

**CHAPTER 5  
WATER WORKS SYSTEM**

**PART 1  
GENERAL ADMINISTRATION  
(Added by Ord. 75-13)**

**7500. WATER WORKS SYSTEM.** The Water Works System of the City of Lakewood shall consist of the entire Water Works system of said City whether located within said City or beyond the boundaries of said City which has been acquired, constructed and financed by said City together with all improvements and extensions to said system later constructed or acquired.

**7501. MANAGEMENT AND OPERATION.** The management and operation of the Water Works System shall remain vested in the City Council, and the City Council in the exercise of its legislative, discretionary and police powers fix the level and type of service to be supplied to consumers, provide for the collection of charges for the same, provide rules and regulations in respect to the use of said service, determine and fix water rates, and do all things necessary and proper to maintain and preserve the Water Works System in good repair and working order. The management and operation of the system shall be under the control and administration of the Director of Public Works.

**7502. FINANCIAL MANAGEMENT.** The financial, accounting, and fiscal operation of the Water Works System shall be the responsibility of the Director of Finance.

**7503. RULES AND REGULATIONS.** It shall be unlawful for any person to violate any of the provisions of this Chapter or any of the provisions of the hereinafter set forth rules and regulations, as well as any of the provisions of any rules and regulations hereinafter adopted or amended by resolution. Any person, firm or corporation applying for the service of the Water Works System shall agree in writing to comply with the terms and provisions of this division, the rules and regulations herein enacted as well as any rules and regulations hereinafter enacted by resolution, as well as any amendment or addition to any of the foregoing. Said rules and regulations are as follows:

**7503.1. NON-COMPLIANCE WITH RULES AND REGULATIONS.** If any person fails to comply with any of the foregoing, the Director of Public Works shall be advised of such failure. If said person thereafter does not correct said non-compliance within a reasonable time after notification from the Director of Public Works to do so, the Director of Public Works shall have the right, after giving notice, to discontinue service to said person. Except in case of emergency, the Director of Public Works shall not discontinue the service of any person except on written five day notice thereof advising said person in what particular there has been a violation or non-compliance has not been remedied. This notice, however, may be dispensed with by the Director of Public Works in his discretion, in the event of an emergency demanding immediate curtailment of said service in order to protect public life or property.

**7504. UNSAFE APPARATUS.** The Director of Public Works shall direct that no service be supplied to a person whose service appliances or apparatus is in the judgment of the Director of Public Works unsafe, or if the utilization of water by means thereof is forbidden under the authority of any law or ordinance or regulation of this city or state.

**7505. SERVICE DETRIMENTAL TO PUBLIC HEALTH OR PROPERTY.** The Director of Public Works shall direct that the continuance of service to any consumer having apparatus or appliances, the operation of which is in the judgment of the Director of Public Works, would be detrimental to the water service being furnished by the city to its other consumers in the immediate vicinity or detrimental to the public health, safety and welfare, be terminated.

**7506. OWNERSHIP OF THE SYSTEM.** All portions and part of the Water Works System used in supplying water to the consumer shall remain the property of the city and may be only repaired, replace or removed as the city shall so direct. Property herein mentioned includes all meters and appliances, service pipe, lines and mains installed by the city whether on public property or property of the consumer.

**7507. METERS.** All meters shall be installed by the city and shall be only removed, repaired or replaced by the city. No rent or other charge whatsoever shall be made by the consumer for the placing of any meter or appliance upon the consumer's premises. No person shall move, repair, temper with, injure or destroy any of said meters or appliances other than a representative of the city. The city shall have the right to remove any and all of its facilities installed on a consumer's premises at the termination of service. Meters, wherever practicable shall be placed in a meter box in the roadside area and if not so practicable shall be placed in some other convenient place upon the consumer's premises so that the same at all times are accessible for inspection, reading and testing. No person, other than a representative of the city, shall make or maintain any by-pass or other connection between the meter and the main and shall not tamper with the meter in any way.

**7508. RESALE OF WATER.** No person may resell any of the water received by him from the city to any other person, or for any other purpose or on other premises than specified in his application for service.

