

CRESCENT CITY WATER SERVICE POLICY

13.12.025 Premises entitled to receive city water service.

The city engineer/director of public works shall have the discretion to issue a conditional water use and connection permit to the following premises:

- A. Premises located within the incorporated territory of the city shall have primacy for water service and shall be eligible for and may be granted a conditional water use and connection permit under the following circumstances:
 - 1. The applicant and all persons with an interest in the premises to be connected to the water distribution system shall execute an application for conditional water use and connection permit formulated by the city; and
 - 2. The applicant has paid all fees required to be paid; and
 - 3. The applicant has complied with all other provisions of the Crescent City Municipal Code and regulations of the public works department; and
 - 4. No applicant or person with an interest in the premises connected to the water distribution system shall sell, transfer, assign or otherwise alienate the conditional water use and connection permit to the premises for which it was originally granted, for the use of any other premises, without the express written consent of the city council or its designee.

- B. The city engineer/director of public works shall have the discretion to issue a conditional water use and connection permit to those premises located within the urban services area under the following circumstances:
 - 1. Whenever the city council resolves that the city's water system has more capacity than is needed to serve city residents and unincorporated water customers then receiving service; and
 - 2. The applicant and all persons with an interest in the property to be connected to the water distribution system shall execute an application for conditional water use and connection permit formulated by the city; and
 - 3. The applicant has paid all fees required to be paid; and
 - 4. All persons with an interest in the property applying for water service shall execute the "waiver of the right to protest annexation" formulated by the city in a form suitable for recordation. To facilitate the waiver's preparation, the applicant shall provide the city with all documents the public works department requires to ascertain the identity of all persons having an interest in the property and to ascertain the identity of the authorized representatives of any business entity having an interest in the property; and
 - 5. The applicant shall provide evidence of a valid building permit that unconditionally authorizes the erection or construction of a residential or nonresidential structure upon the property; and
 - 6. Does not require the construction of a water mainline extension unless such extension is required and is consistent with the neighborhood water service plan for the area in which the premises is located; and
 - 7. The applicant has complied with all other provisions of the Crescent City Municipal Code and regulations of the public works department; and
 - 8. A major water user shall not be granted a conditional water use and connection permit unless the permit is approved by the affirmative majority vote of the city council members voting (excluding blanks or abstentions) in a meeting at which a quorum is present; and
 - 9. The applicant and all persons with an interest in the premises to be connected to the water distribution system are expressly prohibited from selling, transferring, assigning or otherwise alienating the conditional water use and connection permit to the premises for which it was originally granted to any other premises without the express written consent of the city.

- C. The city engineer/director of public works shall have the discretion to issue a conditional water use and connection permit to those premises located outside the urban services area under the following circumstances:

1. Whenever the city council resolves that the city's water system has more capacity than is needed to serve city residents and unincorporated water customers then receiving service and all anticipated development within the Urban Services Area; and
2. The applicant and all persons with an interest in the property to be connected to the water distribution system shall execute an application for conditional water use and connection permit formulated by the city, and
3. The applicant has paid all fees required to be paid; and
4. All persons with an interest in the property applying for water service shall execute the "waiver of the right to protest annexation" formulated by the city in a form suitable for recordation. To facilitate the waiver's preparation, the applicant shall provide the city with all documents the public works department requires to ascertain the identity of all persons having an interest in the property and to ascertain the identity of the authorized representatives of any business entity having an interest in the property; and
5. A residence is situated upon the premises; and
6. Connection would not require the construction of a main installation or distribution mainline extension; and
7. The applicant has complied with all other provisions of the Crescent City Municipal Code and regulations of the public works department; and
8. The applicant and all persons with an interest in the premises to be connected to the water distribution system are expressly prohibited from selling, transferring, assigning or otherwise alienating the conditional water use and connection permit to the premises for which it was originally granted to any other premises without the express written consent of the city; and
9. The premises is presently being served by a well that has been verified as being rendered unsafe from contamination; or
10. The premises was intended to be served by a water well that has an insufficient water flow to serve its needs that meets the following criteria:
 - a. The provision of municipal water to the premises shall not promote the creation of a subdivision of the parcel proposed to receive water service.
 - b. The premises to be served contains no more than one single family dwelling which dwelling shall have already been issued a valid building permit for the residence's erection.
 - c. There is no other feasible alternative water source to the Premises.
 - d. The need for municipal water service is the result of unintentional and exceptional circumstances that are not the product of improper well design, maintenance or any failure to undertake diligent efforts to pursue the development of a well consistent with the state or the then-present technology. The applicant shall provide such evidence to the city as the Public Work's Director requests.
 - e. The provision of municipal water service must not conflict with any California or Del Norte County adopted laws, regulations, policies or standards for the provision of municipal water services outside the urban services boundary.
 - f. The applicant is granted encroachment permits and/or easements that permit the applicant to construct a water service lateral from an existing main.
 - g. The service lateral shall not exceed the length of 600 feet.
11. The premises is located along a main line extension during the term of an applicable developer reimbursement agreement; or
12. The premises is located within the service area of a community service district which district has a presently existing water service agreement directly with the city; or
13. Is the reactivation (but not transfer of the location) of a previously existing water service to the premises.