

ORDINANCE NO. 05

**AN ORDINANCE OF THE
BOARD OF DIRECTORS OF THE SANTA CLARITA VALLEY WATER AGENCY
ESTABLISHING PENALTIES RELATING TO WATER THEFT**

WHEREAS, the Santa Clarita Valley Water Agency ("Agency") is responsible for providing reliable and safe water service to its customers and for managing and protecting public water system infrastructure; and

WHEREAS, unauthorized diversion or use of water, tampering with hydrants, and other forms of water theft undermine the fairness and financial integrity of the water system, cause revenue loss, damage facilities, and endanger public health and safety; and

WHEREAS, water theft from fire hydrants presents particular safety hazards, including reduced water pressure for firefighting, potential contamination of the water supply, and physical damage to hydrants and pipelines; and

WHEREAS, California Government Code Section 53069.46 authorizes local agencies providing water service to adopt ordinances prohibiting water theft via the unauthorized connection to a fire hydrant, including the unauthorized use of a fire hydrant, fire hydrant meter, or fire detector check, and to impose administrative fines for violations; and

WHEREAS, California Penal Code Section 498 defines water theft and authorizes criminal prosecution for diversion or unauthorized use of water services; and

WHEREAS, the Santa Clarita Valley Water Agency Act ("Act" of "Agency's Act") in Water Code Appendix section 145 et seq. gives the Agency the authority to exercise the powers that are expressly granted in or necessarily implied in the Act, including all powers necessary to conserve water and prevent damage to the Agency's water system; and

WHEREAS, the Agency's Board of Directors finds that adoption of this ordinance is necessary to deter and penalize unauthorized water use, prevent waste of water, protect Agency assets, and promote equitable and lawful water use; and

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE SANTA CLARITA VALLEY WATER AGENCY AS FOLLOWS:

1. TITLE, PURPOSE, AND INTENT

1.1 Title

This Ordinance shall be known as the "Unauthorized Hydrant Use Ordinance" ("Ordinance") of the Santa Clarita Valley Water Agency ("Agency").

1.2 Purpose

The purpose of this Ordinance is to protect the Agency's water system from potential contamination from unprotected backflow, deter the unauthorized connection to, and use of water from, fire hydrants and related facilities, ensure fair and lawful water service, and establish penalties and enforcement procedures for unauthorized use of fire hydrants and related facilities in accordance with California law

2. AUTHORITY AND ADMINISTRATION

2.1 Authority

This Ordinance is adopted pursuant to: California Government Code § 53069.46; California Penal Code § 498; and the Agency’s Act.

2.2 Definitions

2.2.1 “General Manager” means the General Manager of the Agency or his or her designee.

2.2.2 “Unauthorized hydrant use” means any opening, operation, connection to, diversion from, tampering with, or use of any Agency fire hydrant, hydrant meter or fire detector check without express written authorization from the Agency, including violations of Civil Code §§ 1882.1 and 1882.3 and Government Code § 53069.46.

2.2.3 “Water theft” means any action to divert, tamper with, or reconnect water service, or make unauthorized use of water service, as defined in Penal Code § 498 and Government Code § 53069.45.

2.3 Prohibited Acts

It shall be unlawful for any person to open, operate, make a connection to, divert from, interfere with, use, or tamper with any Agency fire hydrant, hydrant meter or fire detector check without Agency authorization, including violations of Civil Code §§ 1882.1 and 1882.3 and Government Code § 53069.46.

2.4 Administrative Penalties

Pursuant to Government Code §53069.46, the following administrative penalty may be imposed:

Violation Type	First Violation	Second Violation	Third or Subsequent Violation
Unauthorized Fire Hydrant Use	\$2,500	Up to \$5,000	Up to \$10,000

2.5 Cost Recovery

In addition to administrative penalties, violators shall be responsible for a penalty in an amount calculated as the sum total of the following Agency costs:

- Actual or estimated costs of water taken;
- Actual costs of repair or replacement of hydrants, hydrant meters, fire detector checks, fittings, or appurtenances; and
- Actual staff, labor, investigation, cross-connection assessment and testing, and emergency response costs.

2.6 Violations and Enforcement - Termination of Service

The imposition and enforcement of the penalties adopted under this Ordinance shall be performed in accordance with the procedures described in the Agency’s Customer Service Policy. The Agency is authorized to immediately discontinue service if a customer fails to comply with any of the requirements of this Ordinance, including any provisions of the Agency’s Customer Service Policy implementing this Ordinance, in the manner described in the Agency’s Customer Service Policy. The Agency may also withhold or deny Temporary or Permanent

Service Connections, hydrant meter permits, or construction water accounts to any Applicant or Customer found to be in violation of this Ordinance or of any provisions of the Agency's Customer Service Policy implementing this Ordinance.

3. ADDITIONAL REMEDIES

This ordinance supplements, and does not limit, any civil or criminal remedies available to the Agency under applicable law. Violations may be referred for prosecution under Penal Code § 498 or for civil enforcement to recover damages and penalties.

4. APPEALS

Any person assessed penalties or charges pursuant this Ordinance or the provisions of the Customer Service Policy implementing this Ordinance, may appeal in accordance with the procedures set forth in Part 16 – Enforcement and Appeals - of the Customer Service Policy.

5. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Ordinance regulating the use of recycled water is for any reason found to be invalid or unconstitutional, such decision shall not affect the remaining portions of this Ordinance. The Board of Directors declares that it would have approved this Ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

6. ADOPTION

This Ordinance shall become effective thirty (30) days after its adoption by the Board of Directors.

ADOPTED this 17th day of February 2026.



President of the Board of Directors

ATTEST:




Secretary of the Board of Directors

I, the undersigned, hereby certify: That I am the duly appointed and acting Secretary of the Santa Clarita Valley Water Agency, and that at a regular meeting of the Board of Directors of said Agency held on February 17, 2026, the foregoing Ordinance No. 05 was duly and regularly adopted by said Board, and that said ordinance has not been rescinded or amended since the date of its adoption, and that it is now in full force and effect.

DATED: February 17, 2026





Secretary