



**ROSEBURG PUBLIC WORKS COMMISSION AGENDA
THURSDAY, JANUARY 9, 2020**

**3:30 Regular Meeting City Hall Third Floor Conference Room
900 SE Douglas Ave, Roseburg OR 97470**

NOTE: IT IS UP TO EACH OF YOU AS COMMISSIONERS TO CALL 541-492-6730 AND LET STAFF KNOW BEFORE THE DAY OF THE MEETING IF YOU WILL NOT BE ATTENDING. THANK YOU.

I. CALL TO ORDER

II. ROLL CALL:

Chair: Bob Cotterell
Commissioners: Ken Hoffine Stuart Liebowitz Noel Groshong
 John Seward Vern Munion Fred Dayton
 Pat Lewandowski Roger Whitcomb

III. APPROVAL OF MINUTES

A. October 10, 2019

IV. DISCUSSION ITEMS

A. Water Rules Variance Request

AUDIENCE PARTICIPATION – At this time, anyone wishing to address the Commission concerning items of interest not included in the agenda may do so. The person addressing the Commission shall, when recognized, give his/her name for the record. All remarks shall be directed to the whole Commission. The Commission reserves the right to delay any action, if required, until such time when they are fully informed on the matter.

V. INFORMATIONAL

VI. BUSINESS FROM THE COMMISSION

VII. NEXT MEETING DATE: February 13, 2020

VIII. ADJOURNMENT

*** * * AMERICANS WITH DISABILITIES ACT NOTICE * * ***

Please contact the Office of the City Recorder, Roseburg City Hall, 900 SE Douglas Avenue, Roseburg, OR 97470-3397 (Phone 541-492-6700) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TDD users please call Oregon Telecommunications Relay Service at 1-800-735-2900.

**CITY OF ROSEBURG
PUBLIC WORKS COMMISSION MEETING
OCTOBER 10, 2019
MINUTES**

CALL TO ORDER: The meeting of the City of Roseburg Public Works Commission was called to order at 3:30 p.m. Thursday, October 10, 2019 in the Third Floor Conference Room at City Hall.

ROLL CALL: Present: Chair Bob Cotterell, Commissioners Pat Lewandowski, Noel Groshong, Roger Whitcomb, and Fred Dayton

Absent: Stuart Liebowitz, Vern Munion, Ken Hoffine, and John Seward

Others Present: None

Attending Staff: City Manager Nikki Messenger, Interim Public Works Director Jim Maciariello, Street Superintendent Jim Johnson, Water Treatment Plant Superintendent Andy Albee, Civil Engineer Daryn Anderson, and Department Technician Chanelle Rogers

APPROVAL OF MINUTES: Commissioner Dayton moved to approve the minutes of the September 12, 2019 Public Works Commission meeting. Motion was seconded by Commissioner Groshong and approved with the following vote: Chair Cotterell and Commissioners Dayton, Whitcomb, Groshong, and Lewandowski voted yes. No one voted no.

DISCUSSION ITEMS:

Water Treatment Plant Chlorination Project: Maciariello informed that at the April 2019 Public Works Commission meeting the commission supported RH2's recommendation to replace the MOS system with bulk sodium hypochlorite. The project was advertised on September 3, 2019 and five bids were received on October 1, 2019. The low bidder was Pacific Excavation. Commissioner Whitcomb questioned why there was such difference in the bids. Maciariello said staff wasn't sure but they are familiar with the plant already so that may have contributed to why the bid was so much lower than the rest. Groshong asked if the lack of space is the only issue during the changeover. Albee said yes they will be utilizing one of the rooms that they currently store tools in and some area outside during the project.

MOTION: Commissioner Lewandowski moved to recommend the City Council award the Water Treatment Plant Chlorination Project to the lowest responsible bidder, Pacific Excavation, Inc. for \$490,500. Motion was seconded by Groshong and approved with the following vote: Chair Cotterell and Commissioners Dayton, Whitcomb, Groshong, and Lewandowski voted yes. No one voted no.

