities. Water service shall remain off until, as determined by the Utility, the hazard has been corrected.

The Utility does not assume any responsibility of inspecting or repairing the customer's plumbing or other equipment or any part thereof and assumes no liability therefor.

1. Cross-connection items that create a basis for water service discontinuation shall include, but are not limited to, the following:
 - a. Refusal to install or test a backflow prevention device.
 - b. Refusal to repair or replace a faulty backflow prevention device.
 - c. Direct or indirect connection between the public water system and a sewer line.
 - d. Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants.

Effective on 8/17/21

Resolution No. 2021-63

Dated 8/17/21

Superseding Resolution No. 9826

Dated: 6/20/06

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 11 – Continued

- e. Unprotected direct or indirect connection between the public water system and an auxiliary water system.
- f. A situation, as determined by the Utility, which presents an immediate health hazard to the public water system.

2. Water service discontinuation procedures shall include the following items:

- a. For conditions a and b from subsection 1 above, the Utility will terminate water service to a customer's premises seven days after written notice has been sent, specifying the corrective action needed and the time period in which it must be completed. If no action is taken within the allowed time period, water service may be terminated.
- b. For conditions c through f from subsection 1 above, the Utility will take the following steps:
 - i. Make a reasonable effort to advise customer of intent to terminate water service.
 - ii. Terminate water supply and lock service valve. The water service will remain inactive until correction of violations has been approved by the Utility.

D. SERVICE DETRIMENTAL TO OTHER CUSTOMERS

The Utility will not provide service to any equipment where the operation of will be detrimental to the service of the Utility or its other customers and will discontinue water service to any customer who shall continue to operate such equipment after having been given notice by the Utility to cease doing so.

E. FRAUD

The Utility may refuse or discontinue service if the acts of the customer or the conditions upon the premises, as determined by the Utility, are such as to indicate an intent to defraud the Utility.

F. FAILURE TO PAY A DEPOSIT TO ESTABLISH OR REESTABLISH CREDIT

If at an applicant's convenience, the Utility may provide service before a deposit is paid or may continue service to a customer when a deposit has not been paid to reestablish credit in accordance with Rule Number 6; if the applicant fails to establish or reestablish credit by not paying the required deposit, the Utility may discontinue said service.

G. NONCOMPLIANCE

Except as otherwise specifically provided in this Rule Number 11, the Utility may discontinue service to a customer for noncompliance with the rate schedules and the rules and regulations if after written notice of at least five (5) days, the customer has not complied with the notice. The Utility may dispense with the giving of such notice in the event there exists, in the Utility's opinion, a dangerous condition, thus rendering the immediate discontinuance of service to the premises imperative.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 11 – Continued

H. CUSTOMER'S REQUEST FOR SERVICE DISCONTINUANCE

When a customer desires to terminate responsibility for service, the Utility shall be given not less than one business days' notice of intention. The customer shall state the date on which termination becomes effective. A customer will be held responsible for all service furnished at the premises until the date of termination specified in the notice or a new customer signs on for service, whichever date is earlier.

I. RESTORATION - RECONNECTION CHARGE

1. The Utility shall require a payment of a "Reconnection Charge – Future Date" as designated in the adopted fee resolution plus other associated fees or charges for each service that has been discontinued for nonpayment of bills or for failure otherwise to comply with rules prescribed by the Utility. Such charges shall be paid before service is reconnected.
2. In case the customer requests that such service be reconnected on the day of the request during regular business hours, the customer shall be charged a "Reconnection Charge, Day of Request" as designated in the adopted fee resolution.
3. Requests for same day reconnection received 30 minutes prior to, or made after, close of Utility Services Division business hours will result in reconnection after business hours. The business hours for the Utility Services Division can be found on the back of the Utility Services Bill and on the City of Fullerton's website. Service restored after business hours, City Hall Friday closure days, weekends, or holidays will be charged an after-hours reconnection fee. This charge shall be per the "Reconnection Charge Outside of Regular Business Hours" as designated in the adopted fee resolution.
4. If the customer turns on a service or allows or causes it to be turned on after it has been turned off for the above reasons, the Utility may remove the meter and not reinstall it until amounts due from the customer are collected or rules are complied with, and the Utility will charge the actual cost for restoration of a meter under these conditions. In addition, the customer shall be charged the cost for any and all damages to the meter.
5. If the customer turns on a service or allows or causes it to be turned on after it has been turned off for non-payment of a utility bill, by means of cutting or otherwise removing a city lock, they will be charged a "damaged lock charge" as designated in the adopted fee resolution for each damaged lock.
6. If the customer requests that service be stopped, there will be no charge for the final reading of the meter and turn off of the meter. If the customer contacts the utility on the date service is scheduled to be stopped and/or after the final reading and the water has been turned off, the charge to cancel or edit the stop date and/or to reconnect the services will be charged the same as a "Service Turn-On Charge- Same Day Request" as designated in the adopted fee resolution.

