





# NIPOMO COMMUNITY SERVICES DISTRICT

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## ORDINANCE NO. 2017-124

### AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING NIPOMO COMMUNITY SERVICES DISTRICT CODE SECTIONS 3.03.110, 3.03.120, 3.03.180, AND 3.04.140

#### 3.03.120 – Investigation and possible relief for water customers

##### A. Relief for District water customers.

1. A written request for relief may be made by a water service customer receiving a high bill for water service. The written request must be received by the District no later than 4:30 PM on the due date of the bill in question. The General Manager or his or her designee shall investigate such complaint in the following manner:
  - i. The District Manager or his or her designee shall first determine whether or not the increase in water consumption is related to a leak occurring on the customer's side of the water service connection and that the leak has been remedied.
  - ii. The District Manager or his or her designee shall review the customer's water bills for the same time period in the previous five years to determine whether or not there is a significant differential in terms of water use that was evidenced by a leak. Where there is a significant difference as determined by the General Manager or his or her designee, water usage for the billing period shall be billed as follows:
    - (1) The average normal usage will be billed at the Rates in place at the time of the high bill.
    - (2) All excess usage (over and above the average normal usage) will be billed at a rate equivalent to the otherwise applicable water rates minus the portion of the rate associated with supplement water, as established by Resolution.
    - (3) Leak adjustments will only be processed if the adjustment is greater than \$100.
  - iii. For water service customers who have not established a five year history of water usage, the General Manager shall determine equivalent water services using similar billings with a five year history to make the appropriate findings as set forth in subsections (i) and (ii) above. The customer shall then be charged according to Section A(1)(ii) above.

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2. The relief provided by these sections is available, upon written request, for a District water service customer once during a three year period. A water service customer may not apply for relief under this Ordinance if relief had been sought and granted any time during the previous three years.
3. If a leak adjustment is approved, the customer must sign an acknowledgement of the leak adjustment prior to the adjustment being made to the customer's account. Within fifteen (15) days of the original due date of the water bill, the customer is responsible for completing the leak adjustment process and paying the adjusted bill. If the customer fails to execute the leak adjustment acknowledgement and pay the adjusted bill prior to the above-referenced due date, no leak adjustment will be granted and the customer will be responsible for the paying the full, original water bill plus all additional fees and charges assessed through the date of payment.
4. Leak adjustments will not be considered for previous billing cycles and adjustments will not be made retroactively.
5. Leak adjustments are for a specific billing cycle and cannot be spread over two billing cycles.
6. The General Manager or his or her designee may consider whether the customer shall be permitted to amortize the amount equal to the excess usage over a reasonable period of time, not to exceed twelve months.