Task Order Authorization – Construction Management Service for Water Treatment Plant Chlorination Project: Maciariello informed staff recently negotiated a proposed scope and fee for limited construction management (CM) services for the Water Treatment Plant Chlorination Project with RH2 Engineering, Inc. RH2 did the study and design services required to put the project out to bid so staff would like to continue to use them for CM services. Staff informed CM services were included during the qualification process and that this will be a new contract for this phase of the project not a task order. There will also be some work to get the SCADA integrated into the system. Discussion ensued regarding the cost of the contract. Messenger stated 1.2 million has been budgeted for the project.

MOTION: Commissioner Dayton moved to recommend the City Council authorize a contract with RH2 Engineering Inc. for construction management services for the Water Treatment Plant Chlorination Project for an amount not to exceed \$ 109,917. Motion seconded by Commissioner Groshong and approved with the following vote: Chair Cotterell and Commissioners Dayton, Whitcomb, Groshong, and Lewandowski voted yes. No one voted no.

Washington Ave. Bridge Ends: Anderson stated the Washington Avenue Bridge was constructed in 1961 and is owned and maintained by the Oregon Department of Transportation (ODOT). In 1976, a 12-inch diameter welded steel water main was installed across the bridge. Anderson informed that in recent years, the exposed portion of the pipe and the vertical drops have experienced server coating failure and corrosion requiring multiple repair bands be installed to stop leaks. Staff would like to replace the line in phases starting with the exposed sections at each end then work on the internal portion. Chair Cotterell questioned if the pipes could be lined like some of the other pipe project that are happening. Anderson said not many places have used the lining process for water pipes, it can be looked into when surveying the other section of pipe but may have to just replace with new pipe. Whitcomb inquired what effects there will be with that line out of service. Anderson said there is another line that also serves that side of the river so it can be out of service for short periods of time. Messenger said the work would most likely take place in the Fall/Winter time when there is less demand on the system. Commissioner Lewandowski asked if there would be any working happening to the bridge. Staff said no since it is an ODOT bridge. Commissioner Groshong inquired if the analysis was included in this design part. Anderson said yes they will look at the pipe when it is out of service.

MOTION: Commissioner Groshong moved to recommend to the City Council the award of an engineering design contract for the Washington Avenue Bridge Ends to Murraysmith, for an amount not to exceed \$86,962. Motion was seconded by Commissioner Dayton and approved with the following vote: Chair Cotterell and Commissioners Dayton, Whitcomb, Groshong, and Lewandowski voted yes. No one voted no.

Equipment Purchase – Paint Machine for Street Division: Messenger informed the Public Works Department currently has two small striping machines one for yellow paint and the other for white paint. Each of them only carry 40 gallons of paint at one time. Staff is looking to replace those with two machines with one that will be a considerable upgrade. Crews will be able to be on the job site longer, resulting in increased efficiency and productivity. Commissioner Lewandowski asked how much paint the new machine can carry. Johnson stated it will hold 180 gallons, and one gallon can do around 25-30 feet of striping. Commissioner Lewandowski questioned what the expected life cycle of the new machine is. Johnson said typically the equipment that he has lasts between 15-20 years. Commissioner Whitcomb inquired as to why it takes so long to receive the machine once it is ordered. Johnson said it will be built once the order is placed. Commissioner Dayton asked if anyone else makes this machine. Johnson said staff looked around and most of them were much higher priced. Commissioner Groshong asked if staff found this machine on their own or use a purchasing option. Messenger said Sourcwell Cooperative is a purchasing agreement that the City has used before.

MOTION: Commissioner Dayton moved to recommend the City Council authorize the purchase of a new striping machine from EZ-Liner for \$232,875.00 utilizing the Sourcwell cooperative purchasing agreement. Motion was seconded by Commissioner Whitcomb and approved with the following vote: Chair Cotterell and Commissioners Dayton, Whitcomb, Groshong, and Lewandowski voted yes. No one voted no.