Effective on 8/17/21

Resolution No. 2021-63

Dated 8/17/21

Superseding Resolution No. 9826

Dated: 6/20/06

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 12

INFORMATION AVAILABLE TO THE PUBLIC

A. GENERAL INFORMATION

The Utility will maintain, open for public inspection, pertinent information regarding the service rendered, including the following:

1. Characteristics of water

Copies of the most recent Annual Water Quality Report of the water supplied to customers.

2. Rates and rules

A copy of the fee schedules consisting of the rates and general rules of the Utility.

B. NEW OR REVISED RATES

Should new or revised rates be established after the time application is made, the Utility will, within a reasonable time, use such means as may be practicable to bring them to the attention of affected customers.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 13

TEMPORARY SERVICE

A. CONDITIONS OF SERVICE

The Utility shall furnish temporary service only if the Utility determines that such service will not cause undue hardship to the Utility's existing customers and water system. Such service shall be subject to the following conditions:

1. Submission to the Utility of an application for a temporary service permit, along with the appropriate deposit. The Utility will refund the deposit at the termination of service only after the Utility deducts charges for water consumption, charges for the loss and/or damage of a meter and/or fittings, and for all other outstanding Utility-related fees.
2. Temporary service connections may be terminated at any time and will be made at the discretion of the Utility or as requested by the customer.
3. Customer shall pay all charges for loss or damage to a meter and fittings based upon current list prices and labor rates. If the meter is still in use, the charges will be added to the next monthly bill.
4. Temporary services shall generally be taken from existing outlets on the water system or from public fire hydrants designated by the Utility. Any special outlets shall be installed at the customer's expense.
5. Approved backflow prevention devices and plumbing materials may be required, as determined by the Utility, and shall be installed at the customer's expense.

B. METERED SERVICES

Generally, all temporary services will be metered and will be subject to the following conditions:

1. The applicant shall provide a deposit for temporary metered service in the amount designated in the adopted fee resolution applicable to the "Temporary Service Deposit."
2. Permit charge for temporary metered services shall be per the "Temporary Service Permit; Meter," as designated in the adopted fee resolution. This fee includes the costs associated with the installation, and removal of the meter by the Utility. Meter is locked on the fire hydrant to prevent theft and unauthorized removal/relocation.
3. Temporary meters may be moved from one location to another, by the Utility (only). "Temporary Service Relocation Fee" as designated in the adopted fee resolution is charged for all relocations.
4. A "Daily Service Charge" will be charged per the adopted fee resolution and will continue until the customer notifies Utility of removal.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 13 – Continued

C. UNMETERED SERVICES

In extreme conditions, as determined by the Utility, a temporary unmetered service connection may be approved. Unmetered connections will be subject to the following charges:

1. Fees to be charged per the "Temporary Service Permit: Unmetered" in the adopted fee resolution.
2. Commodity charge, based on current rate and estimated quantity to be used, as determined by the Utility.

D. UNINHABITABLE PROPERTY

When a property becomes uninhabitable and a customer desires to temporarily terminate service, the Utility shall be given not less than two business days' notice of intention to close the account.

If water service is needed during the period of uninhabitability, the customer may apply for a Temporary Service.

When the property is deemed habitable and a certificate of occupancy has been issued by the City, the customer shall re-establish a Utility Services account for the property and shall be subject to a Service Establishment Charge, Service Turn-On Charge, and any other applicable fees.

E. RATES

Rates for temporary service shall be as specified in Rate Schedule W-T.

