

ARTICLE II. WATER RATES AND COLLECTION THEREOF

DIVISION 1. IN GENERAL

Sec. 37.33. Compliance with article.

All persons taking or receiving water from the municipal water system of this city shall pay for water so taken and received, at the rates and at the time and under the rules and regulations set forth in this article.

(Ord. Code, § 3622)

Sec. 37.34. Monthly service charge.

Effective January 5, 2024, and on all charges reflecting usage from and after December 1, 2023, and also effective January 1, 2025, and on all charges reflecting usage from and after December 1, 2024, all water service customers of the city shall be subject to a monthly service charge according to customer usage characteristics that are defined by rate classification and are hereby imposed as follows: All customers shall pay a monthly service charge based on meter size, which shall be updated from time-to-time by a resolution of the City Council.

Single-Family Residential		
Meter-Size	Monthly	Monthly
	Water Service Charge (2024)	Water Service Charge (2025)
5/8" & 3/4"	\$18.94	\$20.42
1"	\$41.38	\$44.84
1 1/2"	\$78.79	\$85.53
2"	\$123.68	\$134.36
3"	\$228.43	\$248.31
4"	\$378.04	\$411.07
6"	\$752.12	\$818.01
8"	\$1,201.00	1,306.32
10"	\$1,724.69	\$1,876.02
Charges based on size of meter		

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Multi-Family Residential		
Meter-Size	Monthly	Monthly
	Water Service Charge (2024)	Water Service Charge (2025)
5/8" & 3/4"	\$23.83	\$24.42
1"	\$53.61	\$54.85
1 1/2"	\$103.24	\$105.55
2"	\$162.80	\$166.40

3"	\$301.77	\$308.37
4"	\$500.30	\$511.19
6"	\$996.62	\$1,018.24
8"	\$1,592.21	\$1,626.71
10"	\$2,287.06	\$2,336.58
Charges based on size of meter		

-Commercial		
Meter Size	Monthly Water Service Charge (2024)	Monthly Water Service Charge (2025)
5/8" & 3/4"	\$24.54	\$24.76
1"	\$50.02	\$53.02
1 1/2"	\$96.19	\$101.96
2"	\$151.59	\$160.67
3"	\$280.86	\$297.70
4"	\$465.52	\$493.44
6"	\$927.19	\$982.79
8"	\$1,481.19	\$1,570.01
10"	\$2,127.53	\$2,255.10
Charges based on size of meter		

-Irrigation, Agricultural, and Recycled		
Meter Size	Monthly Water Service Charge (2024)	Monthly Water Service Charge (2025)
5/8" & 3/4"	\$25.80	\$27.37
1"	\$58.54	\$62.21
1 1/2"	\$113.10	\$120.28
2"	\$178.57	\$189.96
3"	\$331.35	\$352.56
4"	\$549.60	\$584.84
6"	\$1,095.23	\$1,165.54
8"	\$1,749.98	\$1,862.38
10"	\$2,513.87	\$2,675.35
Charges based on size of meter		

(Ord. Code, § 3623; Ord. No. 61-24, §§ 1, 2; Ord. No. 66-25, § 1; Ord. No. 69-26, § 2; Ord. No. 72-57, § 1, 12-13-72; Ord. No. 77-29, § 1, 8-24-77; Ord. No. 77-32, § 1, 8-24-77; Ord. No. 78-31, § 1, 8-9-78; Ord. No. 79-19, § 1, 6-13-79; Ord. No. 80-20, § 1, 7-9-80; Ord. No. 95-017, §§ 3, 4, 10-18-95; Ord. No. 99-21, § 1, 10-20-99; Ord. No. 02-OR332-1, § 1, 5-8-02; Ord. No. 07-OR0633-1, § 1, 10-3-07; Ord. No. 09-OR0093-1, § 1, 2-11-09; Ord. No. 09-OR0757-1, § 1,

11-12-09; Ord. No. 10-OR0901-1, § 1, 12-22-2010; Ord. No. 12-OR0784-1, § 1, 11-28-2012; Ord. No. 13-OR0737-1, § 2, 11-20-2013; Ord. No. 14-OR0728-1, § 2, 12-3-2014; Ord. No. 15-OR0721-1, § 2, 12-2-2015; Ord. No. 16-OR0804-1, § 2, 12-7-2016; Ord. No. 17-OR0683-1, § 2, 12-20-17; Ord. No. 19-OR0731-1, § 2, 11-20-2019; Ord. No. 23-OR0794-1, § 2, 12-6-2023)

**Sec. 37.34.1. Billing practices for master-metered single-family compound meters.**

Compound meters for master-metered single-family accounts are comprised of a larger high flow meter (dial), for fire protection, and a smaller low flow meter (dial), for domestic flows. Compound meters for master-metered single-family accounts will be billed at one (1) size greater than the low flow meter in ground unless otherwise determined by the water utilities director.