MOTION: Commissioner Groshong moved to recommend City Council authorize an IGA with ODOT to use flex funds for the purchase of a new striping machine. Motion was seconded by Chair Cotterell and approved with the following vote: Chair Cotterell and Commissioners Dayton, Whitcomb, Groshong, and Lewandowski voted yes. No one voted no.

AUDIENCE PARTICIPATION: None

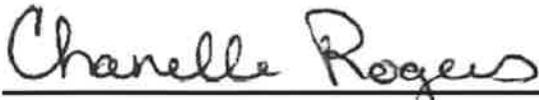
INFORMATIONAL ITEMS:

Water Project Updates: Anderson gave brief update on current water projects. Discussion ensued regarding the Water Management Conservation Plan

BUSINESS FROM THE COMMISSION: Commissioner Dayton asked what the status was for getting a generator at the Water Treatment Plant. Anderson and Messenger stated staff had RH2 do a study to see what the need and cost would be. That study should be back to staff later this month. Commissioner Dayton said in March 2013 the commission discussed the issue regarding charging every service whether it was active or not, he was wondering if there was a way to find out how much revenue has been generated from those accounts. Messenger replied that she didn't know if that would be possible since the City has changed billing systems since then.

NEXT MEETING DATE: November 14, 2019

ADJOURNMENT: Meeting adjourned at 4:11

A handwritten signature in cursive script that reads "Chanelle Rogers". The signature is written in black ink and is positioned above a horizontal line.

Chanelle Rogers, Public Works Department Technician

**CITY OF ROSEBURG
MEMORANDUM**



DATE: January 9, 2020
TO: Public Works Commission
FROM: Ryan Herinckx, Engineering Tech
VIA: Jim Maciariello, P.E., Interim Public Works Director
SUBJECT: Water Rules Variance Request

ISSUE STATEMENT AND SUMMARY

Angelique Maillet has requested a variance to the Roseburg Municipal Code Section 5.04.040 Main Extensions. The issue for Commission is whether to approve, reject, or approve the variance with conditions.

BACKGROUND/ANALYSIS

Mrs. Maillet is representing Agile Home Solutions, the owners of property located at 880 NE Fulton Street. The City has an existing 6" water main in the intersection of Fulton Street and Tahoe Avenue. Developing the lot per the Water Rules and Regulations would require the water main to be extended approximately 65' north on Fulton Street and 85' to the west on Tahoe Avenue.

On June 6, 2019, Agile Home Solutions submitted a site review application to place a 1,200 SF manufactured home at 880 NE Fulton Street. On June 11, 2019 City staff responded to the application with the following conditions regarding water service availability to the parcel.

Water is available. A 6-inch water main is located at the intersection of Fulton Street and Tahoe Avenue.

Per Roseburg Municipal code section 5.04.040-5B - "All water main extensions for a single-family dwelling lot must extend to the centerline of the lot." Applicant will be responsible for engineering and construction to extend water main north on Fulton Street to centerline of the parcel.

Construction drawings for the water main extension must be designed by a Professional Engineer licensed in the state of Oregon. Engineer shall submit plans to the City for review and approval by the Public Works department prior to construction.

As shown on the attached map, to the west of this parcel the terrain quickly reaches the top of the main service elevation of 610' with no additional development to be added. To the NW of this parcel there is approximately 5.5 acres of land within the City limits and below the main service elevation of 610' that could be served by a future extension of the water main in Fulton Street. In staff's opinion, there is very little value in extending the water main to the

west in Tahoe Avenue, there is potential for future development at the end of Fulton Street that could be served by an extension of the existing water main in Fulton Street.

Per RMC 2.26.030(E), the Public Works Commission has the ability to grant variances to certain sections of the Water Rules and Regulations. This variance request falls within the Commission's purview.

Variance Requested

Per RMC 5.04.090, in order to obtain a new service connection and meter the conditions outlined below must be met. The conditions have been paraphrased and the actual language is included as an attachment.