If a pre-existing meter is used for temporary service, customer will be billed at the Fixed Meter Charge of 1" for meters 1" and smaller and 3" for meters larger than 1".

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 14

CONTINUITY OF SERVICE

A. SHORTAGE AND INTERRUPTION

1. The Utility will exercise reasonable diligence to furnish a continuous and sufficient supply of water to its customers and to avoid any shortage or interruption of delivery thereof. It cannot, however, guarantee an uninterrupted and continuous or sufficient supply.
2. The Utility will not be liable for interruption or shortage of supply, nor for any loss or damage occasioned thereby.
3. If interruption of service is caused by or due to unforeseen events or events out of the Utility's control, the Utility is not required to provide notification of any such interruption. The Utility shall exercise reasonable diligence to reinstitute delivery of water.

B. TEMPORARY SUSPENSION FOR REPAIRS

Whenever the Utility finds it necessary to repair or improve its system, the Utility may temporarily suspend water delivery. The Utility shall provide to customer notice if circumstances reasonably permit. The Utility shall make such repairs or improvements as soon as possible and, if practicable, at times which cause the least inconvenience to its customers.

C. APPORTIONMENT OF SUPPLY DURING TIME OF SHORTAGE

If a shortage of supply occurs, the Utility will apportion its available supply of water among its customers, as authorized or directed by the Director or Public Works, in the manner that appears most equitable under conditions then prevailing.

D. USE OF WATER DURING EMERGENCY

In the case of an emergency necessitating the use of water from the City mains (e.g., fire), the City's designee may limit the use of water on adjoining properties which, in the opinion of the City, would prevent or hamper the water flows for the emergency.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 15

MAIN EXTENSIONS

A. GENERAL PROVISIONS

1. Applicability

- a. All extensions of distribution and transmission mains from the Utility's existing water system to serve new customers shall be made under the provisions of this rule.
- b. Extensions solely for temporary, standby, or supplemental service shall not be made under this rule.
- c. The Utility may extend transmission and distribution mains prior to development at its cost, provided these extensions are considered to be in the best interests of the Utility. The total cost of any such extension shall be reimbursed to the Utility by the owner or developer of properties benefited by said extension by payment of front footage charges at the time application for water service is made.
- d. The Utility may approve extensions under this rule in easements or rights of way where final grades have not been established or where street grades have not been established. If extensions are made when grades have not been established and there is a reasonable probability that the existing grade will change, the Utility shall require that the applicant or applicants for the main extension deposit the estimated net cost of relocating, raising, or lowering facilities upon establishment of final grade.
- e. The design of an extension shall be based upon:
 1. The provisions of adequate capacity to meet the present and future requirements of the area to be benefited.
 2. Distribution system operational needs and efficiency.
 3. Maintenance requirements.
 4. Anticipated life of extension.
- f. Water main extensions shall generally be located on dedicated City streets or on easements granted to the City of Fullerton. If installed on an easement, unless impractical, the easement shall be a minimum of 20 feet wide. Easements granted to the City shall be accessible at all times. Under no circumstances shall any building or private structure be placed over any water main or extension or within the dedicated right of way or easement.
- g. The design, location, materials, and standards of construction of any and all extensions shall be in accordance with, but not limited to all City, County, State, and Federal standards and as approved by the Director of Public Works or their designee.

Effective on 8/17/21

Resolution No. 2021-63

Dated 8/17/21

Superseding Resolution No. 9826

Dated: 6/20/06

CITY OF FULLERTON
 Water Utility
 303 West Commonwealth Avenue
 Fullerton, California 92832

Issued By:
 Public Works Department
 Water System Management Division

RULE NUMBER 15 – Continued

h. All extensions shall originate at the nearest adequate existing main as determined by the Director of Public Works and shall extend the full length of the property to be provided with water service.

2. Special Conditions

Special conditions of service and related matters applicable to these rules and regulations not expressly covered shall be resolved by the Director of Public Works.

B. EXTENSIONS TO SERVE INDIVIDUALS, SUBDIVISIONS, TRACTS, AND COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

1. Distribution Mains

Where a distribution main must be extended to a new subdivision or development, the entire cost of the main shall be paid for and be installed by the developer of the property to which the system is extended.