(Ord. No. 17-OR0577-1, § 1, 10-4-17; Ord. No. 21-OR0475-1, § 16, 6-16-2021)

**Sec. 37.35. Monthly consumption charge.**

Effective January 5, 2024, and on all charges reflecting usage from and after December 1, 2023, and also effective January 1, 2025, and on all charges reflecting usage from and after December 1, 2024, all water service customers of the city shall be subject to a monthly consumption charge hereby imposed as follows: All customers shall pay a monthly charge for water usage based on fees which shall be updated from time-to-time by a resolution of the City Council.

**Residential**

Monthly Water Consumption Charge				
Charges calculated per unit of consumption:			2024	2025
Single Family	1 <sup>st</sup> Tier	(0—13 units)	\$2.82	\$2.99
	2 <sup>nd</sup> Tier	(14+ units)	\$3.73	\$3.90
Charges calculated per residential dwelling unit:				
Master Metered Single Family	1 <sup>st</sup> Tier	(0—13 units)	\$2.82	\$2.99
	2 <sup>nd</sup> Tier	(14+ units)	\$3.73	\$3.90
Multi-Family	1 <sup>st</sup> Tier	(0—7 units)	\$2.82	\$2.95
	2 <sup>nd</sup> Tier	(8+ units)	\$3.27	\$3.36
Manufactured Homes	1 <sup>st</sup> Tier	(0—7 units)	\$2.82	\$2.95
	2 <sup>nd</sup> Tier	(8+ units)	\$3.27	\$3.36

**Non-Residential**

Monthly Water Consumption Charge		
Charges calculated per unit of consumption:	2024	2025
Commercial	\$2.90	\$3.04
Irrigation	\$3.13	\$3.37
Agricultural Commercial	\$3.04	\$3.22

Permanent Special Agricultural Water Rate (PSAWR)	\$2.15	\$2.16
Oceanside Agricultural Water Rate (OAWR)	\$2.15	\$2.16
Recycled	\$2.63	\$2.67
A unit of water is equal to 748 gallons or 100 cubic feet		

Effective January 5, 2024, and on all charges reflecting usage from and after December 1, 2023, and also effective January 1, 2025, and on all charges reflecting usage from and after December 1, 2024, all water service customers of the city shall be subject to a Monthly Watershed Protection Program (formerly Clean Water Program) charge per unit of consumption, which shall be updated from time-to-time by a resolution of the City Council, hereby imposed as follows:

Charges calculated per unit of consumption:	Monthly Watershed Protection Program Charge (2024)	Monthly Watershed Protection Program Charge (2025)
	\$0.26	\$0.27

Effective January 5, 2024, and on all charges reflecting usage from and after December 1, 2023, and also effective January 1, 2025, and on all charges reflecting usage from and after December 1, 2024, there is hereby established a pass-through water surcharge on City of Oceanside water customers. This charge shall be established by resolution of the City Council as necessary, and shall be passed on to rate payers directly as the San Diego County Water Authority increases rates, established as follows, but should San Diego County Water Authority raise rates for 2024 or 2025 in the interim prior to the city's rate setting process, such increases shall be passed on to rate payers directly:

Charges calculated per unit of consumption:	Monthly SDCWA Surcharge (2024)	Monthly SDCWA Surcharge (2025)
	\$3.18	\$3.74

