

WATER RULE NO. 3

ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

A. Establishment of Credit - Residential Service

Each Applicant will be required to establish credit. If one or more of the following conditions are satisfied, credit will be deemed established:

1. If Applicant is in possession of, or is acquiring a deed to the property to be served.
2. If Applicant has been a City utility Customer for one (1) year or more within the past two (2) years with an acceptable payment record. (See Rule 4, paragraph B2.)
3. If Applicant has two (2) years or more of recent stable employment with one company, plus two acceptable answers to the following credit validation questions:
  - (a) Checking account
  - (b) Credit cards or charge accounts
  - (c) California driver's license
  - (d) Social Security number
4. If Applicant has been transferred by a well-known company, regardless of time at job or residence.
5. If Applicant has a recognized community standing in professions, management, government, any public utility, or whose credit responsibility is known.
6. If Applicant makes a cash deposit to secure payment of bills for service as prescribed in the Rule relating to deposits.
7. If Applicant furnishes a signed guarantee, satisfactory to the City to secure payment of bills for service.
8. If Applicant's credit is otherwise established to the satisfaction of the City.

B. Establishment of Credit - Commercial/Industrial/Irrigation Service

Each Applicant will be required to establish credit. If one or more of the following conditions are satisfied, credit will be deemed established:

1. If Applicant (other than a corporation) is in possession of, or is acquiring, a deed to the property to be served.
2. If Applicant has been a utility Customer for a similar type of service for one(1) year or more within the past two (2) years with an acceptable

payment record, provided that the periodic bill for such service was equal to at least 50 percent (50%) of that estimated for the new service, and, provided further that the credit of the Applicant is unimpaired in the opinion of the City.

3. If Applicant furnishes a guarantee, satisfactory to the City to secure payment of bills for service.
4. If Applicant provides a surety bond or a Certificate of Deposit in lieu of a cash deposit as prescribed in the Rule relating to deposits.
5. If Applicant makes a cash deposit to secure payment of bills for service as prescribed in the Rule relating to deposits.
6. If Applicant's credit is otherwise established to the satisfaction of the City.

C. Re-Establishment of Credit - All Classes of Service

1. An Applicant who previously has been a Customer of the City and whose service has been discontinued by the City during the past twelve (12) months of that prior service because of nonpayment of bills, may be required to re-establish credit by depositing the amount prescribed in the section covering deposits, and by paying bills regularly due, except, an Applicant for residential service will not be denied service for failure to pay such bills for other classes of service.
2. If a Customer has had service cut off for nonpayment of bills, he may be required to re-establish his credit by depositing the amount prescribed in the Rule relating to deposits.



WATER RULE NO. 4

DEPOSITS AND SERVICE TURN-ON CHARGE

A. Amount of Deposit

The amount of deposit required to establish or re-establish credit is twice the estimated average monthly bill. However, in no case may the amount of deposit be less than Twenty Dollars (\$20.00) for water service.

B. Return of Deposit

1. Upon discontinuance of service, the Water Utility shall refund the Customer's deposit or the balance in excess of the unpaid bills for the service.
2. After the Customer has paid bills for service for twelve (12) consecutive months without having had more than one notice mailed on an overdue bill, and provided no overdue notice was mailed in the last three (3) months, the Water Utility shall refund the deposit.
3. The Water Utility may return the deposit at any time upon request, provided the Customer's credit may otherwise be established in accordance with the rules pertaining to establishment of credit.

C. Service Turn-On Charge

A turn-on charge of Eighteen Dollars (\$18.00) shall be made for turning on water services. The turn-on charge shall be included on the first utility billing statement.

1. Meter service connection deposits by meter size.

<u>3/4"</u>	<u>Meter</u>	<u>\$ 20.00</u>	<u>3"</u>	<u>Meter</u>	<u>\$ 150.00</u>
1"	"	\$ 27.00	4"	"	\$ 285.00
1½"	"	\$ 60.00	6"	"	\$ 450.00
2"	"	\$ 90.00	8"	"	\$ 700.00

City of Banning  
Public Utilities Department

WATER RULE NO. 4

DEPOSITS AND SERVICE TURN-ON CHARGE

A. Amount of Deposit

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C. Service Turn-On Charge

A turn-on charge of Eighteen Dollars (\$18.00) shall be made for turning on water services.