1. Request must be reasonable.
2. Location must have a main available of sufficient size to serve the parcel without detriment to other customers.
3. There must be a main fronting the parcel at least mid-way through the parcel. A main is not required to be fronting the parcel if the only feasible way to serve it is through an easement that meets certain conditions, including being no more than 200 feet in length, only serving one premises, fire protection requirements are met.

Mrs. Maillet has requested a variance to RMC Section 5.04.040 (5) which states:

5. *All water main extensions for a single-family dwelling lot must extend to the centerline of the lot. In instances where the building lot has frontage paralleling the route of the water main extension in excess of one hundred fifty feet, the water extension shall extend to a point opposite the most distant side of the house or driveway, whichever is greater.*

Criteria

Per RMC 2.26.030(E) the Commission may grant variances based on the following criteria.

1. Strict application of the rules and regulations create undue economic hardship for the applicant with no significant benefit to the water system.
2. The variance requested has no adverse effect upon the affected system and is consistent with established policies of the Council.

FINANCIAL/RESOURCE IMPACTS

There are no significant financial or resource impacts to the City.

TIMING ISSUES

Per RMC 2.26.030, the Commission may grant, grant with conditions or deny the application. The Commission shall render its decision within sixty days of filing of application, unless the applicant consents to an extension of such time. The application was filed on December 4, 2019. The Commission has until February 2nd to render a decision.

COMMISSION OPTIONS

The Commission has the options to grant, grant with conditions or deny the application.

STAFF RECOMMENDATION

Staff recommends that the variance be granted for the main extension in Tahoe Avenue and that a main extension meeting the requirements of R.M.C. 5.04.040 be constructed in Fulton Street during development of 880 NE Fulton.

SUGGESTED MOTION

I move to grant the variance to RMC 5.040.040 requested by Angelique Maillet for a water main in Tahoe Avenue with the condition that the property owner construct the water main extension in Fulton Street during development of 880 NE Fulton.

ATTACHMENTS

Variance Request

Aerial photo with water mains

RMC 5.04.040, 5.04.090

**APPLICATION FOR VARIANCE FROM
WATER SYSTEM RULES AND REGULATIONS**

Name of Applicant Angelique Martlet
 Address 2080 NE Sunset St
 City, State, Zip Roseburg OR 97470
 Phone No. (503) 490-9707

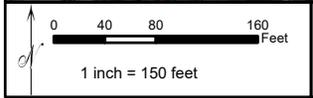
Office Use Only	
Date Received	_____
Received By	_____
Fee Received	_____
File No.	_____

- A. Description of Property: single family Dwelling Property on the north end of E. 10th (S88-1)
- B. A Variance is requested from section(s) 5.04.040 of The Roseburg Municipal Code which provisions require: Water main to continue ^{out} of the subject parcel.
- C. Describe the Variance being requested: Applicant wishes to tap and meter from the existing line at the south eastern property for the SED Mainline to home being built.
- D. Describe the undue Economic Hardship Created by Strict Application of the Water Rules and Regulations: A mainline extension would make building the home cost rise to a level that neighbor would where the value of the home if extension would exceed RMV in the current market. This manufactured home is being placed as initial for an affordable home option for renters or for a lease.
- E. Describe why the Provisions listed in B (above) provide no significant benefit to the Water System: This is the last parcel on lotter that is buildable. All homes adjacent and equal distance from the end of the main are served by existing line. No other units or infill built. Rocky Ridge line to the south will not help to this location to process and system.
- F. Describe why the Variance requested in C (above) has no Adverse effect upon the Water System: The line will continue to be a dead end line because no other expansion possible. This is where the Rocky Ridge system to old system would transitioned long. However, no plan or system designs or master plan call for this. This line is planned to be dead end.
- G. Describe any other conditions relevant to this request not included in the above: Infill last buildable lot on north end of this line. Various Main have been giving lot code change for existing homes to be served by specialty lines and expand. We able to find no easement or special. This request for service.

Date: 11/10/19

Signature of Applicant: [Signature]

Note: Use additional sheets if necessary. The Public Works Department can assist with the preparation of maps to explain the requirements and/or variance.