The Director of Public Works or their designee may determine that the best interests of the distribution system would be served by a main larger than that required by the applicant's needs and require the applicant to install a larger size main. Applicants shall be responsible for the entire cost of all mains up to twelve inches in diameter.

2. Transmission Mains

A main extension which is larger than 12 inches in diameter shall be designated as a transmission main. Transmission mains shall be paid for jointly by the Utility and the developer extending the main. The Utility shall pay only those costs attributable to the larger size main on an incremental basis, not on a proportional basis. The cost to be paid by the Utility for said incremental difference shall be the subject of an agreement between the Utility and the developer and shall be based on current estimates or actual bid prices.

3. The Developer's Responsibility

- a. Complete engineering of the main extension shall be by a registered civil engineer and shall include submission of a full set of detailed improvement plans of a scale acceptable to the Utility, along with all applicable fees.
- b. After all changes, modifications, and additions requested by the Utility have been made on the plans and they have been approved, the owner or developer shall file a complete set of approved plans on a format determined by the Utility. Said plans shall become the property of the City.
- c. The developer shall have the required installation performed by a contractor who possesses a current California contractor's license permitting this type of construction work and shall furnish the necessary surety as required under Title 16 of the Fullerton Municipal Code.

CITY OF FULLERTON
 Water Utility
 303 West Commonwealth Avenue
 Fullerton, California 92832

Issued By:
 Public Works Department
 Water System Management Division

RULE NUMBER 15 – Continued

If the developer plans to enter into a reimbursement agreement with the Utility whereby the Developer will cause the main to be constructed, the developer must obtain no less than three competitive bids which the bidders affirmed in writing under penalty of perjury were not subject to collusion. The applicant shall provide the Utility with copies of all bids and upon completion of the project, a statement of actual construction cost in reasonable detail.

- d. All laboratory analyses required will be referenced in City of Fullerton Water Utility Specifications. All charges shall be borne by the developer.
- e. Newly installed mains must be pressure tested prior to acceptance by the Utility.
- f. The developer shall dedicate the main extension to the Utility, free of all liens, together with all necessary rights of way for future maintenance and upkeep.
- g. Any testing required by the Utility to confirm existing conditions prior to development.
- h. Any additional infrastructure needed for maintaining the Utility's existing levels of service, at a minimum.

4. City's Responsibility

- a. The submitted plans shall be examined for conformance with the Utility's Standard Specifications and other requirements. Any errors and omissions found by the Utility will be indicated on the plans, and they shall be returned to the engineer for correction.
- b. The Utility shall charge the actual cost for time spent checking plans and inspecting the construction of main extensions. The Utility shall estimate the plan check fee and the inspection fee when plans are first submitted, and this estimated cost shall be deposited before plan check begins.
- c. The Utility's inspector shall inspect all facilities installed by the developer's contractor to ensure compliance with the plans and specifications.
- d. Upon completion and acceptance of the work, the Utility shall prepare a final accounting of the checking and inspection and either bill for the additional amount owed or refund excess payments.

5. Reimbursement Agreements

Where main extensions are required of developers or property owners and where the size or location of said mains, in the opinion of the Director of Public Works, benefit other properties, then the Utility may enter into a reimbursement agreement with the developer under the following conditions:

- a. Reimbursements shall be made only if and when the front footage charge for said main extensions are collected from benefited applicants requiring service from the water main extension within ten years of the Utility's acceptance of the main extension.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 15 – Continued

- b. The front footage charge (Rule 15.C.1) collected for subsequent service connections to the main extension shall be reimbursed to the person who paid for such extension or to any successors or assignees, in accordance with said agreement only, for a period of ten years.
- c. After expiration of the agreement or upon the beneficiary's receipt of the total amount to be reimbursed, all benefited applicants requiring service from the main extension shall be subject to the Utility's current front footage charge.
- d. Reimbursements shall bear no interest.
- e. The total amount of a reimbursement shall not exceed the cost of main extensions as determined from invoices and billings submitted to the Utility upon completion of the work per agreement.
- f. The Utility shall not be liable for payment of any refund by reason of its failure to collect a front footage charge from future applicants requiring service.