**7509. RIGHT OF INGRESS AND EGRESS.** The city or its duly authorized agents or contractual agent, shall at all times have the right of ingress to and egress from the consumer's premises at all reasonable hours for any purpose reasonably connected with the furnishing of water and the exercise of any and all rights secured to it by law or the rules and regulations enacted hereunder. The city shall have the right to remove any and all of its property installed on the consumer's premises at the termination of service.

**7510. PERSONAL GRATUITIES.** All inspectors, agents and employees of the city or any contractual agent of said city in respect to the operation of said system are forbidden to demand, accept or receive any gratuity or personal compensation for services rendered to a consumer in the maintenance and operation of the water system.

**7511. WRONG USE OR WASTE OF WATER.** No consumer shall provide water regularly to any person, company or corporation other than the occupant or occupants of the premises of said consumer, nor shall any consumer knowingly permit leaks or waste of water.

**7511.1 AUTHORIZATION TO IMPLEMENT WATER CONSERVATION ORDINANCE.** The City Council is authorized to implement the provisions of the Water Conservation Ordinance upon the determination that a significant shortage in potable water supply is anticipated and implementation of the ordinance is necessary to protect the public welfare and safety. The implementation of the ordinance will occur upon the adoption of a resolution following a public hearing by the City Council. Such a public hearing shall be held to determine whether a water supply shortage exists and which conservation measures provided within the ordinance shall be implemented. (Added by Ord. 91-3)

**A. GENERAL PROHIBITION.** No person shall make, cause, use or permit the use of water in the City of Lakewood in a manner contrary to any provision of this ordinance or in an amount in excess of that use permitted by any curtailment provisions then in effect pursuant to action taken by the City Council in accordance with the provisions of this section. (Added by Ord. 91-3)

**B. RECLAIMED WATER USE.** No commercial water customer, including but not limited to commercial shopping centers, schools, office buildings, hospitals, industrial uses, and churches whose property line is located within a reasonable distance from a reclaimed water system shall continue to use potable water for the purpose of landscape irrigation after thirty (30) days written notice to connect to the City's reclaimed water system installed to the property line at the expense of the City. The connection shall be at the expense of the commercial water customer. Those customers using reclaimed water shall be exempt from the emergency rate surcharge and the restrictions regarding landscape irrigation (Added by Ord. 91-3, Amended by Ord. 2009-5)

**C. IMPLEMENTATION OF GENERAL WATER CONSERVATION PRACTICES.** The City Council finds that water conservation should become a way of life for Lakewood water customers, and that water is a precious resource and should not be wasted even in times when water supply meets normal demand.

1. The following water conservation practices shall be implemented when water supply meets normal demand as declared by resolution of the City Council. The following water use practices shall be maintained and no person shall violate the same:

(a) Decorative fountains, or other structures using water for aesthetic purposes shall be shut off unless such fixture operates on a recirculating system.

(b) No person shall permit leaks or waste of water. A leak shall be defined as any water not used for beneficial use that wastes more than .5 gallons of water per minute. All known leaks from indoor and outdoor plumbing fixtures shall be repaired within seven (7) days upon receipt of written notice of observed water leak. (Amended by Ord. 2009-5)

(c) Drinking water shall not be served at any restaurant, motel, café, or other drinking or eating establishment unless expressly requested.

(d) Installation of single pass cooling systems shall be prohibited in buildings requesting new water service.

(e) Hotels, motels and other commercial lodging establishments must provide customers the option to refuse daily towel and linen service. Commercial lodging establishments shall prominently display notice of this option in each guest room.

(f) Installation of non-re-circulating commercial car washes and laundry systems shall be prohibited.

(g) New eating and drinking establishments and existing eating and drinking establishments that remodel more than 50 percent of the kitchen area shall install water conserving dish wash spray valves.

