



Title: Private Utilities in the Town Right of Way

Policy Number:

Effective Date: 4/15/2018

Pages: 5

Enabling Actions: Public Works Director and
Town Engineer

Revised Date:

Approved:

INTRODUCTION

The Town of Los Gatos has the responsibility to maintain the public streets and roads within its boundaries. The rights-of-way to construct and maintain these public roads have been acquired over the years through various means such as road petitions, purchase, and dedication through platting.

In order to provide modern conveniences to our citizens it is necessary that public utilities be allowed to use the same right-of-way acquired by the Town. In that regard, San Jose Water Company, a water utility company registered with the California Public Utilities Commission, is responsible for delivering water services to Town residents through facilities within the Town's right-of-way. Delivery of water services is regulated by several documents including the CPUC Tariff Operating Rules and Regulations.

PURPOSE

The purpose of road right-of-way is for public travel. The Town has responsibility to see that utilities are installed in a way that minimizes traffic safety issues and does not unnecessarily hinder travel on the right-of-way. In addition the Town owns and maintains the street improvements such as pavement, curb, drainage structures and sidewalks. It is important that damage to these facilities is minimized and, when they are damaged, that they are repaired properly to obtain the maximum service life.

The primary purpose of this policy is to address private water facilities within the Town of Los Gatos (Town) right of way (ROW).

For the purpose of this Policy, the following terms, phrases, words and their derivations shall have the meaning given in this section. Words not defined shall be given their common and ordinary meaning:

Title: Private Utilities in the Town Right of Way	Page: 2 of 5	Policy Number:
---	------------------------	-----------------------

1. Customer Service Line – The pipeline, connecting valves and fittings, used to extend water service from a meter to property owner’s facility. A Customer service line shall not serve more than one separate property. The service line shall be owned operated and maintained by the property owner.
2. Utility Service Line – The pipeline and appurtenant facilities such as curb stop, meter and meter box, all used to extend water service from the main to the Water Meter. Utility Service Lines shall be owned and operated by a water utility company registered with the California Public Utilities Commission.
3. Water Main – A water line in Streets, highways, alleys, easements , right-of-ways used for the purpose of transmission and general distribution of water owned and operated by a water utility company registered with the California Public Utilities Commission.
4. Water Main Extension; - An extension of a Water Main for the purpose of extending the water utility company’s waters system facilities owned and operated by a water utility company registered with the California Public Utilities Commission.
5. Water Meter - A metering device for water usage that conforms to standards provided by water utility company registered with the California Public Utilities Commission.

POLICY

The Town of Los Gatos requires that water service delivery within the Town ROW be operated by a utility company registered with the California Public Utilities Commission and follow the California Public Utility Commission’s operating rules.

The Water Meter will be installed between the property line and the curb or inside the resident’s property line unless this is determined to be infeasible as reviewed by the Town Engineer.

All Water Main Extensions, and Utility Service Lines between the Water Meter and Water Main, shall be constructed, owned and maintained by a utility company registered with the California Public Utilities Commission, rather than privately owned and maintained Customer Services Lines when any one or a combination of the following conditions exists:

- The Water Main Extension may provide an opportunity for overall system improvement to the Utility, i.e. looping, system expansion, etc.

Title: Private Utilities in the Town Right of Way	Page: 3 of 5	Policy Number:
---	------------------------	-----------------------

- The Water Main Extension or Utility Service Line is proposed to be located within a public right of way or an approved easement of sufficient width to permit maintenance functions.
- The Water Main Extension or Utility Service Line will provide water service to unserved real estate and/or upon a further extension thereto, could provide service to additional areas in the future.
- The Water Main Extension could provide economic development opportunities.
- The property or properties proposed to be served by the Water Main Extension will have multiple ownerships, or there is a distinct possibility the served property will be subdivided or multiple ownerships may exist in the future.

In addition, included in this policy are the CPUC's Operating Rules 15 and 16 relating to Main Extensions. These are attached for reference. A summary of some points covered in Rules 15 and 16 are noted below:

CPUC Rule 15: This Tariff Rule discusses water main extensions. Noted under this rule is that any applicant applying for a main extension and requesting for the utility to prepare detailed plans, specifications and cost estimates must provide a monetary deposit for this work. Construction of the main extension can be completed by the utility company. Additionally, Rule 15 allows for the applicant to arrange for installation of the main extension through the competitive bidding process using a list of bidders qualified by the utility company.

CPUC Rule 16: This Tariff Rule discusses service connections, meters and customer's facilities. Included in this Rule are the following points:

- The utility company is responsible for furnishing and installing the service pipe, curb stop, meter and meter box at its own expense for the purposes of connecting its distribution system to the customers piping.
- The connection of the service pipe, curb stop, meter and meter box will be installed at a convenient place between the property line and the curb or inside the customer's property line.
- The customer is responsible for furnishing and laying the necessary piping to make the connection from the meter box to their residence and for keeping this connection in good condition.
- Only an authorized employee or agent of the utility company will be permitted to install a service pipe from the utility main to the location of the service connection.

The following graphic is provided from San Jose Water Company's website and illustrates the Water Main and Utility Service line in blue and shall be constructed, owned and maintained by a utility company registered with the California Public Utilities Commission and the Customer Service line is in green

» **RESPONSIBILITY FOR SERVICE FACILITIES**

A A A

Print

[HOME](#) » [FOR YOUR BUSINESS](#) » [CUSTOMER CARE](#) » [REQUEST A SERVICE CALL](#)

Questions sometimes arise as to who is responsible for the maintenance of the water service facilities at your property. San Jose Water Company provides and is responsible for the following:

- connection to the water main in the street
- the service line from the main to the inlet side shut off valve (curb stop or angle stop).
- the water meter, water meter box and the outlet side coupling.
-

The customer is responsible for everything from the connection of their service line to SJWC's coupling. This includes but is not limited to the following:

- the customer's service line to the house
- the house valve
- all plumbing fixtures both inside and outside the house

California Public Utilities Commission (CPUC) Rule 16 requires that customers maintain their service lines in good condition so that the utility may perform routine service and maintenance work. Title 16 also requires that the customer provide and maintain a shut off valve between the utility and the customer's service.



Title: Private Utilities in the Town Right of Way	Page: 5 of 5	Policy Number:
---	------------------------	-----------------------

EXCEPTIONS

Exceptions to this administrative policy are private water facilities in the Town's ROW that were placed there with a Town approved encroachment permit. Water lines that are covered under this exception can be spot repaired but cannot be replaced. Replacement must follow this administrative policy and shall be considered as a Water Main Extension or Utility Service Line.

APPROVED AS TO FORM:

Robert Schultz, Town Attorney