(Ord. Code, § 3623.1; Ord. No. 61-24, §§ 1, 2; Ord. No. 65-11, § 1; Ord. No. 66-25, § 1; Ord. No. 69-26, § 3; Ord. No. 72-57, § 2, 12-13-72; Ord. No. 74-64, § 4, 12-18-74; Ord. No. 77-29, § 1, 8-24-77; Ord. No. 77-32, § 1, 8-24-77; Ord. No. 78-31, § 1, 8-9-78; Ord. No. 79-19, § 1, 6-13-79; Ord. No. 80-20, § 1, 7-9-80; Ord. No. 95-017, § 5, 10-18-95; Ord. No. 99-21, § 2, 10-20-99; Ord. No. 02-OR127-1, § 1, 2-20-02; Ord. No. 02-OR332-1, § 2, 5-8-02; Ord. No. 07-OR0633-1, § 2, 10-3-07; Ord. No. 09-OR0093-1, § 2, 2-11-09; Ord. No. 09-OR0757-1, § 2, 11-12-09; Ord. No. 10-OR0901-1, § 2, 12-22-2010; Ord. No. 12-OR0784-1, § 2, 11-28-2012; Ord. No. 13-OR0737-1, § 3, 11-20-2013; Ord. No. 14-OR0728-1, § 3, 12-3-2014; Ord. No. 15-OR0721-1, § 3, 12-2-2015; Ord. No. 16-OR0804-1, § 2, 12-7-2016; Ord. No. 17-OR0683-1, § 3, 12-20-17; Ord. No. 19-OR0731-1, § 3, 11-20-2019; Ord. No. 21-OR0475-1, § 17, 6-16-2021; Ord. No. 21-OR0742-1, § 3, 11-17-2021; Ord. No. 23-OR0794-1, § 3, 12-6-2023)

Sec. 37.35.1. Storm water surcharge.

- (a) The purpose and intent of this section is to establish a surcharge based on water consumption as a water conservation measure to reduce runoff of pollutants to the city's storm drain system and enable the city to comply with the San Diego Regional Water Quality Control Board Order No. R9-2013-001, as amended, Waste Discharge Requirements of Urban Runoff from the Municipal Separate Storm Sewer Systems, which prohibits the discharge of runoff containing pollutants into the storm drain system and into receiving waters, such as rivers, lakes, lagoons and the ocean. Urban runoff is one (1) of the leading sources of pollutants in

the storm drain system. Urban runoff, including pollutants prohibited by the order, is generated by water usage in connection with, for example, landscape irrigation, maintenance and outdoor washing of commercial, industrial and residential impervious surfaces, equipment, machinery and facilities. Basing the storm water surcharge on water consumption is an incentive to all customers to reduce pollutants entering the storm drain system by conserving water.

Reduction in urban runoff and the pollutants contained in such runoff entering the city's storm drain system, and the implementation of the monitoring, sampling and testing for such pollutants required by the order will also assist in the replenishment of safe ground water supplies and protection of receiving waters.

- (b) A separate storm water surcharge based on water consumption shall be established and shall appear as a separate line item on utility bills.
- (c) A storm water surcharge of per unit of water consumption shall be imposed on all water customers as shown in section 37.35.
- (d) All revenue generated from the storm water surcharge shall be used exclusively for the purpose of storm water expenditures. The account shall be reviewed annually and adjustments made to the surcharge as necessary.

(Ord. No. 02-OR127-1, § 2, 2-20-02; Ord. No. 07-OR0633-1, § 3, 10-3-07; Ord. No. 21-OR0475-1, § 18, 6-16-2021)

Sec. 37.36. Monthly fire service fee.

~~Effective January 5, 2024, and on all charges reflecting usage from and after December 1, 2023, and also effective January 1, 2025, and on all charges reflecting usage from and after December 1, 2024, there is hereby established a fire service fee on water accounts that provide a fire service connection within the City of Oceanside is hereby established, and shall be made on a flat-rate basis, subject to change from time-to-time by resolution of the City Council. This flat rate charge is established as follows:~~

Meter Size	Monthly Fire Service Fee (2024)	Monthly Fire Service Fee (2025)
All Meter Sizes	\$20.61	\$22.03

(Ord. No. 12-OR0784-1, § 4, 11-28-2012; Ord. No. 13-OR0737-1, § 4, 11-20-2013; Ord. No. 14-OR-0728-1, § 4, 12-3-2014; Ord. No. 15-OR0721-1, § 4, 12-2-2015; Ord. No. 16-OR0804-1, § 2, 12-7-2016; Ord. No. 17-OR0683-1, § 4, 12-20-17; Ord. No. 19-OR0731-1, § 4, 11-20-2019; Ord. No. 23-OR0794-1, § 4, 12-6-2023)

Sec. 37.37. Reserved.

