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Adopted 09/10/2019  
Board of Directors DCSD  
DOC-2019-725

ORDINANCE NO. 92  
Ordinance D-92

DAVENPORT COUNTY SANITATION DISTRICT  
SANTA CRUZ COUNTY, CALIFORNIA

AN ORDINANCE AMENDING DISTRICT CODE TITLE 3, CHAPTER 3.04, WATER  
SERVICE AND CONNECTIONS (VARIOUS SECTIONS)

The Board of Directors of the Davenport County Sanitation District DO ORDAIN  
as follows:

SECTION I

**Section One.** Section 3.04.020 of Title 3, Article I, "General Provisions", of the Davenport  
County Sanitation District Code, "Definitions", is hereby amended to read as follows:

3.04.020 Definitions. As used in this chapter:

"Applicant" means an individual or agency applying for water service.

"Board of Directors" means the Board of Directors of the Davenport County Sanitation  
District.

"Commercial service" means provision of water to premises where the customer is  
engaged in trade.

"Commercial/Agricultural use of recycled water" means any approved and permitted use  
of recycled water for commercial or agricultural purposes (non-residential).

"Cross connection" means any physical connection between the piping system from the  
district service and that of any other water supply.

"Customer" means an individual or agency of record receiving water service from the  
utility.

"Date of presentation" means the date upon which a bill of notice is mailed or delivered  
personally to the customer.

"District" means the Davenport County Sanitation District.

"Domestic service" means provision of water for household residential purposes,  
including water for sprinkling lawns, gardens and shrubbery; watering livestock; washing  
vehicles; and other similar and customary purposes.

"Engineer" means the district engineer of the Davenport County Sanitation District or his  
authorized representative.

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"Fire protection service" means provision of water to premises for automatic fire protection.

"Mains" means distribution pipelines located in streets, highways, public ways or private rights-of-way which are used to serve the general public.

"Municipal or public use" means provision of water to a municipality or other public body.

"Premises" means the integral property or area, including improvements thereon, to which water service is or will be provided.

"Rate and fee schedules" mean the effective rates, fees, rentals, charges and regulations, as set forth in this chapter.

"Recycled water" means the highly treated wastewater that has been treated to meet State criteria for disinfected tertiary recycled water as defined in Title 22 of the California Code of Regulations.

"Recycled Water Use Permit" means the permit document authorized by the district, allowing the recycled water user to obtain and use recycled water based on their signed agreement to adhere to district, federal, state, and local regulations and requirements.

"Recycled water user" means the applicant that successfully completed the required training and authorization to use recycled water under an approved individual Recycled Water Use Permit.

"Regulatory agencies" means those public agencies legally constituted to protect the public health and water quality such as the Division of Drinking Water, Central Coast Regional Water Quality Control Board, and the Santa Cruz County Health Services Agency.

"Residential use of recycled water" means any approved and permitted use of recycled water for residential purposes.

"Service connection" means the pipes, valves and other facilities by means of which the utility conducts water from its distribution mains to and through the meter, or to the curb stop.

"Temporary service" means a service for construction work, irrigation of vacant property, and similar uses, that because of their nature will not be used steadily or permanently. (Ord. 8 §2.1--2.16, 1983)

"Unauthorized discharge" means any release of recycled water that violates the Recycled Water Use Permit or applicable federal, state, or local regulations or requirements.

## SECTION II

**Section Two.** Section 3.04.140 of Title 3, Article II, “Water Service Regulations”, of the Davenport County Sanitation District Code, “Resale of water”, is hereby amended to read as follows:

3.04.140 Resale of water. No customer shall resell any of the water received by them from the district, nor shall such water be delivered to premises other than those specified in their application for service. (Ord. 8 §3.7(c), 1983)

No customer shall resell any of the recycled water received by them from the district, nor shall such recycled water be delivered to premises other than those specified in the recycled water users Recycled Water Use Permit.

## SECTION III

**Section Three.** Section 3.04.170 of Title 3, Article II, “Water Service Regulations”, of the Davenport County Sanitation District Code, “Discontinuation of service for wasteful or negligent use.”, is hereby amended to read as follows:

3.04.170 Discontinuation of service for wasteful, negligent, or unpermitted use.

A. Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the district may discontinue the service if such conditions are not corrected within five days after giving the customer written notice.

B. The consumer has sole control of the amount of water drawn from the district's mains through the meter and is responsible for maintenance and repairs of pipes and fixtures beyond the meter. No allowance will be made for loss of water due to faulty fixtures or broken or damaged water pipes beyond the meter; provided, however, that if and when it shall appear that such loss or leakage has occurred without negligence upon the part of the consumer, an allowance may be made by the district to the extent of such loss. (Ord. 8 §4.9, 1983)

C. Any unauthorized discharge of recycled water or use of recycled water not in accordance with the Recycled Water Use Permit may result in the district revoking the recycled water user's permit. Any fines levied by the district or other regulatory agencies must be paid by the permitted user. If a recycled water user's misuse of recycled water or if their activities linked to the distribution, transportation, or use of recycled water results in a regulatory agency fining the district, the recycled water user is responsible for paying those fines. If fines are not paid within 30 days, the district may collect unpaid fines by suit, in which event it shall have judgement for the cost of the suit and reasonable attorney's fees.

