

ORDINANCE NO. 99-07

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON
AMENDING CHAPTER 13.06 OF THE AMERICAN CANYON MUNICIPAL CODE
REGARDING WATER CONNECTION FEES**

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

Section 1. Chapter 13.06 of the American Canyon Municipal Code is hereby repealed in its entirety.

Section 2. A new Chapter 13.06 is hereby added to the American Canyon Municipal Code to read as follows:

CHAPTER 13.06 WATER CONNECTION FEES

Section 13.06.050	Water Distribution Connection Fee - All Metered Service
Section 13.06.060	Meter Size Increased - Additional Water Distribution Connection Charge
Section 13.06.070	Water Demand Connection Fee
Section 13.06.080	Water Demand Connection Fee - Exceptions
Section 13.06.090	Water Demand Connection Fee - Surcharges

Section 13.06.050 Water Distribution Connection Fee - All Metered Service.

- A. Except as described in paragraph B, at the time of submission of an application for a building permit for connection to the City of American Canyon water system, an applicant shall be required to pay a water connection charge, according to the size and rated flow of the meter requested according to the following Table 13.06.050:

Table 13.06.050

**Water Distribution Connection Charge
versus Water Meter Size**

<u>Meter Size</u>	<u>Meter Flow</u>	<u>Water Distribution Connection Charge</u>
5/8 x 3/4	20 gpm	\$868
3/4	30 gpm	\$1,302
1	50 gpm	\$2,170

1-1/2	100 gpm	\$4,340
2	160 gpm	\$6,944
3	320 gpm	\$13,888
4	500 gpm	\$21,700
6	1000 gpm	\$43,400

- B. Connection for fire flow only from a water main to a building shall be charged a Water Distribution Connection Fee based on the largest pipe diameter of the fire connection up to a maximum of one inch (1") diameter.

Section 13.06.060 Meter Size Increased - Additional Water Distribution Connection Charge.

If, after the final water connection charge is established, a residential, or commercial, or large industrial customer increases the meter size used in the premises, the City shall charge and collect additional water distribution connection charges based upon the increased meter size. The new water distribution connection charge shall be established by computing the water connection charge for the larger meter size in accordance with Section 13.06.050 and then subtracting from that figure the connection charge for the smaller meter size in accordance with Section 13.06.050.

Section 13.06.070 Water Demand Connection Fee.

- A. At the time of submission of an application to connect to the American Canyon water system, an applicant shall pay a Water Demand Connection Fee in accordance with this section or in accordance with Section 13.06.080 - "Water Demand Connection Fee - Exceptions" and Section 13.06.090 - "Water Demand Connection Fees - Surcharges."
- B. The Water Demand Connection Fee shall be computed as the number of equivalent dwelling units of a project or application times the amount of \$3,343 per equivalent dwelling unit. For purposes of fee calculation, an equivalent dwelling unit shall be defined as a typical single-family residence using 335 gallons of water per average day on an annual basis. The Water Connection Demand Fee for uses other than single-family residential shall be calculated using the following table:

Table 13.06.070

<u>LAND USE</u>	<u>UNITS</u>	<u>CONSUMPTION</u>
Single-Family Residential	units	335
Mobile Homes	units	210
Multi-Family Dwelling Units	units	210
Group Care-Beds	beds	100
Commercial	ksf	155
Restaurants	seats	25
Lodging	rooms	60
Offices	ksf	75
Warehouses	ksf	75
Industrial	ksf	75
Schools	pupils	15
Recreation	acres	500

The Water Demand Connection Fee shall be calculated and approved by the City Engineer. Un-metered water losses throughout the City's water system shall be included in Table 13.06.070 as determined by the City Engineer. Calculation of fees for projects not conforming to Table 13.06.070 in the opinion of the City Engineer shall be adopted by the City Council by Resolution.

- C. Existing facilities that are modified, expanded, or which change their use shall be subject to an increased fee as described herein. The fees for the new use or change of facilities shall be calculated as described in this section. The fees for the existing facility or previous use shall be calculated as described in this section and deducted from the new use or proposed facility to determine the water connection fees due.

Section 13.06.080 Water Demand Connection Fee - Exceptions.

- A. At the written request of the applicant, and with the approval by Resolution of the City Council, an applicant may enter into an agreement with the City for a revised Water Demand Connection Fee upon finding of one or more of the following conditions:
1. The project provides a needed public service to the City of American Canyon or its residents.
 2. The project provides a large contribution of sales tax or transient occupancy tax to the City of American Canyon.

3. In the opinion of the City Engineer, a project water demand might vary by more than ten percent (10%) from anticipated water demand calculated in accordance with Table 13.06.070, including the addition of an allowance for un-metered water losses throughout the City's water system.
- B. Agreements for a revised Water Demand Connection Fee shall be approved by a Resolution of the City Council.
 - C. An applicant may enter into an agreement with the City to provide improvements to the City water system that are offsite to the project or oversized. In such an event, the applicant may be reimbursed the cost of said facility from Water Capital Improvement Funds, not to exceed that portion of the improvement considered offsite or oversized to the applicant's project.
 - D. The City may require an applicant to construct oversized or offsite facilities as shown on capital improvement program adopted by the City Council, if the applicant's project increases the City's water system average-day annual demand by two percent or greater as determined by the City Engineer. In such cases, the applicant shall be offered a credit against water connection fees in the amount of the estimated offsite or oversized facilities to applicant's project.

Section 13.06.090 Water Demand Connection Fee - Surcharges.

- A. All projects within the City of American Canyon conforming to City zoning as industrial and all projects within the unincorporated area of Napa County, for which the City provides water connections pursuant to City Ordinance No. 99-05, shall be subject to a Water Demand Connection Fee Surcharge if and when the project's average day annual demand for water exceeds six hundred and fifty (650) gallons per acre per day on any parcel. The average day annual demand shall include an allowance for un-metered water losses of the City's system as determined by the City Engineer. In such cases, the applicant shall pay the calculated Water Demand Connection Fee for the project, plus a surcharge as described in paragraph 13.06.090 B.
- B. The Water Demand Connection Fee surcharge shall be three dollars and nine cents (\$3.09) per gallon for each gallon of average-day annual demand in excess of six hundred and fifty (650) gallons per acre per day as determined by the City Engineer for any parcel. Projects within the

City of American Canyon may negotiate a mitigation for the Water Demand Connection Fee surcharge in accordance with Section 13.06.080.

- C. The City's provision of water services to projects located outside City limits shall be governed by City Ordinance No. 99-05 and applicable state law.

Section 2. Effective Date. This ordinance shall take effect thirty (30) days after its adoption.

Section 3. Severability. This Ordinance shall be liberally constructed to achieve its purposes and preserve its validity. If any provision or clause of this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are declared to be severable and are intended to have independent validity.

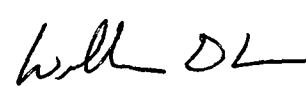
The foregoing ordinance was introduced and read at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 3rd day of June, 1999 and was passed and adopted at a regular meeting of the City Council of the City of American Canyon, State of California held on the 17th day of June, 1999 by the following vote:

AYES: Maples, Canziani, Colcleaser, Shaver
NOES: None
ABSTAIN: None
ABSENT: Anderson


Ben Anderson, Mayor

ATTEST:

Mark Joseph, City Clerk

APPROVED AS TO FORM:

William D. Ross, City Attorney