Editor's note(s)—Ord. No. 99-21, adopted October 20, 1999, repealed § 37.37 in its entirety. Formerly, said section pertained to rates for irrigation, industrial, and commercial purposes. See the Code Comparative Table.

Sec. 37.37.1. Reserved.

Editor's note(s)—Ord. No. 18-OR0023-1, § 1, adopted January 10, 2018, repealed § 37.37.1. Former § 37.37.1 pertained to rates for reclaimed water and derived from Ord. No. 84-25, adopted June 13, 1984; and Ord. No. 99-21, adopted October 20, 1999.

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**Secs. 37.37.2. Reserved.**

Editor's note(s)—Sections 1 and 2 of Ord. No. 69-30 repealed former §§ 37.37.2.

**Sec. 37.38. Assignment of water rights and water production facilities as a condition of city water service.**

Before the city commits to provide new water service to a property, or to provide increased water service to a property already receiving water service from the city's municipal water system, and as a condition of such new or increased water service, the landowner requesting such water service shall enter into an agreement with the city providing for the landowner's assignment of any rights to divert or extract local groundwater supplies for the benefit of the property to receive new or increased water service ("property"), in return for water service from the city, upon such terms as may be provided by the water utilities director. This section does not apply to any other property that is not the property.

As an additional condition of city water service, the city may require the landowner to grant to the city any water production facilities located on the property, together with an easement providing the city with the right to access, operate, maintain and replace such water production facilities.

The water utility director may waive the requirements set forth in this section when it is in the public interest to do so.

Following the landowner's and the water utility director's execution of the agreement, the city shall cause the agreement to be recorded against the property. The agreement shall run with the land and bind all successors in interest of the property.

Nothing in this section shall grant, or be deemed to grant, a right to city water service and nothing in this section shall require, or be deemed to require, the city to provide water service to any party.

(Ord. No. 17-OR0124-1, § 2, 3-15-2017)

**Sec. 37.38.1. Reserved.**

Editor's note(s)—Ord. No. 99-21, adopted October 20, 1999, repealed § 37.38.1 in its entirety. Formerly, said section pertained to procedure for altering water rates. See the Code Comparative Table.

**Sec. 37.39. Regulation of payment of water bills.**

The water utilities director is hereby authorized to establish as a part of the rules and regulations of such department a system of billing whereby water bills become due and payable as set forth in such rules and regulations; provided, that consumers shall be required to pay such bills not oftener than once each calendar month and that such rules and regulations are first approved by resolution of the city council.

(Ord. No. 63-39, § 2; Ord. No. 95-017, § 7, 10-18-95)

**Sec. 37.40. Penalty for delinquency in payment.**

If any bill remains unpaid on the twenty-fifth day following the bill date of such bill, as established pursuant to section 37.39, then there shall be added a penalty of ten (10) percent of the amount due on such water charges. As a courtesy, the penalty may be waived on a one-time basis.

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(Ord. No. 63-39, § 2; Ord. No. 66-4, § 2; Ord. No. 70-17, § 2, 5-27-70; Ord. No. 17-OR0272-1, § 1, 5-3-2017; Ord. No. 21-OR0475-1, § 19, 6-16-2021)

**Sec. 37.41. Discontinuation of service due to unpaid bills; reconnection.**

If the bill remains unpaid following the due date of such bill, established in accordance with section 37.39, the water utilities director shall cause the water or other services provided by the city to such premises to be shut off provided the notice and hearing requirements of section 13.23 of this Code have been complied with.

(Ord. No. 63-39, § 2; Ord. No. 66-4, § 3; Ord. No. 70-17, § 2, 5-27-70; Ord. No. 81-38, § 3, 7-8-81; Ord. No. 95-017, § 8, 10-18-95; Ord. No. 17-OR0272-1, § 2, 5-3-2017)

**Sec. 37.42. Charges where house becomes vacant; request for discontinuance of service.**

If a residence becomes vacant, the regular minimum rate may be charged and collected from the owner or the tenant thereof whether water is used or not until the day upon which the water department is notified of the fact that the property is unoccupied and is requested to shut off water therefrom.