## SECTION IV

**Section Four.** Section 3.04.190 of Title 3, Article II, “Water Service Regulations”, of the Davenport County Sanitation District Code, “Right of entry for inspection”, is hereby amended to read as follows:

3.04.180 Right of entry for inspection.

A. The district or its duly authorized agents shall at all reasonable times have the right to enter or leave the customer's premises for any purpose properly connected with the service of water to the customer or in relation to the user’s storage, distribution, or use of recycled water.

B. Any inspection or recommendations made by the district or its agents on plumbing or appliances or use of water or recycled water on the customer's premises, either as the result of a complaint or otherwise, will be made or offered without charge. (Ord. 8 §4.10, 1983)

## SECTION V

**Section Five.** Section 3.04.190 of Title 3, Article II, “Water Service Regulations”, of the Davenport County Sanitation District Code, is hereby amended to read as follows:

3.04.210 Recycled Water Permits. All residential or commercial/agricultural recycled water use must be permitted by the District. The applicant must receive training by the district and complete the required permit application and supporting documents. All requirements of the Recycled Water Use Permit, the district’s Recycled Water Program User Guidelines, the State’s current Master Reclamation Order, and any other current federal, state, or local regulations governing the use of recycled water must be adhered to at all times.

## SECTION VI

**Section Six.** Section 3.04.260 of Title 3, Article III, “Equipment and Facilities”, of the Davenport County Sanitation District Code, “Cross-connections – Backflow prevention device requirements”, is hereby amended to read as follows:

A. Health Regulations. The regulations of the California State Department of Public Health and the Drinking Water Standards of the United States Public Health Service prohibit unprotected cross-connections between the public water supply and any unapproved source of water.

B. District Requirements. To comply with the regulations of these health agencies, the district will require the installation of approved double check valves or other approved backflow protection devices by and at the expense of the customer before service will be granted under any of the following conditions:

1. Where an unapproved fresh water supply is already available from a well, spring, reservoir or other sources. If the customer agrees to abandon this other supply and agrees to remove all pumps and piping necessary for the utilization of this supply, the installation of backflow protective devices will not be required;
2. Where salt water, or water otherwise polluted, is available for industrial or fire protection purposes;
3. Where the premises are or may be engaged in industrial processes using or producing process waters or liquid industrial wastes, or where the premises are or may be engaged in handling sewage or any other dangerous substance;
4. Where the circumstances are such that there is special danger of backflow of sewage or other contaminated liquids through plumbing fixtures or water using or treating equipment, or storage tanks and reservoirs.

C. Special Circumstances. In special circumstances, when the customer is engaged in the handling of especially dangerous or corrosive liquids or industrial or process waters, the district may require the customer to eliminate certain plumbing or piping connections as an additional precaution and as a protection to the backflow preventive devices. In making plumbing connections, the customer shall be guided entirely by local or state planning ordinances and not by the district.

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

E. Backflow Protection on Additional Water Supply Lines. Whenever backflow protection has been found necessary on a water supply line entering a customer's premises, then any and all water supply lines from the district's mains entering such premises, buildings or structures shall be protected by an approved backflow device, regardless of the use of the additional water supply lines.

F. Protection Against Interstreet Main Flow.

1. Two or more services supplying water from different street mains to the same building structure or premises through which an interstreet main flow may occur, shall have a standard check valve on each water service to be located adjacent to and on the property side of the respective meters.
2. Such check valves shall not be considered adequate if backflow protection is deemed necessary to protect the district's mains from pollution or contamination, but the installation of approved dual backflow devices at such meters shall take the place of, and satisfy the requirement for, standard check valves. (Ord. 8 §4.6(a)--(f), 1983)

G. Recycled Water Systems. The district, in accordance with regulatory agency requirements, will require approved backflow protection device(s) on recycled water systems located on properties with recycled water distribution systems (i.e. agricultural sites). Backflow device, installation, maintenance, and required regular testing shall be at the expense of the property owner. All current district and other regulatory agency regulations must be followed in order to prevent cross-contamination. If cross-contamination occurs, the user shall discontinue use of water/recycled water system and contact the district immediately.

SECTION VII


**Section Seven.** Upon adoption, this Ordinance shall be entered in the minutes of the Board and shall be published once within fifteen days following its adoption in a newspaper published in the County and having general circulation in the district. This Ordinance shall take effect on the 31<sup>st</sup> day after the date of final passage.

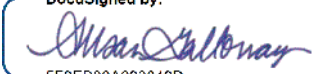
PASSED AND ADOPTED by the Board of Directors of the Davenport County Sanitation District, State of California, this 10th day of September, 2019, by the following vote:

AYES: DIRECTORS Leopold, McPherson, Friend, Caput, Coonerty

NOES: DIRECTORS None

ABSENT: DIRECTORS None

DocuSigned by:  
  
DEED48DEFD284AF...  
Chairperson of the Board

ATTEST:   
5F3EB32A893849D...  
Clerk of the Board

Approved as to form:

  
Office of County Counsel

Distribution: County Counsel  
Public Works

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