C. PAYMENTS REQUIRED FOR EXISTING MAINS

- 1. Every applicant for a service connection which does not have an existing water service shall pay a front footage charge for mains constructed with funds of the Utility, or a main constructed by a previous applicant that has entered into a reimbursement agreement with the Utility. Applicant shall, in the case of a reimbursement agreement, pay the amount provided for in said agreement; and shall pay, in the case of mains constructed by the Utility, per foot of frontage of such premises on the street or rights of way in which the mains are located, a charge of one-half of the current main construction cost. Frontage footage fees are as designated in the adopted fee resolution.

The front footage charge is in addition to any other service charges. The costs per linear foot as shown in the adopted fee resolution represent the Utility's best estimate of current construction costs. (Front footage fees are half of current construction costs per linear foot of pipe). These unit prices may be adjusted quarterly.

- 2. The legal description, plot plan, or field check shall be used to establish the front footage charge per linear foot. One-half of existing street and alley intersections shall be considered as frontage when computing the front footage charge.
- 3. If the size of the existing main is inadequate for providing the applicant's domestic and fire demands, the extension and/or upgrade of the existing or additional water mains will be required at the applicant's own expense.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 16

SERVICE CONNECTIONS, METERS, AND CUSTOMER'S FACILITIES

A. GENERAL

1. After application has been made and all applicable fees have been paid (for all services); the applicant shall furnish and install the service connection and/or meter assembly. Said service connection and/or meter assembly shall be installed to Utility standards by a qualified private contractor.
2. For service connections two inches and smaller, the meter assembly will generally be installed at a convenient location between the curb or edge of pavement and the property line. For larger service connections, including fire lines, the meter assembly will generally be installed above ground upon the customer's premises, in which case the applicant shall allow the meter assembly and service line to occupy the premises by the granting of the necessary easements, rights of way, or by the application agreement at the Utility's option.
3. The service connection will generally determine the point of delivery of water service to the customer.
4. For any service connections installed by the Utility (including fire lines) the charge shall be equivalent to the cost of all labor, materials, rental of equipment, and overhead and incidentals.
5. In the event that a customer is required or requests to have a larger or smaller service connection and/or meter, customer shall pay all associated costs. A request for a larger or smaller service connection and/or meter requires an application to be completed and submitted to the Water Engineering Division. If approved, the old meter must be returned to the Utility once removed.

B. CUSTOMER'S RESPONSIBILITY

The customer, as a condition precedent to receiving service shall:

1. Make application for services (see Rule Number 3).
2. Furnish and lay the necessary piping to make the connection to the place of consumption and shall keep such piping in good repair in accordance with such reasonable requirements of the Utility as may be incorporated in the rules herein.
3. Provide a Utility approved shut off valve immediately after the water meter on the piping between the service connection and the point of customer use for conveniences and safety.
4. Provide proof from a State of California certified laboratory of an absent bacteriological result for services three inches and larger.
5. Provide an approved backflow protection device if required per Section F.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 16 – Continued

C. CITY'S RESPONSIBILITY

1. The submitted plans and application shall be examined for conformance with the Utility's Standard Specifications and other requirements. Any errors and omissions found by the Utility will be indicated on the plans, and they shall be returned to the engineer for correction.
2. The Utility shall charge a plan check and inspection fee based on the amount of the proposed work. The plan check and inspection fee shall be per the adopted fee resolution.
3. The Utility's inspector shall inspect all facilities installed by the developer's contractor to ensure compliance with the plans and specifications.

D. OWNERSHIP AND ABSENCE OF RENTAL OBLIGATION WHERE FACILITIES ARE ON THE PREMISES OF CUSTOMER

1. The service connection from the main and the meter assembly located wholly or partially upon a customer's premises, whether in an easement or not, are the property of the Utility.
2. No rent or other charge will be paid by the Utility where the Utility-owned service facilities are located on a customer's premises.
3. If the meter assembly on the applicant's premises is a considerable distance (as determined by Utility) from the property line to the nearest closest available water source, the applicant shall grant the necessary easements or rights of way or authorize such occupancy by the application agreement. The Utility will own and be responsible for maintaining the service line from the property line to the meter assembly.