(Subsections c-g Added by Ord. 2009-5)

2. The following conservation practices are suggested when water supply meets normal demand:
  - (a) The use of water to wash walkways, driveways, parking areas and other hard surfaces should occur only as necessary to alleviate safety or sanitary hazards, and then only with a hose equipped with a positive shut off nozzle, a handheld bucket or similar container, or a low volume/high pressure water broom. Excessive water runoff into gutters is discouraged. (Amended by Ord. 2009-5)
  - (b) Washing of vehicles and any other mobile equipment should be done only with a bucket or a hose equipped with a positive shut off nozzle for quick rinses. Commercial car washes are exempt from this provision.
  - (c) Voluntary water conservation field examination, herein referred to as water audits, are encouraged for all Lakewood water customers.
  - (d) The retrofit of water conserving devices, including but not limited to ultra low flow toilets and low flow showerheads, is encouraged.
  - (e) The installation of water efficient landscapes and irrigation devices, such as drip irrigation and moisture sensors, is encouraged. A drip irrigation system shall be defined as an irrigation system consisting of individual emitters installed at permanent plantings with a capacity to emit no more than two (2) gallons of water per hour of operation. (Amended by Ord. 2009-5)

(Added by Ord. 91-13)

**D. IMPLEMENTATION OF A VOLUNTARY PHASE WATER CONSERVATION PLAN.** Measures instituted during a Voluntary Phase water supply shortage may be declared by Resolution of the City Council finding it necessary to conserve up to ten percent (10%) of the City's water supply. The following water conservation practices are recommended during a Voluntary Phase water shortage:

1. The following restrictions on the use of water shall be in effect during a Voluntary Phase of a water shortage and no person shall fail to comply with the following:
  - (a) Leaks from indoor and outdoor plumbing fixtures shall be repaired within six (6) days upon receipt of written notice of observed water leak.
2. The following water conservation practices are recommended during a Voluntary Phase water shortage:
  - (a) Water used to wash sidewalks, driveways, parking lots, building exteriors, streets and gutters should be minimized and should be limited to no more than (2) times during a calendar month to alleviate safety or sanitary hazards, and then only with a hose equipped with a positive shut off nozzle, a handheld bucket or similar container, or a low volume/high pressure water broom .
  - (b) Watering lawns and landscaped areas should be limited to between the hours of 5:00 p.m. and 9:00 a.m. Watering using a handheld bucket or similar container, a hose equipped with a shut off nozzle, a drip irrigation system with emitters producing no more than two (2) gallons per hour, weather based controllers or stream rotor sprinklers meeting a seventy percent (70%) efficiency standard, or running an irrigation system for short durations to make repairs or adjustments are exempt from this provision.

(Added by Ord. 91-13, Amended by Ord. 2009-5)

**E. IMPLEMENTATION OF A PHASE I MANDATORY WATER CONSERVATION PLAN.** Measures instituted during a Phase I water supply shortage may be declared by Resolution of the City Council finding it necessary to conserve ten percent (10%) or greater of the City's water supply.

1. The following restrictions on the use of water shall be in effect during Phase I and any additional phases implemented during the course of a water shortage and no person shall fail to comply with the following:
  - (a) Water used to wash down driveways, sidewalks, parking lots, building exteriors, streets and gutters shall be limited to no more than two (2) times during a calendar month to alleviate safety or sanitary hazards, and then only with a hose equipped with a positive shut off nozzle, a handheld bucket or similar container, or a low volume/high pressure water broom. Water used in this manner to protect the public health is exempt from this provision.
  - (b) Washing of vehicles and any other mobile equipment shall be done only with a bucket or a hose equipped with a positive shutoff nozzle for quick rinses. Commercial car washes are exempt from this provision.
  - (d) Leaks from indoor and outdoor plumbing fixtures shall be repaired within five (5) days upon receipt of written notice of observed water leak.
  - (e) Sprinklers shall be adjusted to minimize water runoff from landscape on to hardscape areas. No person shall allow excess water runoff after notice from the City to desist therefrom. Excess water runoff is defined as water accumulation in the street, gutters, neighboring properties or in other amounts sufficient to cause a flow of water off of landscape areas on to hardscape areas.

(Revised 2009)

2. The following water conservation practices are also recommended during a Phase I water supply shortage:

(a) Landscape irrigation is recommended during the early morning hours for no more than 10 minutes at a time. Irrigation should be avoided between the hours of 9:00 a.m. and 5:00 p.m. Landscape irrigation for commercial nurseries and growers, active parks and playing fields, school grounds, golf course greens, landscaping for fire and erosion protection, protecting endangered species, environmental mitigation projects, and properties using reclaimed water shall be exempt from this provision. Watering using a handheld bucket or similar container, a hose equipped with a shut off nozzle, a drip irrigation system with emitters producing no more than two (2) gallons per hour, weather beased controllers or stream rotor sprinklers meeting a seventy percent (70%) efficiency standard, or running an irrigation system for short durations to make repairs are also exempt from this provision.