(Ord. Code, § 3627; Ord. No. 99-21, § 6, 10-20-99; Ord. No. 21-OR0475-1, § 20, 6-16-2021)

**Sec. 37.43. Service charges to be a lien against property of consumer.**

In addition to any other remedy provided for in this article for the enforcement and collection of any water rate, charge or account, all rates provided for in this chapter shall be charged against the property on which it is furnished, and against the owner thereof, and where authorized by law, shall be a lien against the premises to which any water may be supplied, and a charge against the owner and the occupant thereof using the water. The city may, in its discretion, enforce the lien as permitted by law. If, for any cause, any sums owing therefor become delinquent, the water shall be cut off, and in no case shall it be turned on to the same property until all such delinquencies have been paid in full. Such property owner and occupant shall be severally responsible to the city in an action brought by the city in any court of competent jurisdiction for the amount of all such money as may be due and unpaid, together with all penalties provided herein and costs. No change of ownership or occupation shall effect the application of this article.

(Ord. Code, § 3628 to 3629; Ord. No. 99-21, § 7, 10-20-99; Ord. No. 21-OR0475-1, § 21, 6-16-2021)

**Sec. 37.44. Deposit at time of application—Required.**

At the time of making application for service connection as is provided for in this chapter, and as a condition precedent to the acceptance of the application, the water utilities director shall cause to be collected from each applicant, in addition to any and all other amounts required by him to be collected under the provisions of this chapter, the amounts set forth in section 37.45.

(Ord. Code, § 3631; Ord. No. 65-28, § 1; Ord. No. 95-017, § 9, 10-18-95)

**Sec. 37.45. Same—Amount.**

The deposit required by section 37.44 shall be three (3) times the amount of the base water service charge and three (3) times the amount of the first tier water rate except where the applicant of the owner of the real property. The deposit shall be broken down into three (3) installments, payable on the customer's first three (3)

bills. A deposit may be waived when the owner of the real property or his or her authorized agent shall guarantee payment of the utility bill by his or her signature.

(Ord. No. 65-28, § 2; Ord. No. 69-36, § 1; Ord. No. 84-15, § 2, 3-14-84; Ord. No. 97-08, § 3, 7-2-97; Ord. No. 21-OR0475-1, § 22, 6-16-2021)

**Sec. 37.45.1. Nonresidential water deposit required excluding irrigation meters; exceptions.**

The deposit required by section 37.44 shall be three (3) times the amount of the base water service charge not to exceed one thousand dollars (\$1,000.00) and three (3) times the amount of the average monthly water bill for commercial customers by classification, other than for irrigation purposes, pursuant to section 37.47, and shall be paid at the time of service, or applied to the monthly bill except where the applicant is the owner of the real property. A deposit may be waived when the owner of the real property or his or her authorized agent shall guarantee payment of the utility bill by his or her signature.

(Ord. No. 97-08, § 4, 7-2-97)

**Sec. 37.46. Same—Disposition.**

All deposits made pursuant to section 37.45 shall be held by the city until either of the following events occurs:

- (1) The depositor requests a discontinuance of water service and pays his final bill in full, at which time the full amount of the deposit shall be refunded.
- (2) The water director shall have discontinued water service, pursuant to section 37.41, at which time the city will apply the deposit to any existing delinquent water bills and the balance shall be refunded to the depositor.
- (3) Deposits will be applied to the customer account after all deposit installments are paid.

Any user of water whose service has been discontinued and a portion or all of the deposit used to offset a delinquent water bill shall not be entitled to a re-establishment of water service until such time as the full amount of deposit required by section 37.45 shall have been again deposited with the city.

(Ord. No. 65-28, § 3; Ord. No. 95-017, § 10, 10-18-95; Ord. No. 97-08, § 5, 7-2-97; Ord. No. 21-OR0475-1, § 23, 6-16-2021)

**Sec. 37.47. Irrigation water meter deposit—Amount; bond in lieu of deposit.**

The following amounts shall be deposited by all applicants proposing to use a one-inch or larger meter for irrigation purposes except when the applicant is the owner of the real property in regard to which application is being made for service connection or except where the owner of the real property in regard to which application is being made for service connection or his authorized agent shall guarantee payment of the water bill by his signature on forms to be furnished by the water department:

1-inch meter\$ ..... 100.00

1½-inch meter150.00

2-inch meter400.00

3-inch meter750.00

4-inch meter1,000.00



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The city council shall fix the sum for applicants proposing to use meters in excess of four (4) inches.

