

- (f) If the hearing officer requires a more complete set of facts than can be gathered at the time of the hearing, the officer shall make whatever investigation is necessary before rendering a decision.
- (g) The customer's water service shall not be terminated until and unless the hearing officer completes the investigation and finds the customer's dispute to be without merit. However, the hearing process does not relieve the customer of the obligation to pay water bills. The customer must continue to pay in a timely manner, all water bills received or be subject to delinquent service charges should the account balance exceed seventy-five dollars (\$75.00).
- (h) The hearing officer's determination regarding disputed customer account balance is final.

(1953 Code, ch. 25, § 26; Ord. No. 2665, § 10, 9-21-64; Ord. No. 3394, § 14, 1-12-70; Ord. No. 4626, § 10, 3-3-77; Ord. No. 4874, § 1, 9-5-78; Ord. No. 5355, § 5, 4-20-81; Ord. No. 9043, § 5, 4-13-98; Ord. No. 9238, § 6, 6-14-99; Ord. No. 9388, § 1, 5-22-00; Ord. No. 9704, § 2, 5-13-02; Ord. No. 10359, § 2, 12-12-06, eff. 1-16-07; Ord. No. 10510, § 2, 3-18-08, eff. 7-1-08; Ord. No. 10897, § 2, 5-24-11, eff. 7-5-11)

Sec. 27-51. Resuming service after discontinued for nonpayment or violations.

(1) In no case shall any individual or plumber turn on the water supply when the supply has been turned off for nonpayment of amounts owing on the customer's account or for any other cause referenced in chapter 27. All water service that has been turned off by the water utility shall be turned on again solely by the water utility.

(2) If the utility has removed the customer's meter to prevent illegal use of water after the customer's account had been terminated for delinquency or any other cause, the customer shall pay thirty-eight dollars (\$38.00) to have the meter reinstalled, in addition to any other outstanding balance on the customer's account, before the utility restores water service to the customer.

(1953 Code, ch. 25, § 27; Ord. No. 9388, § 1, 5-22-00; Ord. No. 9555, § 1, 5-14-01; Ord. No. 9704, § 2, 5-13-02; Ord. No. 10510, § 2, 3-18-08, eff. 7-1-08)

Sec. 27-52. Customer service relief and courtesy adjustments.

Adjustments are offered to customers upon their request when there is a valid high water use such as leaks, theft, vandalism, or other known consumption. They are also given when there is unexplained high water use. All other applicable water charges and taxes are applied after the adjustment is given.

- (1) Adjustments are given when all of the following conditions are met:
 - (a) Water use by the customer has returned to normal levels.
 - (b) The use in question was more than twenty (20) Ccfs.
 - (c) An adjustment has not been given on the account within the past three (3) years.
 - (d) The water use in question must have occurred within the past seven (7) months.
 - (e) No adjustments are made available for reclaimed water or construction water accounts.
- (2) *Customer relief adjustment.*
 - (a) A customer relief adjustment is calculated by charging a residential customer for high water use at the current adopted rate for the same water use block of the same month of the prior year.
 - (b) The customer relief adjustment applies to the residential single family and duplex-triplex customer classes.
- (3) *Courtesy adjustment.*
 - (a) A courtesy adjustment is calculated by taking the difference of water use between the high water use month and the same month in the previous year and allowing one half (1/2) of that amount to be dismissed.

- (b) The courtesy adjustment is for customer classes of multifamily, mobile home parks w/sub-meters, commercial, and industrial.

(Ord. No. 10999, § 1, 6-19-12)

Editor’s note – Section 4 of Ord. No. 10999, adopted June 19, 2012, provides that the fee adjustments approved by Ord. No. 10999 shall take effect for water meters read on or after July 2, 2012.

Sec. 27-53. Reserved.

Editor’s note – Ord. No. 4489, § 12, adopted May 24, 1976, specifically amended the Code by repealing §§ 27-52 and 27-53, which had pertained to charges for industrial water users and commercial water rates. The sections had been derived from Ord. No. 3167, §§ 1 and 2, adopted Sept 16, 1968; Ord. No. 4130, § 5, adopted Mar. 11, 1974; and Ord. No. 4178, § 1, adopted May 20, 1974.

Sec. 27-54. Returned checks.

The city may impose a reasonable charge to handle the processing of checks received as payment for charges referenced in any article of chapter 27, which checks are returned for nonpayment for any reason. Should such check or bank draft be received for a delinquent balance in excess of seventy-five dollars (\$75.00), whose balance (1) has been outstanding for forty (40) days or more, and (2) is either not being formally disputed in accordance with section 27-50(2) or the hearing officer under section 27-50(2) has found in favor of the water utility, the customer’s service may be turned off and the meter locked without prior notification.

(Ord. No. 9043, § 6, 4-13-98; Ord. No. 9388, § 1, 5-22-00; Ord. No. 10305, § 1, 7-6-06, eff. 8-7-06)

Secs. 27-55 – 27-59. Reserved.

ARTICLE III. CITIZENS’ WATER ADVISORY COMMITTEE*

Sec. 27-60. Creation.

There is hereby established an entity to be called the Citizens’ Water Advisory Committee to the city. (Ord. No. 4638, § 1, 4-25-77)

Sec. 27-61. Functions and purposes.

The functions, purposes, powers and duties of the committee shall be to:

- (a) Act as the official advisory body on water capital improvement program planning and rate structure formulation to city government;
- (b) Annually review the proposed water system capital improvement program, and recommend to the governing body an annual and a six-year capital budget;
- (c) Annually review the water revenue requirements of the water system and recommend to the governing body rate adjustments as required; promote the concerns of Tucson Water customers by ensuring that recommended water rate adjustments are kept to the absolute minimum necessary, consistent with adopted mayor and council plans and policies; and ensure that the water system delivers safe, high-quality water to all its customers.
- (d) Review and report to the governing body on the long-term (twenty (20) to thirty (30) years) water source and capital needs of the water system, utilizing staff of the water utility and other sources for the information necessary for such review;
- (e) Consult with the governing body from time-to-time as may be required by the mayor and council relative to water resource development needs;

***Editor’s note** – Ord. No. 4638, § 1, adopted Apr. 25, 1977, specifically amended the Code by adding art. III, §§ 27-60 – 27-62. Sections 2 – 4 did not expressly amend the Code; hence codification as §§ 27-63 – 27-65 was at the discretion of the editor.