(Added by Ord. 91-3, Amended by Ords. 91-13 and 2009-5)

**F. IMPLEMENTATION OF PHASE II WATER CONSERVATION PLAN.** Measures instituted during a Phase II water supply shortage may be declared by Resolution of the City Council finding it necessary to conserve up to twenty percent (20%) of the City's water supply. The following additional restrictions shall be in effect during a Phase II water shortage:

1. Residential and commercial landscape areas shall be watered no more than three (3) times during a seven (7) day period for no more than ten (10) minutes at a time during the months of June, July, August and September, and prohibited during the hours of 9:00 a.m. and 5:00 p.m. Landscape irrigation shall be restricted to twice (2) during a seven (7) day period for no more than ten (10) minutes at a time during the months of October, November, December, January, February, March, April and May, and prohibited during the hours of 9:00 a.m and 5:00 p.m. Landscape irrigation for commercial nurseries and growers, active parks and playing fields, school grounds, golf course greens, landscaping for fire and erosion protection, protecting endangered species, environmental mitigation projects, and properties using reclaimed water shall be exempt from this provision. Watering using a handheld bucket or similar container, a hose equipped with a shut off nozzle, a drip irrigation system emitters producing no more than two (2) gallons per hour, weather based controllers or stream rotor sprinklers meeting a seventy percent (70%) efficiency standard, or running an irrigation system for short durations to make repairs are also exempt from this provision.

2. Non-residential water customers with a consumption in excess of 25,000 cubic feet in any billing period during the prior year, shall prepare a written water conservation plan within sixty (60) days of the effective date of a declared water shortage. The customer shall submit said plan to the Director of Water Resources for approval. The customer shall then implement the approved plan to meet the specific conservation goals stated therein.

(Added by Ord. 91-3, Amended by Ords. 91-13 and 2009-5)

3. Leaks from indoor and outdoor plumbing fixtures shall be repaired within four (4) days upon receipt of written notice of observed water leak. (Added by Ord. 2009-5)

**G. IMPLEMENTATION OF PHASE III WATER CONSERVATION PLAN.** Measures instituted during a Phase III water supply shortage shall be declared by Resolution of the City Council finding it necessary to conserve up to thirty percent (30%) of the City's water supply. The following additional restrictions shall be in effect during a Phase III water shortage:

1. Residential and commercial landscape areas shall be watered no more than two (2) times during a seven (7) day period for no more than ten (10) minutes at a time during the months of June, July, August and September, and prohibited during the hours of 8:00 a.m. and 8:00 p.m. Landscape irrigation shall be restricted to once during a seven (7) day period for no more than ten (10) minutes at a time during the months of October, November, December, January, February, March, April and May, and prohibited during the hours of 9:00 a.m. and 5:00 p.m. Watering using a handheld bucket or similar container, a drip irrigation system with emitters producing no more than two (2) gallons per hour, weather based controllers or stream rotor sprinklers meeting a seventy percent (70%) efficiency standard, or running an irrigation system for short durations to make repairs are also exempt from this provision.

2. Irrigation of commercial nurseries and growers, active parks and playing fields, school grounds, golf course greens, landscaping for fire and erosion protection, protecting endangered species, environmental mitigation projects, shall be restricted to no more than three (3) times during a seven (7) day period for no more than ten (10) minutes at a time. Irrigation shall be prohibited during the hours of 9:00 a.m. and 4:00 p.m. Watering using a handheld bucket or similar container, a drip irrigation system with emitters producing no more than two (2) gallons per hour, weather based controllers or stream rotor sprinklers meeting a seventy percent (70%) efficiency standard, or running an irrigation system for short durations to make repairs are exempt from this provision. Those properties using reclaimed water are exempt from this provision.

