



SECTION: Public Works	REFERENCE NUMBER: W-15
SUBJECT: Drought Surcharge Policy	EFFECTIVE DATE: 09/01/2024
FROM: Crystal Caldera, Ph.D., CITY MANAGER	LAST REVISION DATE: 09/01/2024

A. PURPOSE

1. The drought surcharge fees were adopted to discourage Leon Valley water customers from overwatering and water wasting during periods of Stage III, Stage IV, and Stage V Critical Drought Management. Funds collected from the surcharge fees are to be used to purchase or lease water rights.
2. This policy will ensure that drought surcharge fees are fairly and impartially applied and that customers are not unfairly burdened by this charge due to the watering of produce gardens, new landscaping, unknown water leaks, and other situations.

B. DEFINITIONS

1. Responsible party. The Leon Valley Water System water and/or wastewater customer, property owner, occupant, or resident, of a property where the violation is observed shall be the responsible party for a violation of this policy, unless an alternative person is designated by the named meter holder and accepts responsibility, and it is documented in writing by both the alternative individual and the meter holder. If there is no meter, the property owner, occupant, or resident shall be the responsible party.

C. PROCEDURES

1. The Utility Billing Clerk will monitor all residential and commercial accounts for excessive water usage according to the drought surcharge table.
2. If it is found that an account is continuously using more than the allotted number of gallons of water, the drought surcharge will be applied to the account. Continuous use is a responsible party using over the allotted amount for three or more consecutive months.
3. In addition, the Utility Crew and Code Enforcement personnel will surveil the city for suspicious watering activity. Suspicious watering activity includes, but is not limited to, watering by irrigation on non-watering days or hours, or evidence that vegetation may be receiving more water than vegetation on surrounding properties during periods of drought management.

4. If non-compliance is suspected or observed, the official investigating the occurrence shall take pictures and collect any other evidence relating to the overwatering.
5. The official investigating the occurrence will then notify the responsible party of the possible violation, either by mail, in person, hangtag, email, or by phone. Every attempt will be made to assist the responsible party to come into compliance with the drought management stage watering regulations.
6. If the violation continues, a letter will be sent by certified mail mandating that the responsible party comes into compliance with the regulations within ten days of receipt of the notification.
7. If after ten days the responsible party continues to violate the watering regulations, a citation will be issued to the responsible party.
8. Appeals. The responsible party may appeal the decision to apply a drought surcharge to the account. All appeals must be requested in writing by the customer within ten days of receipt of notice of the drought surcharge being applied to the account. The following information, at a minimum, must be included in the appeal:
 - a. Name of customer;
 - b. Service address and/or account number;
 - c. Name of representative (if any);
 - d. Customer's home and work telephone numbers;
 - e. Nature of appeal and resolution desired; and
 - f. Customer's signature.

Appeals received will be routed to the Public Works Director for review and recommendation. Once a recommendation has been made, the appeal will be forwarded to the City Council for a final decision.

C. RESPONSIBILITIES

1. The Public Works Director or his designee is responsible for making a recommendation on an appeal and for any revisions to this policy.
2. The City Council is responsible for making a final decision on a request for an appeal.