The City of Roseburg provides no warranty as to the merchantability or fitness for a particular purpose for any information. The information is available to City departments for City purposes. Original, certified, and official records may differ from computer entries. If reliance upon computer record is intended, verification of information on source documents is required. User expressly acknowledges and agrees that the use of any information obtained on or through City of Roseburg computers is at user's sole risk. The City of Roseburg shall not be responsible for any direct, indirect, incidental, or consequential damages caused by mistakes, omissions, deletions, error, or defects in any information or any failure due to delays in receiving information.

RMC 5.04.040

5.04.040 - Main extensions.

- A. A main extension and/or special facilities shall be required to service all property which cannot obtain service as outlined in Section 5.04.090
- B. The following rules shall apply to all extensions:
1. The minimum size of the water main to be installed shall be six inches in diameter. The minimum size may be reduced where mains are installed in a nonextendable dead-end street, along fringes of pressure levels or at other locations determined to be nonextendable by the utility, provided that the size reduction will not lower present or future fire protection or hydrant coverage to less than the requirements of paragraph 10 of this Subsection.
 2. The normal routing for the water main extension shall be in a dedicated street right-of-way.
 3. Except as provided in Paragraph 4 of this Subsection, the utility shall design and engineer all extensions to the water system and shall have the sole right to determine size, location and type of facility to be constructed. All engineering shall be based on both domestic and fire protection design criteria. The installation of all water facilities shall be by utility forces or through a prequalified contractor approved by the utility.
 4. Where water main extensions are to be installed in conjunction with the development of land using private funds, the land developer may use a licensed engineer to design, engineer and supervise the installation of the facilities, subject to the following:
 - a. The facilities shall comply with the rules contained in this subsection, and development activities shall comply with Chapter 4.02 and other provisions of this Code and the City's land use and development ordinances.
 - b. Prior to construction the Utility Director shall review and approve all plans and specifications and shall inspect and, upon construction, approve the installation of the facilities.
 - c. The Utility Director shall supervise the physical connection of the water main extension to the utility system and the sanitizing and testing of the facilities.
 - d. The utility shall not issue a final approval and may not allow any water service to developer's development until the developer has paid the actual costs of the Utility Director's services as described above and has provided the Utility Director with as-built drawings of the extension and related facilities certified and stamped by a licensed engineer.
 5. All water main extensions for a single-family dwelling lot must extend to the centerline of the lot. In instances where the building lot has frontage paralleling the route of the water main extension in excess of one hundred fifty feet, the water extension shall extend to a point opposite the most distant side of the house or driveway, whichever is greater.
 6. If a main exists which serves an existing lot on one side of the street which is extended midway through said lot, and an applicant on the other side of the street requests water service from this main, then when approved the applicant must extend the main completely through the applicant's property. This is to ensure an orderly progression of main extensions and not force parties further down the street or right-of-way to stand the cost of extension through the applicant's property.
 7. All main extensions for other than one single-family lot shall extend the main to the extreme property line of the development. If the property has excess frontage on the right-of-way and only partial development is to occur, then some consideration may be given to shortening the extension, provided sufficient assurance is given to ensure the extension is extended at the time other development occurs. This determination shall be made solely by the utility.