1. Meter service connection deposits by meter size.

3/4"	Meter	\$ 20.00	3"	Meter	\$ 150.00
1"	"	\$ 27.00	4"	"	\$ 285.00
1 1/2"	"	\$ 60.00	6"	"	\$ 450.00
2"	"	\$ 90.00	8"	"	\$ 700.00

WATER RULE NO. 5

RENDERING AND PAYMENT OF BILLS

A. Meter Readings and Billings

Meters shall be read as nearly as possible at regular intervals. Such regular meter readings normally shall be monthly but may be at other intervals as established at the discretion of the Water Utility. If for any reason service is unmetered, or if the meter is inaccessible or cannot be read, or if the meter fails to register correctly, the water consumption shall be estimated by the Water Utility as follows:

1. Previous consumption by metered service to the Premises; or
2. The average consumption for the corresponding billing periods during which the meter is known to have registered correctly; or
3. The consumption as registered by a substituted meter; or
4. By giving consideration to the nature of use, volume of business, seasonal demand, and any other factors that may assist in determining such consumption.

B. Proration of Bills

Rate Schedules stated on a monthly basis are related to a thirty-day consumption interval as a standard month. Whenever actual meter read intervals differ from a standard thirty-day period, bills related thereto computed from monthly schedules are subject to proration on a thirty-day basis. In computing and rendering regular bills, minor variances between actual read intervals and any established regular read interval need not be considered, in accordance with the following:

1. Where bills are regularly rendered monthly, computation from monthly Rate Schedules may be made directly whenever actual read intervals do not vary by more than four (4) days (greater or lesser) from the standard thirty-day interval.
2. On opening accounts, the Water Utility may omit the initial billing when such billing period is less than four (4) days on monthly accounts.

C. Readings of Separate Meters Not Combined

For the purpose of computing charges, each meter upon the Customer's Premises shall be considered separately, and readings of two or more meters shall not be combined as equivalent to measurement through one meter.



D. Time and Manner of Paying Bills

Bills are due and payable on presentation and become delinquent fifteen (15) days after mailing. After a bill is delinquent, the Water Utility may discontinue water service and turn off the water after giving appropriate written notice. Charges for connection or re-connection of service, payments for deposits or to reinstate deposits, and the entire delinquent bill shall all be paid in full before service shall be connected or reconnected.

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Established by Board of Public Utilities:  
Approved by City Council:  
Effective Date:

WATER RULE NO. 6

DISPUTED OR ERRONEOUS BILLS

A. General

1. Whenever the correctness of any bill for water service is questioned, the Water Utility shall cause an investigation to be made.
2. In cases where there are inaccuracies of recording of water use, or bills reflecting clerical or meter errors, or in disputed cases where water consumption, dates, or other provisions are subject to exact determination, proper adjustments in the billing shall be authorized by the Director or his authorized agent.
3. In cases where water consumption, dates, or other factors required for application of rate schedules or other provisions are not subject to exact determination or are in question, or in disputed cases relative to service or rate application, the Water Utility shall establish such factors by tests, analyses, and investigations to determine the proper basis for making an adjustment, if any. Proper adjustments in the billing shall then be authorized by the Director or his authorized agent. The Customer may appeal all adjustments to the Board.
4. In all cases above, the following limitations shall apply:
  - a. Overcharges shall not be recomputed and credited to any account for a period in excess of three (3) years prior to the discovery of an error, or the date the bill was questioned, whichever occurs earlier.
  - b. Undercharges shall not be recomputed and billed to residential accounts for a period in excess of four (4) months prior to the discovery of an error.
  - c. Undercharges shall not be recomputed and billed to commercial/industrial/irrigation accounts for a period in excess of three (3) years prior to the discovery of an error.

B. Meter Tests

Whenever the accuracy of a water meter is questioned, the Customer may demand that the meter be examined and tested by the Water Utility. Upon such request, the Water Utility shall cause the meter to be examined and tested. Customers are encouraged to witness such tests, or to have their representatives present at such tests. If a Customer requests a test (or tests) a twenty-five dollar (\$25.00) deposit will be required prior to receiving a test.

If the meter is found to register over 2% more than actually passes through it under conditions of normal operation, another meter shall be substituted

therefor and the deposit refunded to Customer.

C. Adjustment of Bills for Meter Error

1. Fast Meters

When a meter is found to be more than 2% fast, the Water Utility shall refund to the Customer the overcharge based on the corrected meter readings for the period in which the meter was in use, not exceeding six (6) months, unless it can be shown that the error was due to some cause, the date of which can be fixed. In this case, the overcharge shall be computed back to such time, not exceeding three (3) years however.

2. Slow Meters

When a meter is found to register more than 2% slow, the Water Utility may render a bill for water consumed but not covered by bills previously rendered for a period of four (4) months.

3. Non-Registering Meters

If a meter fails to register during any period, the Customer shall be charged with an average consumption as shown by the meter when in use and registering correctly during a corresponding season, and adjusted as necessary after consultation with the Customer, provided that such undercharges shall not be computed for a period exceeding four (4) months.



WATER RULE NO. 7

DISCONTINUANCE AND RESTORATION OF SERVICE

A. Customer About to Vacate Premises

When a Customer desires to terminate his responsibility for service, he shall give the Water Utility not less than two (2) days notice of his intention and state the date on which he wishes the termination to become effective. Otherwise, he shall be held responsible for water service furnished to such Premises until the Water Utility shall have notice of such removal.