(Added by Ord. 91-3, Amended by Ords. 91-13 and 2009-5)

3. Leaks from indoor and outdoor plumbing fixture shall be repaired within three (3) days upon receipt of written notice of observed water leak. (Added by Ord. 2009-5)

**H. IMPLEMENTATION OF PHASE IV MANDATORY WATER CONSERVATION PLAN.** Measures instituted during a Phase IV water supply shortage shall be declared by Resolution of the City Council finding it necessary to conserve up to forty percent (40%) of the City's water supply. The following additional restrictions shall be in effect during a Phase IV water supply shortage:

1. Residential and commercial landscape areas shall be watered no more than one (1) time during a seven (7) day period for no more than ten (10) minutes at a time during the months of June, July, August and September, and prohibited during the hours of 8:00 a.m. and 8:00 p.m. Landscape irrigation shall be restricted to one (1) time during a fourteen (14) day period for no more than ten (10) minutes at a time during the months of October, November, December, January, February, March, April and May, and prohibited during the hours of 9:00 a.m. and 5:00 p.m. Watering using a handheld bucket or similar container, a drip irrigation system with emitters producing no more than two (2) gallons per hour, weather based controllers or stream rotor sprinklers meeting a seventy percent (70%) efficiency standard, or running an irrigation system for short durations to make repairs are exempt from this provision.

2. Irrigation of commercial nurseries and growers, active parks and playing fields, school grounds, golf course greens, landscaping for fire and erosion protection, protecting endangered species, environmental mitigation projects, shall be restricted to no more than twice (2) during a seven (7) day period for no more than ten (10) minutes at a time. The irrigation shall be prohibited during the hours of 9:00 a.m. and 4:00 p.m. Watering using a handheld bucket or similar container, a drip irrigation system with emitters producing no more than two (2) gallons per hour, weather based controllers or stream rotor sprinklers meeting a seventy percent (70%) efficiency standard, or running an irrigation system for short durations to make repairs are exempt from this provision. Those properties using reclaimed water are exempt from this provision.

(Added by Ord. 91-13, Amended by Ord. 2009-5)

3. Leaks from indoor and outdoor plumbing fixture shall be repaired within two (2) days upon receipt of written notice of observed water leak. (Added by Ord. 2009-5)

**I. IMPLEMENTATION OF PHASE V MANDATORY WATER CONSERVATION PLAN.** Measures instituted during a Phase V water supply shortage shall be declared by Resolution of the City Council finding it necessary to conserve up to fifty percent (50%) of the City's water supply. The following additional restrictions shall be in effect during a Phase V water supply shortage:

1. Residential and commercial landscaping shall be restricted to watering only permanent trees and shrubs with a handheld bucket or similar container, or a drip irrigation system with emitters producing no more than two(2) gallons per hour one (1) time during a seven (7) day period during the months of June, July, August and September, and prohibited during the hours of 8:00 a.m. and 8:00 p.m. Landscape irrigation shall be restricted to watering only permanent trees and shrubs with a handheld bucket or similar container, or a drip irrigation system with emitters producing no more than two (2) gallons per hour one (1) time during a fourteen (14) day period during the months of October, November, December, January, February, March, April and May, and prohibited during the hours of 9:00 a.m. and 5:00 p.m.

2. Irrigation of commercial nurseries and growers shall be restricted to one (1) time during a seven (7) day period for no more than ten (10) minutes at a time and prohibited during the hours of 9:00 a.m. and 6:00 p.m. Watering using a handheld bucket or similar container, a drip irrigation system with emitters producing no more than two (2) gallons per hour, weather based controllers or stream rotor sprinklers meeting a seventy percent (70%) efficiency standard, or running an irrigation system for short durations to make repairs are exempt from this provision. Those properties using reclaimed water are exempt from this provision.

