

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, IMPLEMENTING A MORATORIUM
ON FINES FOR VIOLATIONS OF WATER REGULATIONS
UNTIL FURTHER COUNCIL DIRECTION

WHEREAS, the Council adopted revised water conservation requirements through Ordinance 2017-56, effective November 19, 2017; and

WHEREAS, the City implemented via water meter data automated enforcement of water conservation regulations in the summer of 2018; and

WHEREAS, there are concerns with due process in fining customers; and

WHEREAS, customers with concerns or questions about water fines have been waiting to obtain information from the City, and should be provided timely information; and

WHEREAS, the City in September completed a water use survey and will be responding to the results of the survey with a solution to water usage and penalties for excessive use in January 2019.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. There shall be an immediate moratorium on City of Fresno excessive water use fines. Until Council adoption of new water usage rules, the City shall not issue fines based upon water meter data for violations of Fresno Municipal Code Chapter 6, Article 5, Water Regulations.

1 of 2

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No. _____

2. All customers who have been fined for excessive water use based upon water meter data since October 1, 2018, shall have the fine dismissed and receive a credit or refund for the fine on the next utility bill.

3. The City may continue to issue fines based upon direct physical observation of water waste and/or provide notices of water waste to customers.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2018.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2018
Mayor Approval/No Return: _____, 2018
Mayor Veto: _____, 2018
Council Override Vote: _____, 2018

YVONNE SPENCE, MMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

BY: _____
Katie Doerr [Date]
Chief Assistant

KBD:ns [PL55903]