All applicants desiring water connection for irrigation purposes intending to use a meter one inch or larger may, in lieu of posting the above sums of money, submit to the city a surety bond issued by an accepted surety company qualified to do business in the state, which bond shall guarantee the payment of any water bill incurred by the applicant for such period of time as the applicant takes water from the city; such bond shall be accepted only if approved by the city attorney.

(Ord. No. 65-37, § 1; Ord. No. 81-01, § 1, 1-14-81)

#### **Sec. 37.48. Same—Disposition.**

All sums collected pursuant to section 37.47 shall be deposited to the credit of the city and shall be retained until the service is discontinued either by the city, pursuant to section 37.41, or at the request of the depositor. Such deposit shall be used to offset any delinquent water bill existing at the time of the discontinuance of service.

Any user of water whose service has been discontinued and a portion or all of his deposit used to offset a delinquent water bill shall not be entitled to a re-establishment of water service until such time as the full amount of deposit required by section 37.47 shall have been deposited with the city.

(Ord. No. 65-37, § 2)

#### **Sec. 37.49. Refund of deposit.**

The user then not being in arrears in the payment of any money owing to the city for water delivered or service rendered in respect thereto, shall be entitled to a return of the money so paid; and the city shall thereupon forthwith pay the same to the person entitled thereto.

If the user is in arrears in the payment of any money owing to the city for water delivery, all or any portion of the deposit shall be applied to such arrearage and the balance, if any, refunded to the depositor. The depositor shall not be entitled to have the water service re-established until such time as the full amount of the deposit has been again deposited with the city.

(Ord. Code, § 3637; Ord. No. 65-28, § 6)

#### **Sec. 37.50. Water for construction of new buildings—Charge.**

The water department shall furnish water for the construction of new buildings in the city, where there has been no previous connection or service rendered to the property on which such new buildings are built, only after a water and wastewater capacity buy-in fees have been paid. Payment for such fees shall be collected by the development services department or cashier's office at the time the building permit is issued and an account will be established for water service only under the designated meter rate type and size. After the new building is approved for permanent occupancy; then wastewater, city waste and solid waste will be charged. No water shall be used for irrigation other than that water which is necessary to provide irrigation to those areas located between the curb line and the property, which shall in no case exceed a width of twenty (20) feet. These charges shall be based on required meter sizes for water service to such buildings, pursuant to the rate schedule adopted by resolution of the Oceanside City Council.

(Ord. No. 73-63, §§ 1, 2, 11-14-73; Ord. No. 74-63, § 3, 12-18-74; Ord. No. 78-31, § 1, 8-9-78; Ord. No. 79-19, § 1, 6-13-79; Ord. No. 21-OR0475-1, § 24, 6-16-2021)

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Editor's note(s)—Ord. No. 73-63, §§ 1 and 2, amended this Code by repealing former §§ 37.50, 37.50.1, 37.50.2 and 37.51 and enacting in lieu thereof new §§ 37.50 and 37.51 as herein set out pertaining to the same general subject matter. Said former sections were derived from Ord. Code, §§ 3671 and 3672, Ord. No. 65-38, §§ 1 and 2, and Ord. No. 69-40, §§ 1—3.

**Secs. 37.50.1, 37.50.2. Reserved.**

Note(s)—See the editor's note following § 37.50.

**Sec. 37.51. Same—Termination upon completion of construction; notice of building served by single meter.**

As each new building is given a final approval by the building department, the water service furnished pursuant to section 37.50 shall be terminated by the water department, and such water shall remain off until the occupant makes regular application for water service to the city in accordance with applicable ordinances and resolutions. The building department shall promptly notify the water department of the final approval of all new buildings served by a single meter within the city for the purpose of carrying out the intent of this section.

(Ord. No. 73-63, § 3, 11-14-73)

Note(s)—See note following section 37.50.

**Sec. 37.52. Estimates of water requirement for public works projects.**

It is hereby made the duty of the city engineer in all cases where a contract is awarded for street work or other public improvements, to obtain a temporary construction meter.

(Ord. Code, § 3674; Ord. No. 21-OR0475-1, § 25, 6-16-2021)

**Sec. 37.53. Payment for water used in public works projects.**

The contractor shall be billed for an estimated quantity of water mentioned in the preceding section at the rates established by this chapter; and the amounts shall thereupon be either paid by such contractor prior to receiving water service, or accepted by him in writing and payment thereof guaranteed.