(Added by Ord. 91-13, Amended by Ord. 2009-5)

3. Irrigation of active parks and playing fields, golf course greens, school grounds, landscape for fire protection and the support of protected species, and environmental mitigation projects shall be restricted to no more than twice (2) during a seven (7) day period for no more than ten (10) minutes at a time. The irrigation shall be prohibited during the hours of 9:00 a.m. and 4:00 p.m. Watering using a handheld bucket or similar container, a drip irrigation system with emitters producing no more than two (2) gallons per hour, weather based controllers or stream rotor sprinklers meeting a seventy percent (70%) efficiency standard, or running an irrigation system for short durations to make repairs are exempt from this provision. Those properties using reclaimed water are also exempt from this provision. (Added by Ord. 2009-5)

4. Leaks from indoor and outdoor plumbing fixtures shall be repaired within 24 hours upon receipt of written notice of observed water leak. (Added by Ord. 2009-5)

**J. EMERGENCY RATE SURCHARGE TO OBTAIN WATER CONSERVATION.**

1. At such time that the City Council determines that a specific conservation effort is required, the City Council shall adopt a resolution declaring the specific phase water conservation. The corresponding rate structure as contained in Resolution No. 91-68 shall take effect within thirty (30) days of such determination.

2. Subject to revenue bond covenants, these funds shall be used to offset revenue loss due to reduced water consumption and pay for such conservation measures as approved by the City Council.

(Added by Ord. 91-3, Amended by Ord 91-13)

3. This ordinance shall not provide any provision for relief from the emergency rate surcharge. (Added by Ord. 2009-5)

**K. RELIEF FROM COMPLIANCE.** Any person to whom this ordinance applies may file for relief from any or all provisions in this ordinance. The Director of Water Resources or his designee shall develop and implement procedures necessary to consider a customer's application for relief. No relief shall be granted except upon proof of reasonable inability to comply with the provisions of this section, or upon proof of other reasonable conservation alternatives which will achieve conservation measures sought by this section, or upon proof of substantial hardship outweighing the benefits this section would otherwise provide. Commercial customers shall submit a water conservation plan with the request for relief. The Director of Water Resources or his designee shall use the following criteria to grant relief from this ordinance:

1. The relief from compliance does not constitute a special privilege inconsistent with the limitations upon other water customers in the same rate class.

2. Special circumstances applicable to the property or its use exist and strict application of this ordinance would cause a disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally.

3. The relief from compliance will not cause substantial detriment to adjacent properties and will not affect the City of Lakewood's ability to effectuate the purpose of the ordinance and will not be detrimental to the public interest.

4. The condition or situation of the subject property or the intended use of the property is not common.

All criteria shall be met to obtain relief from compliance. The decision of the Director of Water Resources or his designee shall be final unless written appeal to the City Council setting forth the grounds of appeal is filed with the City Clerk within thirty (30) days of the mailing or delivery to said person of the written decision of the Director of Water Resources.

The decision of the Director of Water Resources or his designee shall be forwarded in writing no later than 15 days after the receipt of the application for relief unless additional time has been requested.

(Added by Ord. 91-3, Amended by Ords. 91-13 and 2009-5)

**L. FAILURE TO COMPLY WITH MANDATORY WATER CONSERVATION MEASURES.** In addition to the provisions of Section 7511.2, any person who fails to comply with any of the mandatory water conservation measures imposed by the implementation of this section shall be subject to an improper water users fee or charge as hereinafter set forth:

1. The following charges are not imposed as a penalty but as a charge for excessive or improper use of water. The charges are necessary in order to recover the reasonable cost of enforcement of the mandatory water provisions and in order to obtain the goals of the water conservation measures contained in this section:

(a) First Violation. The City of Lakewood shall issue a written warning to the customer for the first violation.

(b) Second and Third Violations. The City of Lakewood shall issue a written notice and assess an improper water use fee of \$100.00. If the fee is not paid in full within fifteen (15) days of issuance the amount will be added to the customer's bi-monthly water bill.

(c) Fourth Violation. The City of Lakewood shall issue a written notice, charge an improper water use fee of \$200.00 and install a flow restricting device on the customer's water service for a period of not less than twenty-four (24) hours. Such flow restricting device shall reduce water flow to one (1) gallon per minute for metered services one and one half inch (1½") or under. Similar devices will be placed on larger meters. The fee shall be paid prior to the resumption of normal water service.

(d) Fifth Violation. The City of Lakewood shall issue a written notice, charge an improper water use fee of \$500.00 and install a flow restricting device on the customer's water service for a period of not less than forty-eight (48) hours. Such flow restriction device shall reduce water flow to one (1) gallon per minute for the metered service, one and one-half inch (1½") or under. A similar device shall be placed on larger meters. The fee shall be paid prior to resumption of normal water service.