E. ACCESS TO PREMISES OF CUSTOMER

1. The Utility shall at all hours have access to meters, service connections, and other property owned by it which may be located on a customer's premises for purposes of including but not limited to: installation, meter reading, maintenance, operation, removal. The customer's system shall be open for inspection at all reasonable times to authorized representatives of the Utility.
2. Any person who, as owner or occupant of any premises, refuses admittance to or hinders or prevents inspection by an authorized employee of the Utility, may, after service of a notice of intention and after 24 hours of such notice, have all water shut off.

F. CROSS-CONNECTIONS

1. Protective Regulation

The Utility shall implement a cross-connection control program towards the goal of protecting the public water supply from contamination. No physical connection between the water supply system of the Utility and that of any other private water supply will be permitted except in compliance with the regulations of the State Department of Health Services contained in Title 17 of the California

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 16 – Continued

Administrative Code entitled "Regulations Related to Cross-Connections," hereafter referred to as Title 17 (Title 17 is hereby incorporated by reference).

2. Evaluation of Hazard

The Utility shall evaluate the degree of hazard to the Utility's water supply which may be created as a result of conditions on a customer's premises as outlined in Title 17.

3. Type and Location of Protection Required

The type and location of protection that shall be provided to prevent backflow into the public water supply shall be as outlined in Title 17.

4. Type and Expense of Prevention Devices

Any backflow prevention device utilized shall be of the type and design specified and approved by the State of California Division of Drinking Water currently approved backflow prevention assemblies. Such device shall be installed by and at the expense of the customer in a manner approved by the Utility and the public health agency having jurisdiction when so required, and in a location that is readily available for periodic inspection. The Utility will provide, upon request, to any affected customer a list of approved backflow prevention devices.

5. Periodic Inspection and Testing of Prevention Devices

Certified tests of backflow prevention devices are required immediately after they are installed; relocated, or repaired periodically at least once a year or more often where successive inspections indicate repeated failure thereof. The Utility will notify affected customers when the annual testing of a device is needed and will furnish the necessary forms which must be filled out each time a device is tested or repaired. These tests shall be conducted by a person who has been certified for this testing by the County of Orange and who meets all requirements such as licensing and insurance. Records of such tests and repairs shall be kept and made available to the Utility and the public health agency having jurisdiction. All testing, repairs, and replacements shall be done at the expense of the customer.

6. On-Premises Inspections

The Utility may require an on-premises inspection or re-inspection to evaluate cross-connected hazards. The Utility will request an inspection appointment to each affected water user. Any customer that cannot or will not allow an on-premises inspection of their piping system shall install the backflow prevention device the Utility considers necessary. Failure to comply will result in discontinuation of service per Rule 11 Section C.

The Utility will notify the water user of the survey findings, listing corrective action to be taken if required and the time period in which it must be done.

CITY OF FULLERTON
 Water Utility
 303 West Commonwealth Avenue
 Fullerton, California 92832

Issued By:
 Public Works Department
 Water System Management Division

RULE NUMBER 16 – Continued

7. User Supervisor

As outlined in Title 17, the Health Agency and Utility may, at their discretion, require an industrial water user to designate a user supervisor when the water user's premises has a multi-piping system that conveys various types of fluids, some of which may be hazardous and where changes in the piping system are frequently made. The user supervisor shall be responsible for the avoidance of cross-connections during the installation, operation, and maintenance of the water user's pipelines and equipment.

8. Backflow Device Monitoring Fee

For each service connection where a backflow device is required pursuant to this Rule, a Backflow Device Monitoring Fee shall be imposed. The fee shall be per the adopted fee resolution and shall be included on the customer's water bill.

G. IMPAIRMENT OF SERVICE TO OTHER CUSTOMERS

Where the use of water is unusually intermittent or is subject to violent fluctuations of a character that may impair service to other customers, the Utility may require that the customer provide at the customer's expense, suitable equipment to reasonably limit fluctuations in use and pressures caused by the customer's equipment or operations.

H. PREVENTION OF FLOW FROM ONE SERVICE CONNECTION THROUGH ANOTHER

If a premises is supplied by more than one service connection, the customer may be required to install a double check valve at each service connection to prevent the flow of water from one service through another.

I. DAMAGE TO UTILITY'S PROPERTY

The customer shall be liable for any damage to a meter or other property owned by the Utility which is caused by an act of the customer or their tenants, agents, employees, contractors, or permittees (including but not limited to the breaking or destruction of locks or angle meter stops by the customer or others on or near a meter) and any damage to a meter that may result from hot water or steam from a boiler or heater on the customer's premises. The Utility shall be promptly reimbursed by the customer for any such damage upon presentation of a bill for same.