(Ord. Code, § 3675)

**Sec. 37.54. Charge for installation of services.**

In addition to the charges provided in section 37.53, there will be the usual charge for installation of such services as may be required by the contractor, to be paid for by the contractor at the time such installation is made.

(Ord. Code, § 3676)

**Sec. 37.55. Reserved.**

Editor's note(s)—Ord. No. 21-OR0475-1, § 26, adopted June 16, 2021, repealed § 37.55, which pertained to circuses, shows, etc. and derived from Ord. Code, § 3677.

## ***DIVISION 2. METERS***

### **Sec. 37.56. Size.**

Meter sizes shall be based on the latest adopted California Plumbing Code fixture count tables and the maximum operating capacity per American Water Works Association standards C700 and C702 for cold-water meters.

*For irrigation.* Irrigation meters shall be installed in size according to the highest peak hour irrigation demand at a given time to meet the allowable irrigation period. The selected meter size shall have a maximum operating capacity that is equal to or less than the peak hour irrigation demand. The maximum operating capacities by water meter size are based on the American Water Works Association standards C700 and C702 for cold-water meters. Wastewater fees will not be applied to irrigation water meters.

(Ord. Code, §§ 3641 to 3641.4; Ord. No. 95-017, § 10, 10-18-95; Ord. No. 18-OR0023-1, § 2, 1-10-2018; Ord. No. OR0475-1, § 2, 6-16-2021)

### **Sec. 37.56.1. Water system capacity buy-in fees.**

Effective sixty (60) days after adoption of this ordinance, all new connections to the city's water system shall be assessed a water system buy-in fee based on meter size as follows:

Meter Size	System Capacity Buy-In Fee
5/8"	\$5,680.00
3/4"	8,520.00
1"	14,200.00
1½"	28,400.00
2"	45,440.00
3"	85,200.00
4"	142,000.00
6"	284,000.00
8"	454,400.00
10"	568,000.00

(Ord. No. 79-17, § 1, 5-30-79; Ord. No. 99-21, § 8, 10-20-99; Ord. No. 02-OR332-1, § 3, 5-8-02; Ord. No. 05-OR0611-1, § 3, 10-5-05; Ord. No. 07-OR0633-1, § 4, 10-3-07; Ord. No. 09-OR0093-1, § 3, 2-11-09; Ord. No. 15-OR0480-1, § 1, 6-5-2015)

### **Sec. 37.56.2. Reserved.**

Editor's note(s)—Ord. No. 02-OR332-1, § 4, adopted May 8, 2002, repealed § 37.56.2 in its entirety. Formerly, said section pertained to water system buy-in fees for approved or pending projects as adopted by Ord. No. 99-21, § 9, adopted Nov. 20, 1999. See the Code Comparative Table.

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**Sec. 37.57. Fees for new meters and installation.**

Each new connection to the city's water system shall be assessed a fee based on meter size to pay the costs for a new meter and installation equipment provided by the city. Such fee shall be established hereafter by resolution of the Oceanside City Council.

(Ord. No. 09-OR0093-1, § 4, 2-11-09)

**Sec. 37.58. Fees for increasing meter size and meter exchanges.**

- (a) *Capacity fees for increasing meter size.* A water user or customer who desires to increase the size of a water meter serving his or her property must submit the property's water demands in accordance with water utilities requirements to determine whether a larger size meter is appropriate. The capacity fee shall be the difference between the fee for the new meter and the fee for the existing meter, based on the latest adopted water and wastewater capacity fee schedule, whether or not any capacity fee was in effect for the existing meter when it was obtained.
- (b) *Capacity fees for exchange for multiple meters.* If a single meter is exchanged for more than one (1) smaller meter to serve property that has been subdivided or otherwise developed, the water and wastewater capacity fees shall be determined based on the difference between the cumulative capacity fees for all the smaller meters and the fee for the exchanged single meter, according to the latest adopted capacity fee schedule, regardless of the capacity fee, if any, in effect when the exchanged meter was first obtained. No credit or refund will be made if the cumulative capacity fees for the small meter is less than the capacity fees for the exchanged meter. The required meter sizes shall be determined in accordance with water utilities requirements.
- (c) *Capacity fee for reducing meter size.* No capacity fee, except for the cost of the new water meter and installation, shall be imposed upon, and no credit or refund shall be made to, a water user or customer replacing an existing water meter for a water meter of smaller size, whether or not any capacity charge was in effect for the larger meter when it was obtained. The property owner will be responsible for all water and wastewater capacity fees associated with any future water meter upsizes.