8. The utility may pay for oversizing of main extensions over eight inches in residential development, provided the petitioner's individual needs do not dictate a larger line size. The oversize payment shall be limited to materials only on all projects installed by other than utility forces.
9. The utility may, at its option, supply materials for main extension projects. All material supplied by contractor must meet strict material specifications set forth by the utility. Failure to do so will result in nonacceptance of the project. All materials supplied by the utility to any main extension project shall be billed at the utility's replacement cost, plus a twenty percent overhead and handling charge.
10. All main extensions and system design shall include fire hydrants and other devices necessary to meet requirements of the City or fire district where the development occurs.
11. Under conditions where hydrants are required within the property to be served, the main must be extended to the hydrant locations. Easements for these internal lines and hydrants must be provided by the developer.
12. In large projects or projects where extensive engineering or design is required prior to preliminary estimates or design being obtained, the utility may require a cash advance to cover the cost of such engineering or design. All engineering work completed by the utility will be understood to be the property of the utility.
13. In areas of service above the main system service elevation, special facilities will normally be required in addition to main extensions to provide service (see Section 5.04.050).
14. Financing of Extensions. There are three basic means of financing main extensions. They are outlined below.
 - a. Cash Deposit. Under this method the developer is required to pay the total cost of the project using the following procedures: First, the utility may prepare an estimate of the approximate costs of the project including material, installation, inspection, disinfection, engineering and overhead. If the developer or developer's contractor is to supply materials and install the project, the developer shall provide a cash advance sufficient to cover the estimated cost for the engineering and related water utility services needed on the project (engineering, drafting, inspectors, etc.), prior to starting the project. Finally, upon completion of the project, actual costs of the engineering and related utility services will be computed. If the actual costs exceed the amount of the cash deposit, the developer shall pay the balance due. If the deposit exceeds the actual costs, the utility shall refund the balance to the developer.
 - b. Bonding. In the case of extremely large projects or projects which require a large time frame to complete and the utility is extensively involved in the project, the developer may supply the utility a bond to cover the estimated cost.
 - c. Local Improvement Petition. When consistent with City policies, local improvement districts may be formed and bonds sold to fund main extensions and special facility projects, provided the property lies within the City and a majority of property owners affected are in agreement with the project. The formation of a local improvement district shall proceed under Chapter 4.04.
15. Refunds may be made to the developer in the areas where the developer is required to extend mains through other property. Refund will be made in the form of a connection charge which will be imposed on the other benefitted properties which front the main extensions. The connection charge must be paid for a benefitted property before water service will be rendered to the property. The connection charge normally will be based upon an area formula consisting of proportionately equal connection charges.

(Total project costs) x (Area of property requesting service)

(Total area served by the extension)

The area served shall be based upon the product of the front footage times the depth of the lots benefitted. In areas where no established lots exist, the depth shall be one hundred fifty feet or a logical approximation of the depths to be served, as established by the utility. The total cost of the project shall cover all costs related to the project including material, installation, inspection, disinfection, engineering and overhead. If the developer or developer's contractor is to supply materials and install the project, he or she must secure three competitive bids for the cost of the extension. These bids must be turned in to the utility with a bill for the developer's actual cost of installation and materials before it will be accepted and included in the total cost of the project. If the bill is higher than the low bid, then the low bid will be used in determining the cost of the project. No interest will be allowed in computing the total cost. The life of the connection charge agreement shall not be greater than ten years starting after the completion and acceptance of the project by the utility.

16. Installers of any and all water lines or appurtenances must meet minimum prequalified standards set by the utility. These standards shall include, but are not limited to, insurance requirements, bonding requirements and experience in the field of water line installation. The water lines must be installed in accordance with the utility's specifications which are available upon request.
17. If the developer installs and purchases the material the developer must guarantee the project for a period of one year from the date of acceptance of the project by the utility.
18. A contract agreement between the developer and the utility outlining the above criteria must be signed before the start of the project.

(Ord. 2929 § 1 (part), 1996)

RMC 5.04.090

5.04.090 - New service connections and meters.