J. RELIEF VALVE REQUIRED

As a protection to the customer's plumbing system, a suitable pressure relief valve must be installed and maintained by the customer when check valves or other protective devices are used. The relief valve shall be installed between the check valves and the water heater.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 16 – Continued

K. METER BOX OBSTRUCTION

No person shall place trash, dirt, building materials, or other objects or obstructions on or around meter boxes; or allow meter boxes to become obstructed or obscured in a manner that makes their location difficult to determine or which will interfere with their free access or use.

Effective on 8/17/21

Resolution No. 2021-63

Dated 8/17/21

Superseding Resolution No. 9826

Dated: 6/20/06

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 17

WATER METERS

A. METHOD OF MEASURING SERVICE

1. Metering

All water sold by the Utility will be calculated upon the basis of metered volume sales. At the Utility's sole discretion, the Utility may provide flat rate or estimated service.

2. Registration of Meter

All meters used for metered sales shall have registration devices indicating the volume of water in United States gallons.

B. METER TEST FACILITIES AND EQUIPMENT

The Utility may contract with a vendor to provide the necessary standard facilities, instruments, and other equipment for testing meters in compliance with these rules.

C. ACCURACY REQUIREMENTS OF WATER METERS/METER TESTING

1. General

All meters used for measuring quantities of water delivered to customers shall be in good mechanical condition, shall be adequate in size and design for the type of service which each measures, and shall be accurate to within industry standards.

2. Test Flows and Determination of Accuracy

For test flows and the standards of accuracy for water meters, the Utility adopts as a guide the most recent American Water Works Association's M6 Manual, as it may be amended from time to time.

CITY OF FULLERTON
 Water Utility
 303 West Commonwealth Avenue
 Fullerton, California 92832

Issued By:
 Public Works Department
 Water System Management Division

RULE NUMBER 18

METER TESTS AND ADJUSTMENTS OF BILLS FOR ERRORS

A. TESTS UPON CUSTOMER REQUEST

1. Requests for meter tests and adjustments of bills for meter error may only be requested by the active account holder or their authorized agent, or by the Utility.

2. Compliance by Utility

The Utility will, within one week after request by a customer or as mutually agreed upon with the customer, proceed to test the meter serving the customer's premises, except where such test may be deferred for a reasonable length of time when it would necessitate the interruption of service to any other customer. Meters shall be tested in accordance with the current American Water Works Association M6 Manual and industry standards.

3. Meter Test Deposit

- a. If the test is requested by the customer or the customer's agent, the customer shall deposit with the Utility a "Meter Test Deposit" as designated in the adopted fee resolution
- b. For testing a three-inch or larger meter, the deposit shall be made on the basis of an estimate of cost by the Utility.

- . Return of Meter Test Deposit

The Meter Test Deposit will be returned to the customer if the meter does not meet the test requirements of the American Water Works Association guidelines.

4. Test Procedure

Every meter tested at the request of a customer will be tested in the condition as found in the customer's service prior to any alteration or adjustment. This test will consist of testing at the three rates of flow as determined in the American Water Works Association's Manual M6 under "Accuracy Tests for New and Repaired Cold-Water Meters, in order to determine the meter accuracy. The customer will be notified in advance of the time and place of the test. At the Utility's discretion, a temporary or permanent replacement water meter may be installed.

5. Location of Test

A customer will have the right to witness the meter test. Dependent upon meter location and size, the Utility may conduct testing onsite, at the Utility's offices or where determined by the Utility.

6. Report of Test to Customer

A report showing the results of the test will be furnished to the customer within 15 days of the completion of the test.

Effective on 8/17/21

Resolution No. 2021-21

Dated 8/17/21

Superseding Resolution No. 9826

Dated: 6/20/06

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 18 – Continued

B. ADJUSTMENTS OF BILL FOR METER ERROR

Account adjustments for fast, slow and non-registering meters shall be based on the following: two-year daily average of the consumption based upon the customer's prior use. If the customer does not have prior use or if it is less than two years at the property in question, a two-year daily average for the consumption of the property will be used.

