

ORDINANCE NO. 92-17

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF AMERICAN CANYON AMENDING THE RATE AND FEE SCHEDULE TO REVISE  
SANITARY SEWER CONNECTION CHARGES

The City Council of the City of American Canyon does ordain as follows:

**SECTION 1.** The American Canyon County Water District ("District") was merged with the City of American Canyon ("City") upon the incorporation of the City on January 1, 1992. As a result of the incorporation, the City became the successor-in-interest to the District and assumed all the rights, duties, and obligations of the District including those established by ordinance of the District. Further, City Ordinance No. 5 provides that all ordinances, resolutions, rules and regulations of the District applicable before incorporation shall remain in effect and are deemed a City ordinance or enactment.

**SECTION 2.** Ordinance No. 12 of the District authorized the District Board of Directors to establish, from time to time, the minimum service rates and charges for sanitation service to be set forth.

**SECTION 3.** In compliance with Government Code Section 66013, the City has determined that the Sanitary Sewer Connection Charges must be increased in order to meet the estimated reasonable cost of providing the sewer service and has complied with the public notice and meeting and data availability requirements of Government Code Section 66016(a). Accordingly, pursuant to the authority granted by District Ordinance No. 12 and Health & Safety Code Section 5471, the City amends the Rate and Fee Schedule to revise Sanitary Sewer Connection Charges as set forth in Section 4 hereof.

**SECTION 4.**

S. 200            Sanitary Sewer Connection Charge - Residential Service shall read as follows:

At the time of submission of an application to connect to the sanitary sewer service of the City, an applicant shall pay a Sanitary Sewer Connection Charge of \$5,400 for each family unit to be connected. A Family dwelling unit shall include each family unit in single family homes, cluster garden condominiums, town houses and other multi-family residential uses and each mobile home space in a mobile home park, and each second unit attached or detached from an existing dwelling constructed and used in accordance with the provisions of Section 12412 of the Napa County Code, adopted by the City, where such second unit is connected to the City sewer

S. 210            Sanitary Sewer Connection Charge - Commercial Sanitation Service shall read as follows:

At the time of submission of an application to connect to the sanitary sewer services facilities of the City, the applicant shall pay a Sanitary Sewer Connection Charge computed at the rate of \$270 per fixture unit, as set forth in Plumbing Code published by the Western Officials Association, but in no event shall the Sanitary Sewer Connection Charge be less than \$5,400. The number of fixture units per plumbing fixture is shown on Appendix B to this Schedule.

S. 250 Sanitary Sewer Connection Charge - Industrial Sanitation Service  
shall read as follows:

- (a) Inside the City Service Area: At the time of submission of an application to connect to the sanitary sewer facilities of the City, the applicant shall pay a Sanitary Sewer Connection Charge calculated by using the following formula:

$$\text{Flow: } \frac{(\$5,400)}{0.000270 \text{ MGD}} (0.67) \quad \times \quad (\text{Industry's Peak Flow, MGD}) =$$

$$\text{BOD: } \frac{(\$5,400)}{0.44 \text{ lbs BOD/Day}} (0.165) \quad \times \quad (\text{Industry's Peak lbs/Day}) =$$

$$\text{SS: } \frac{(\$5,400)}{0.48 \text{ lbs SS/Day}} (0.165) \quad \times \quad (\text{Industry's Peak SS, lbs/Day}) =$$

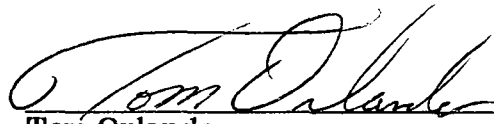
TOTAL \$ \_\_\_\_\_

If, after connection to the City facilities and review of the discharger's flow data for any given month it is determined by the City that the applicant is discharging at an increased Flow, BOD or SS than requested at the time of submission of application, applicant shall be charged for increased Flow, BOD or SS at the then applicable rate as provided in the City's Rate and Fee Schedule.

**SECTION 5.** The provisions of this Ordinance replace and supersede any inconsistent provisions contained in prior ordinances of the District establishing sanitary sewer connection service charges.

The foregoing ordinance was introduced, approved and adopted at a meeting of the City Council held on November 19, 1992.

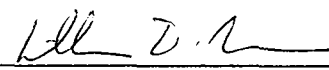
**SECTION 6. Declaration of Facts Constituting Urgency.** This ordinance is an urgency ordinance and is for the immediate preservation of the public peace, health, safety and general welfare. The facts constituting urgency are these: the City has an immediate need to raise revenues; to facilitate the planning, design and eventual construction of its sewer treatment facilities. It is necessary that this ordinance take effect immediately in order to capture funds which the City will lose without its adoption and loss of these funds is detrimental to the existing residents of American Canyon.

  
Tom Orlando  
Mayor

ATTEST:

  
Ronald L. Kiedrowski  
City Clerk

APPROVED AS TO FORM:

  
William D. Ross  
City Attorney