

ORDINANCE 2000-01

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF AMERICAN CANYON AMENDING
CHAPTER 14.04 OF THE CITY OF AMERICAN CANYON MUNICIPAL CODE
REGARDING WASTEWATER QUANTITY CHARGES**

WHEREAS, the City of American Canyon City Council adopted a wastewater rate study in 1994 that is presently in force; and

WHEREAS, the City of American Canyon has received concerns from businesses and residents regarding the fairness and adequacy of wastewater rates, and

WHEREAS, the City of American Canyon Public Works Department has prepared a wastewater rate study entitled "City of American Canyon Wastewater Rate Study," dated November, 1999, and

WHEREAS, the City of American Canyon has received funding of wastewater capital improvements with the State Water Resources Control Board, and

WHEREAS, the rules of said Board require all user charges for wastewater to be in proportion to wastewater flow and constituent strength, and

WHEREAS, the City of American Canyon held a duly noticed Public Workshop in December 1999 to consider the recommendations of City staff and said rate study including amendments to the City of American Canyon Municipal Code, and

WHEREAS, the City Council considered all testimony given at the duly noticed Public Hearing of February 3, 2000, which was continued to February 17, 2000, regarding proposed Ordinance 2000-01 regarding amendments to the City of American Canyon Municipal Code Section 14.04.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAIN THE FOLLOWING:

SECTION 1: Existing Sections 14.04.010 through 14.04.050, inclusive, of the City of American Canyon Municipal Code are hereby repealed.

SECTION 2: Sections 14.04.005 through 14.04.050 of the City of American Canyon Municipal Code are hereby amended to read as follows:

14.04.005 Definitions

A. For purposes of this chapter, the definitions in Sections 13.06.010 and 14.08.010 shall be construed as applicable to this chapter except as set forth below:

Ordinance 2000-01
Wastewater Rate Charges
Page 2

B. "Meter Factor" shall mean the ratio applied to meter readings to determine the billable flow for non-residential users. For domestic water meters, the factor shall equal 1.00; for sewer meters the flow shall equal 1.11.

C. "Normal Strength, Non-Residential Wastewater" shall mean all wastewater discharged to the City of American Canyon wastewater collection system with a bio-chemical oxygen demand (BOD) of no more than 236 milligrams per liter or a total suspended solids (TSS) of no more than 236 milligrams per liter.

D. "Normal Strength, Non-Residential Customer" shall include all customers whose discharge conforms to "Normal Strength, Non-Residential Wastewater" but not included as residential customers in Sections 14.04.010 and 14.04.020. In lieu of a separate analysis or adopted tables per Section 14.04.040, these customers shall generally include churches, public schools, private schools, commercial facilities, industrial facilities, government uses, and office buildings. The City reserves the right to assign any customer to High Strength, Non-Residential status, based on that customer's actual BOD or TSS.

E. "High Strength, Non-Residential Customer" shall include all customers whose discharge exceeds the levels of BOD or TSS set forth in the "Normal Strength, Non-Residential Wastewater" definition above.

14.04.010 Wastewater Monthly Service Charge - Single Family Residential Service

A. Thirty days after this ordinance shall take effect, each single-family residential customer shall pay for wastewater services at the rate of thirty-one dollars and fifty-five cents per month (\$31.55/mo.).

B. As of January 1, 2001 each single-family residential customer shall pay for wastewater services at the rate of thirty-three dollars and sixty cents per month (\$33.60/mo.).

C. The billing for single-family residential customers may be adjusted up or down by as much as ten percent (10%) of the single-family residential rate in force at that time to provide credit or additional payment, for customers who use smaller or larger amounts of winter water relative to other single-family residential customers. The City Council may initiate such an adjustment, including any other implementing procedures, by resolution.

14.04.020 ~~030~~ Wastewater Monthly Service Charge - Mobile Home Residential Service

A. Thirty days after this ordinance shall take effect, each mobile home customer with an individual metered account shall pay for wastewater services at the rate of twenty-seven dollars and seventy-five cents per month (\$27.75/mo.).

Ordinance 2000-01
Wastewater Rate Charges
Page 3

B. As of January 1, 2001 each mobile home customer with an individual metered account shall pay for wastewater services at the rate of thirty dollars and seventy-five cents per month (\$30.75/mo.).

C. As of October 1, 2001 each mobile home customer with an individual metered account shall pay for wastewater services at the rate of thirty-three dollars and sixty cents per month (\$33.60/mo.).