1. Fast Meters

If the meter is confirmed by the Utility and found to be registering outside the accuracy standards of the American Water Works Association, the Utility will refund to the customer the amount of the overcharge based on corrected meter readings for the period the meter was in use, but not to exceed a period of one year.

2. Slow Meters

If a meter is confirmed by the Utility and found to be registering outside the accuracy standards of the American Water Works Association, the Utility may bill the customer for the amount of the undercharge based on corrected meter readings for the period the meter was in service, but not to exceed a period of four months.

3. Non-registering Meters

The Utility may bill the customer for water consumed while the meter was non-registering for a period of up to four months.

4. General

When it is found that the error in a meter is due to a cause not covered in this rule and the date of which can be determined, the overcharge or the undercharge will be computed back to such date provided; however, that adjustment of errors shall be limited to the immediately preceding one-year period.

C. ADJUSTMENTS OF BILLS FOR UTILITY ERROR

When it is found that an error in billing has occurred due to a Utility error and the date of which can be reliably established, the overcharge or the undercharge will be computed back to such date provided; however, that adjustment of Utility billing errors shall be limited to the immediately preceding one-year period.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 19

SERVICE TO SEPARATE PREMISES AND MULTIPLE UNITS, AND RESALE OF WATER

A. NUMBER OF SERVICES TO SEPARATE PREMISES

Separate premises adjacent to one another under single control or management will be supplied through separate individual service pipes unless the Utility elects otherwise.

B. SERVICE TO MULTIPLE UNITS ON SAME PREMISES

Separate houses, buildings, living, or business quarters on the same premises or on adjoining premises, under a single control or management, may not manifold, combine, or connect several smaller meters to meet a flow demand that can be provided by a single larger meter unless approved by the Utility.

There shall be one meter per water service line.

The responsibility for payment of charges for all service furnished to combined units through a single service pipe, in accordance with these rules, must be assumed by the applicant and/or owner.

C. RESALE OF WATER

A customer shall not resell to another person at any charge higher than his pro rata share of the total charges as rendered by the Utility.

CITY OF FULLERTON
Water Utility
303 West Commonwealth Avenue
Fullerton, California 92832

Issued By:
Public Works Department
Water System Management Division

RULE NUMBER 20

FIRE PROTECTION

A. PRIVATE FIRE PROTECTION

1. Private fire protection services will be provided under the conditions specified in Rule Number 16.
2. The location of all private fire hydrants shall be determined by the City of Fullerton Fire Department.
3. The rates for private fire protection services are specified in Rate Schedule W-FL, "Fire Line Service Rates."

B. PUBLIC FIRE PROTECTION

1. The Utility and the City of Fullerton Fire Department shall determine the location of all public fire hydrants.
2. Public fire hydrants requested by a customer or required by the City of Fullerton Fire Department as a condition of development, shall be installed by a private contractor at the customer's expense.
3. A customer's request for a public fire hydrant relocation will be granted provided that the relocation is agreed upon by the Utility and the City of Fullerton Fire Department and is paid for by the customer.
4. Public fire hydrants installed as part of a main extension by a customer shall be paid for by the customer.

C. OBSTRUCTING USE OF FIRE HYDRANTS

No person shall place on or within 36 inches around fire hydrants or fire hose connections any materials, trash, dirt, or other objects or obstructions or shall allow fire hydrants to become obstructed or obscured by vines, trees, shrubs, or plants that will make their location difficult to determine or interfere with their free access or use, except as provided for in Rule 13.

In the event of obstruction or obscuring, notice shall be given by the Utility to the property upon which such hydrant is located, that the obstruction be removed within a designated time. If obstructions are not removed within the designated time, the Utility will remove at the property owner's expense.

D. PROPERTY OWNER'S RESPONSIBILITY FOR FIRELINE ACCOUNTS

The property owner shall be responsible for ensuring all fire lines on their property have an active Utility Services Account. If there is no one signed on to a fire line, the property owner shall:

1. Make application for services (see Rule Number 3).
2. If the property owner does not make application and sign on for service, the Utility shall automatically establish service in the property owner's name and bill the property owner for the establishment fee, the required deposit, in accordance with Rules 6 and 7, and any outstanding charges.