- A. The utility may furnish and install a service of such size and at such location as the applicant requests, provided:
 - 1. The request is reasonable.
 - 2. The location is such that the utility has in place a distribution main of sufficient size adequate to provide service to the location without detriment to existing customers.
 - 3. The distribution main is adjacent to and extends at least midway along the right-of-way fronting the lot to be served. In cases where the main exists halfway along the right-of-way fronting the lot to serve properties on opposite side of right-of-way, the applicant must complete the extension through their lot to obtain service. The only exception to this rule will be that service can be made available through an easement which fronts the water line, provided:
 - a. That the easement is no more than two hundred feet long,
 - b. That only one home on premises is served by the easement,
 - c. That the easement is the only feasible present or future access to the building lot,
 - d. That fire protection can be provided to the property from the water line,
 - e. That utility shall be the sole judge in determining that the property requesting service under this rule meets all of the conditions.
- B. Schedules of Charges for Service Connection. A service connection fee set by Council resolution shall be paid by the applicant requesting the installation of the service connection at the time said request is made. The fee shall include all meters and necessary appurtenances for installation and continued operation of the service connection which the utility will supply.
- C. Change in Location or Meter Size. A change in the location of service or a change in meter size requested by the customer shall be done for a charge set by Council resolution and only if the request is reasonable and approved by the utility.
- D. Ownership. The service connection, whether located on public or private property, is the property of the utility and the utility reserves the right to repair, replace and maintain it, as well as to remove it upon discontinuance of service.
- E. All meters shall be sealed by the utility at the time of installation and no seal shall be altered or broken except by an authorized agent of the utility.
- F. Charges for Service Pipes Connected without Permit. If premises are connected without the application prescribed in this Section, such premises shall be immediately disconnected. Before a new connection is made, the applicant shall pay double the rate for the estimated quantity of water consumed. A new connection shall only be made upon compliance with City ordinances.
- G. Abandoned Services.
 - 1. Where a service connection has been installed and paid for in accordance with Section 5.04.090.B and:
 - a. The utility has imposed a monthly demand charge for that service and that demand charge has not been paid for 12 consecutive calendar months, the water service shall be deemed abandoned and the Utility Director shall remove the service line or the water meter upon compliance with paragraph 2 below.
 - b. The utility has not imposed a monthly demand charge for that service but the service has not been used for a period of three years or longer, the Utility Director may declare the service abandoned and remove the service line or the water meter upon compliance with

paragraph 2 below. In determining whether a service is abandoned, the Utility Director shall consider past and present uses of the property, zoning, changes in size or shape of the property, time since last use and other factors.

2. Before declaring the service connection abandoned and directing its removal, the Utility Director shall give ten days' prior written notice to the property owner of the Utility Director's tentative determination of abandonment. Such Utility Director's notice shall be reasonably calculated to reach the owner and may be by personal service, by posting the property, or by mailing the notice, certified mail, postage prepaid, to the last known address of the property owner. The notice shall advise the property owner that, in the absence of good cause shown, the Utility Director will order the removal of the service connection in ten days from the date of the notice. If the property owner does not respond to the notice, the Utility Director may proceed to remove the water service without further notice. If the property owner provides good cause, the Utility Director shall not declare the service connection abandoned. If the property owner responds to the notice but does not provide good cause, the Utility Director may determine the service connection abandoned and order its removal. Notice of that determination shall be given the property owner in the same manner as the initial notice of tentative determination.
 3. The property owner shall have ten days in which to appeal in writing to the City Manager to review the Utility Director's determination. The City Manager shall review the record in the matter and after giving the property owner an opportunity to be heard, render a decision applying the criteria set forth in this Subsection G. The decision of the City Manager shall be in writing and served upon the property owner in the same manner as the initial notice of tentative determination. The decision of the City Manager shall be final.
 4. After water service has been determined to be abandoned, an application to install water service to the same property shall be treated as a new connection.
- H. Leaking or Unused Services. Where there is a leak between the main and the meter, the utility shall make all repairs. When a service pipe is damaged or destroyed by contractors or others, or where service pipes are destroyed by electrolysis, the person, contractor or company responsible for such damage or destruction shall pay the utility for the cost of repairing or replacing such pipes on the basis of the direct cost to the City in labor and in material, plus overhead. Where a customer service line is leaking or has a history of repair problems which has resulted in leak adjustments or abandoned accounts, service to this customer shall not be activated until the customer can demonstrate the problem has been eliminated. Action necessary may be in the form of partial or total replacement of the customer's plumbing and/or deposit of sufficient funds to cover estimated consumption.

Customers with serious water leaking which, in the judgment of the utility, will cause extreme financial hardship or detrimental service to other customers may have their water service terminated after twenty-four hours' notice. In cases of leakage causing severe detriment to other customers, service may be terminated immediately.

(Ord 2929 § 1 (part), 1996)