B. Water Utility's Right to Discontinue Service

1. Nonpayment of Bills

A Customer's water service may be discontinued, after appropriate written notice, for the nonpayment of a bill for water service rendered, provided that the bill has not been paid within fifteen (15) calendar days after mailing date.

A Customer's water service may be discontinued, after appropriate written notice, for nonpayment of a bill for service rendered him at a previous location served by the Water Utility, provided said bill is not paid within fifteen (15) calendar days after mailing date.

If a Customer is receiving service at more than one location, service at any or all locations may be discontinued if bills for service at any one or more locations are not paid within the time specified above, except that a residential/irrigation service account shall not be discontinued for failure to pay bills for other classes of service.

2. Fraud

The Water Utility shall have the right to refuse to serve water to any Premises and at any time to discontinue service if found necessary to do so in order to protect the Water Utility against abuse or fraud.

3. Penalties, Failure to Comply with Rules and Rate Schedules

Upon failure of a Customer to comply with the provisions of this article or the Rules of the Water Utility after five (5) days' notice thereof, the Water Utility may forthwith discontinue water service and turn off the water supply to such Customer until full and complete compliance is obtained.

After the Water Utility has turned the water off under this section and the Customer, without the written authorization of the Water Utility, turns the water on, the Water Utility may again turn off the water and remove the meter.



4. Use of Water Without Regular Application for Service

When a Customer takes possession of a Premise and finds the water service to be turned on, he shall notify the Water Utility of such findings within one (1) working day of his occupancy of the Premises.

In the event the Customer turns on the water service by opening the curb cock or a sealed valve, or fails to notify the Water Utility of his finding the water service turned on within one (1) working day of his occupancy of the Premises, he shall be held liable for all charges for the water service rendered, the amount thereof to be determined, at the election of the Water Utility, either by the meter reading or on the basis of the estimated consumption for the length of time service was received by the Customer without proper application.

Any amount due in excess of the amount billed to the occupant shall be billed to the owner of the Premises if the occupant is a tenant, unless it appears that services were consumed by a Person other than the owner, in which case the user shall be billed provided the name of the user is made known to the Water Utility by the owner.

If the premise is unoccupied and water service is in use, the owner of the property shall be billed and held responsible for payment of the bill, unless it appears that a Person other than the owner used the water service for which the owner has been billed, in which case the user shall be billed. If the owner refuses or is unable to identify the user, it shall be presumed that the owner was the user.

When the Water Utility finds that water is being used without proper application, the Customer shall be notified, and if application for such service is not made promptly thereafter and the Water Utility compensated for water already used, the supply shall be shut off without further notice.

5. Usage of Service Detrimental to Other Customers

The Water Utility shall not provide water to any Premises where the use thereof or connections made thereto may cause water or other matter to enter or be forced into the Water Utility's distribution system or where apparatus is connected to the service which may in any way be detrimental to the water service rendered by the Water Utility to other Customers.

C. Restoration of Services

In order to restore service discontinued under provisions of Section B above, there shall be a charge of eighteen dollars (\$18.00) for the expense of turning the service on. In the event the Customer has turned on the water service after it has been turned off for any of the above reasons, and the Water Utility has again turned off the water service, there shall be a charge of eighteen dollars (\$18.00) in addition to other amounts due from the Customer before water service is restored. If the meter is removed, the service charge will then be twenty-five dollars (\$25.00) in addition to other amounts due.

In case the Customer's service is discontinued for nonpayment of a bill for water service, or where notice of discontinuance for nonpayment of a bill has been given, the Water Utility may require the Customer to re-establish his credit by the making of a cash deposit as provided herein.

For reconnections made during other than regular hours of 8:00 a.m. to 5:00 p.m. on week days and between 9:00 a.m. and 5:00 p.m. on weekends and holidays, an additional charge of twenty dollars (\$20.00) may be made.

A fifteen dollar (\$15.00) collection charge shall be required if it becomes necessary for a credit representative to visit the Customer's home in order to effect collection of an overdue account.

#### Charges for Resoration of Service

Turn-On, First Call . . . . .	\$ 18.00
Turn-On, Second Call (After customer has turned on service after it has been turned off, and Utility once again has to turn off. . . . .	\$ 15.00*
If Meter has been Removed . . . . .	\$ 25.00*

\*In addition to other amounts due.

#### Holidays

For connections made any time other than  
regular work hours between the hours of  
8:00 a.m. and 5:00 p.m. Monday thru Friday. . \$ 20.00

#### Other Charges

If a Credit Representative comes to the house for  
collection of an account . . . . . \$ 15.00

Cash deposit may be required to re-establish  
credit on an account that has been disconnected  
for non-payment.