2. **Notification of Violation.** Notice of violation shall be given in writing in one of the following methods:

(a) Personal delivery of the notice to the customer.

(b) If the customer is absent from or unavailable at the premises at which the violation occurred, the notice can be left with a responsible person at the premises and a copy mailed to the customer at the billing address.

(c) If a responsible person is not available at the premises at which the violation occurred, then the notice can be affixed in a conspicuous place on the premises and a copy mailed to the customer at the billing address.

Notification shall include a description of the facts in regard to the violation, a statement of the possible penalties for each violation and the statement of the customer's right to a hearing on the merits of the violation as stated in Section M.

(Added by Ord. 91-3, Amended by Ords. 91-13 and 2009-5)

**M. HEARING FOR VIOLATIONS.** Any customer receiving a fourth (4) or subsequent violation notice shall be entitled to a hearing with the City Manager or his designee within fifteen (15) days of delivery of the violation notice. The following steps shall be taken to process a request for a hearing:

1. The customer shall provide a written request for a hearing. A prompt request for hearing shall automatically stay installation of a flow restricting device or shut off on the customer's water service until the decision is rendered by the City Manager or his designee.

2. The customer's request for a hearing shall not stay the imposition of a fee. If it is determined that a fee is wrongly assessed, the City will refund any fee paid by the customer.

3. The decision of the City Manager or his designee shall be final except for judicial review. Any and all measures of the provisions stated herein shall be implemented throughout the judicial appeal process.

(Added by Ord. 91-3, Amended by Ords. 91-13 and 2009-5)

**N. ADDITIONAL WATER CONSERVATION MEASURES.** The City Council may order implementation of further water conservation measures in addition to those set forth in this Section. Such measures shall be instituted by the City Council with the adoption of a resolution.

(Added by Ord. 91-3, Amended by Ord. 91-13)

**O. PUBLIC HEALTH AND SAFETY SHALL NOT BE AFFECTED.** No provision of this section shall be construed to require the City to curtail the supply of water to any customer when such water is required by that customer to maintain an adequate level of public health and safety.

(Added by Ord. 91-3, Amended by Ord. 91-13)

**7511.2 VIOLATION A MISDEMEANOR.** Notwithstanding any provision of this Code to the contrary, the provisions of Section 377 of the California Water Code shall be applicable to any violation of the provisions of Section 7511.1. No person shall violate any provision of Section 7511.1 or fail to comply with any of the requirements of this section or any Resolution adopted pursuant thereof. Any person violating any of the provisions of Section 7511.1 or any Resolution adopted pursuant thereto or failing to comply with any of the mandatory requirements of Section 7511.1 or any of the Resolutions adopted pursuant thereof shall be guilty of a misdemeanor. Upon conviction thereof, such person shall be punished by imprisonment in the County jail for not more than thirty (30) days or by a fine not exceeding \$1,000.00, or both.

(Added by Ord. 91-3)

**7512. ILLEGAL CONNECTION TO WATER SYSTEM.** No person shall install or maintain, or permit to be installed or maintained, any connection or cross-connection between the water supply system of the city and any other source of water supply whatsoever, without the approval of the Director of Public Works.

**7513. ADDITIONAL RULES AND REGULATIONS.** The City Council may from time to time amend, alter, or add additional rules and regulations pertaining to the maintenance, operation and use of the Water Works System owned by the City of Lakewood. In addition, the City Council may by resolution adopt such additional rules and regulations pertaining to the maintenance and operation and use of the Water Works System as it deems necessary, including charges for the use of said services, which said rules and regulations may be amended, altered, repealed, or supplemented by the City Council from time to time. The Director of Public Works, as to matters within his jurisdiction, and the Director of Finance, as to matters within his jurisdiction, are hereby authorized and directed to enforce this Chapter, to interpret and apply the rules and regulations herein enacted, or hereinafter enacted by the City Council. Any person aggrieved by the decision of the aforementioned officers may appeal said decision to the City Council, and the decision of the City Council shall be final and conclusive. (Amended by Ord. 2005-15)