D. The billing for mobile home customers with an individual metered account may be adjusted up or down by as much as ten percent (10%) of the mobile home rate in force at that time to provide credit or additional payment. for customers who use smaller or larger amounts of winter water relative to other single-family residential customers. The City Council may initiate such an adjustment, including any other implementing procedures, by resolution.

14.04.030 Wastewater Monthly Service Charge – Multi-family

A. The monthly service charge for any Multi-family customer shall remain twenty-four dollars and seventy-five cents (\$24.75), but it is the intent of the City Council to raise that charge to twenty-five dollars and twenty cents (\$25.20), and to implement that increase as soon as practical.

B. The City Council may, by Resolution, establish policies and procedures to discount the per-unit charge for vacant spaces or apartments for Multi-family customers. provided such vacancies could be documented and such vacancies extend beyond one billing cycle.

14.04.040 Normal Strength, Non-Residential Wastewater Monthly Service Charges

A. Thirty days after this ordinance shall take effect, each normal strength, non-residential wastewater customer as defined in Section 14.04.010 shall pay the greater of thirty-four dollars and fifty cents (\$34.50) per month, or one dollar and fifty cents (\$1.50) per unit of water measured through a domestic water meter that discharges to the wastewater collection system.

B. As of January 1, 2001 each normal strength, non-residential wastewater customer shall pay the greater of thirty-four dollars and fifty cents (\$34.50) per month. or two dollars and twenty-five cents (\$2.25) per unit of water measured through a domestic water meter that discharges to the wastewater collection system.

C. As of October 1, 2001 each normal strength, non-residential wastewater customer shall pay the greater of thirty-three dollars and sixty cents (\$33.60) per month. or three dollars (\$3.00) per unit of water measured through a domestic water meter that discharges to the wastewater collection system.

Ordinance 2000-01
Wastewater Rate Charges
Page 4

14.04.050 High Strength Non-Residential Wastewater Monthly Service Charge

A. Thirty days after this ordinance shall take effect, each high strength, non-residential customer as defined in Section 14.04.005 shall pay the greater of thirty-four dollars and fifty cents (\$34.50) per month, or a monthly wastewater service charge according to the following formula:

$$\text{Charge} = \text{Water Units} \times \text{Meter Factor} \times [\$1.28 + \frac{\$0.13 \times \text{BOD in mg/l}}{236} + \frac{\$0.09 \times \text{TSS in mg/l}}{238}]$$

B. As of January 1, 2001 each high strength, non-residential customer shall pay the greater of thirty-four dollars and fifty cents (\$34.50) per month, or a monthly wastewater service charge according to the following formula:

$$\text{Charge} = \text{Water Units} \times \text{Meter Factor} \times [\$1.91 + \frac{\$0.21 \times \text{BOD in mg/l}}{236} + \frac{\$0.13 \times \text{TSS in mg/l}}{238}]$$

C. As of October 1, 2001 each high strength, non-residential customer shall pay the greater of thirty-three dollars and sixty cents (\$33.60) per month, or a monthly wastewater service charge according to the following formula:

$$\text{Charge} = \text{Water Units} \times \text{Meter Factor} \times [\$2.58 + \frac{\$0.26 \times \text{BOD in mg/l}}{236} + \frac{\$0.16 \times \text{TSS in mg/l}}{238}]$$

D. For purposes of determining BOD and TSS in the above formulae, City staff is authorized to require analysis of the user's flow in accordance with Chapter 14 of this code. For installations that use less than 2000 gallons per day of domestic water, City staff may use published tables of BOD and TSS that are approved by the State Water Resources Control Board for use in determining BOD and TSS in the above formulae.

SECTION 3: The provisions of this Ordinance shall be severable. If any portion is found to be unconstitutional, illegal or invalid, the remainder shall survive and remain effective and enforceable.

Ordinance 2000-01
Wastewater Rate Charges
Page 5

SECTION 4: The foregoing Ordinance was introduced and read at the regular meeting of the City Council of the City of American Canyon, State of California, held on the 17th day of February, 2000, and approved and adopted at a regular meeting on the 2nd day of March 2000, by the following vote:

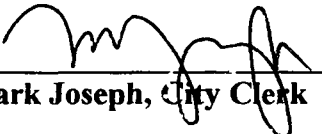
AYES:	Maples, Colcleaser, Anderson, Canziani
NOES:	None
ABSTAIN:	None
ABSENT:	Shaver



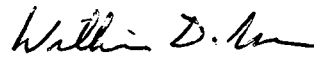
Lori Maples, Mayor

APPROVED AS TO FORM

ATTEST



Mark Joseph, City Clerk



William D. Ross, City Attorney