(Ord. Code, § 3642.1; Ord. No. 69-46, § 2, 10-8-69; Ord. No. 74-63, § 5, 12-18-74; Ord. No. 95-017, § 10, 10-18-95; Ord. No. 99-21, § 11, 10-20-99; Ord. No. 21-OR0475-1, § 27, 6-16-2021)

**Sec. 37.58.1. Fees for increasing water capacity size; exception.**

When a water meter for a single-family residential property is required to provide standby capacity for a fire sprinkler system, the capacity charge shall be determined according to the size of the meter necessary to meet the water use requirements for the property, as determined by meter sizing with the latest adopted California Plumbing Code and the Water Utilities Department flow capacity for each meter, without consideration of additional size necessary to provide stand-by capacity. The determination shall be made at the time the meter is first installed, or at the time a meter is replaced with one (1) of greater size because of the later installation of a fire protection system. This provision shall not apply to meters greater than one (1) inch in size.

(Ord. No. 14-OR0466-1, § 1, 8-6-2014; Ord. No. 21-OR0475-1, § 28, 6-16-2021)

**Sec. 37.59. Connections outside property line.**

All water connections installed between the meter and the property line shall be either pure copper tubing, or red brass pipe as described in the latest Water, Sewer and Recycled Water Design and Construction Manual;

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and all such connections must be inspected and approved by the water utilities department before service is permitted through meters.

(Ord. Code, § 3643; Ord. No. 95-17, § 10, 10-18-95; Ord. No. 95-017, § 11, 10-18-95; Ord. No. 21-OR0475-1, § 29, 6-16-2021)

#### **Sec. 37.60. Ownership; exception.**

All meters installed by the water department shall remain at all times the property of the city.

(Ord. Code, § 3644; Ord. No. 21-OR0475-1, § 30, 6-16-2021)

#### **Sec. 37.61. Testing before installation.**

All meters shall have been tested by the manufacturer barring results within an acceptable AWWA range of accuracy per meter size. The water department reserves the right to test a representative sample of new meters at its discretion to confirm AWWA accuracy compliance prior to installation.

(Ord. Code, § 3644.1; Ord. No. 21-OR0475-1, § 31, 6-16-2021)

#### **Sec. 37.62. Charges for replacement, repairs or adjustments caused by negligence, etc., of consumer; nonpayment.**

Where replacements, repairs or adjustments of any meter are deemed necessary by the act, negligence or carelessness of the consumer any expense caused the water department thereby, shall be charged against and collected from the consumer. If the consumer or owner fails to pay such charges, water may be shut off until such charges are paid.

(Ord. Code, §§ 3645, 3645.1)

#### **Sec. 37.63. Examination of meters at consumer's request—Deposit.**

Any consumer may request that the meter, through which water is being delivered, be examined and tested by the water department, for the purpose of ascertaining whether or not it is registering correctly the amount of water which is being delivered through it. Such request shall be made in writing to the water department, and shall be accompanied by a deposit as established by resolution of the Oceanside City Council. Upon receipt of such request, it shall be the duty of the director of the water department to cause the meter to be examined and tested for the purpose of ascertaining whether or not it is registering correctly the water being delivered through it.

(Ord. Code, §§ 3646 to 3646.2; Ord. No. 95-017, § 10, 10-18-95; Ord. No. 21-OR0475-1, § 32, 6-16-2021)

#### **Sec. 37.64. Same—Replacement of defective meter; forfeiture of deposit.**

If, on examination and test, the meter is be found to register over three (3) percent more water than actually passes through it, another meter shall be substituted therefor, and the fee charged shall be refunded to the person making the application, and the water bill for the current period adjusted in such manner as the director of the water department may deem fair and just. If the meter shall be found to be accurate, the deposit shall be forfeited to the water department and applied toward the cost of the meter examination.

(Ord. Code, §§ 3646.3, 3646.4; Ord. No. 95-017, § 10, 10-18-95; Ord. No. 21-OR0475-1, § 33, 6-16-2021)

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**Sec. 37.65. Meter failure.**

Whenever a meter gets out of order and fails to register correctly, the consumer shall be charged with an average monthly consumption over a six-month period, as shown by the meter when in good working order and registering correctly.

(Ord. Code, § 3647)