

ORDINANCE 2000-02

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

WHEREAS, The City of American Canyon City Council adopted a water 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 water rates, and

WHEREAS, the City of American Canyon Public Works Department prepared a water rate study entitled "City of American Canyon Water Rate Study" dated November 1999, 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 2000-02 regarding amendments to the City of American Canyon Municipal Code Section 13.06.

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

SECTION 1: Existing sections 13.06.010 through 13.06.040, inclusive, are hereby repealed.

SECTION 2: Sections 13.06.010 through 13.06.040 of the Municipal Code are hereby amended to read as follows:

13.06.010 Definitions

For purposes of this chapter, the following terms shall be defined as set forth below:

"Commercial"	Means any non-residential premise classified as a retail store, restaurant, office building, laundry, master-metered multi-family or mobile home park, and other service establishments including churches, lodges, government services, or public services connected to the city water system, and which can not be classified as a large industrial, raw water, landscape service, or single-family residential, pursuant to this section.
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Ordinance No. 2000-02
Water Rate Charges
Page 2

- “Customer” Means any residence, business or other entity that has signed up for a specific water service. The type of customer is determined by the rate charged; thus, a commercial use could be a Single family residential customer, if the business qualified pursuant to Section 13.06.020 (C).
- “Customer Charge” Means a flat fee per each water billing period, billed on a monthly basis.
- “Inside-the-City” Means any water connection within the city boundaries as they presently exist or as they may be modified from time to time.
- “Landscape Service” Means a metered account used exclusively for landscaping purposes. Such accounts are exempt from wastewater service charges, but must agree to use recycled water, if and when it becomes available; must agree to participate in the City’s water conservation program; and would be subject to use restrictions and/or fee surcharges during periods of drought.
- “Large industrial” Means any premise whose annual water use is in excess of 4200 units (Ccf) per year, is located within city boundaries, is separately connected to the water system, and whose predominant water use is for industrial purposes. Such customers must agree to supplemental conditions of service, including compliance with the City’s Water Conservation Program, use of Landscape Service accounts as appropriate, and use of recycled water as appropriate, if and when it becomes available.
- “Multi-family” Means any premise that is residential in nature and consists of more than one dwelling unit served by a single metered water connection. Such master-metered customers shall be charged the same as Commercial customers. Temporary residential premises (e.g., hotels) are treated as a commercial use.

**Ordinance No. 2000-02
Water Rate Charges
Page 3**

“Outside-the-City”	Means any water connection outside City boundaries.
“Private fire protection service”	Means water service for a sprinkler system obtained through a separate service line connected in accordance with City standards to the water system.
“Raw water”	Means any premise or property, which, by action of the City Council, makes a special arrangement to use water provided by the City that is not treated at the City’s water treatment plant. Generally, a Raw water customer must agree to use recycled water, if and when it becomes available, and would be subject to use restrictions and/or surcharges during periods of drought.
Recycled water	Means wastewater effluent treated to tertiary levels consistent with California Title 22 standards, and may be used for limited purposes, such as for irrigation and landscaping.
“Single-family residential”	Means a free standing home or mobile home that is served by a dedicated water service line and meter and has only one legal dwelling unit.
“Temporary service”	Means a water connection to the city’s system for a duration of no longer than six months, or, under special circumstances approved by the City Manager, no longer than twelve months. Said connection must conform to City standards for temporary connections.
“Unit”	Means one hundred cubic feet of water as measured by water meters approved by the City, approximately 748 gallons.

13.06.020 Water Quantity Charges and Provisions

A. Each customer shall pay for metered water according to the following schedule:

Ordinance No. 2000-02
Water Rate Charges
Page 4

Table 13.06.020 - Water Service Charges

<u>Customer Category</u>	<u>Monthly Customer Charge</u>	<u>Plus Volume Charge per Unit</u>	<u>Minimum Monthly Charge</u>
Inside-the-City Customers			
Single-family residential	\$0.00	\$2.50	\$0.00
Commercial	\$11.00	\$2.30	\$11.00
Large industrial	\$25.00	\$1.80	\$25.00
Landscape service	\$0.00	\$2.50	\$0.00
Outside-the-City Customers			
Outside Residential	\$0.00	\$3.50	\$0.00
Outside Commercial	\$15.00	\$3.25	\$15.00
Landscape service	\$0.00	\$3.50	\$0.00
Temporary Customers			
All users	\$11.00	\$3.40	\$11.00
Raw Water Customers			
All users	\$11.00	\$1.10	\$11.00

B. New or existing users who desire a Large industrial rate shall apply for said rate. The City Manager shall review and approve all Large industrial rate requests based on the standards set forth in this Section. Large industrial customers will be verified on an annual basis. Non-qualifying users will be re-assigned to a more appropriate customer category.

C. Commercial users who desire the Single-family residential rate may apply for said rate. If approved by the City Manager, said single-family rate shall remain in force for a minimum of twelve months. It is the customer's responsibility to request a further modification.

D. City Council may, by resolution or other action, establish policies and procedures to allow credits to Single family residential customers for large, one-time losses.

E. Raw water users, prior to connection, shall apply to City Council for permission to connect and receive raw water.

F. Existing Commercial customers requesting a Landscape meter shall pay the appropriate meter installation fee and related charges. An additional connection fee shall not be required unless either the overall water consumption increases, or the landscape meter size is larger than the currently installed meter. In either event, the customer shall pay the incremental increase in the connection fee amount. Any landscape-related arrangements between the City and any specific customer established by City Council action prior to February 3, 2000 shall remain in full force and effect, unless and until it is modified by a subsequent Council action.

G. City Council may enter into service contracts with very large water customers, based upon a reasonable determination of the cost of water for that particular customer. Such contracts should be limited to Inside-the-City customers using in excess of 100,000 gallons per day of treated water.

Ordinance No. 2000-02

Water Rate Charges

Page 5

H. City Council may, by Resolution, establish service fees and charges relating to utility billing and collections, including but not limited to, New Account Set-up, Account Transfers, Late Payment Penalties, Past Due Interest Expenses, Service Reconnection (after shut-off for non-payment), Returned Checks or other payments, Meter Testing, and After Hours Services, provided the amounts charged are based on the reasonable cost of the service.

13.06.030 Private Fire Protection

A. Each customer who obtains or utilizes a private fire protection service Inside-the City shall pay a charge for water measured as having passed through a bypass meter on the service protective backflow apparatus. The charge for such service shall be one-half the Customer Charge for Inside-the-City commercial users.

B. Each customer who obtains or utilizes a private fire protection service Outside-the-City shall pay a charge for water measured as having passed through a bypass meter on the service protective backflow apparatus. The charge for such service shall be one-half the Customer Charge for Outside-the-City users.

C. Existing Commercial customers requesting to retro-fit an existing building with a private fire protection service shall pay the appropriate meter installation fee and related charges, including any required devices. No additional connection fee shall be charged.

SECTION 3. Effective Date. This ordinance shall take effect thirty (30) days after its adoption.

SECTION 4. 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 No. 2000-02
Water Rate Charges
Page 6

SECTION 5. 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:

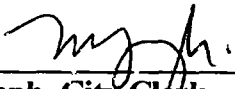
AYES:	<u>Maples, Colcleaser, Canziani, Anderson</u>
NOES:	<u>None</u>
ABSTAIN:	<u>None</u>
ABSENT:	<u>Shaver</u>



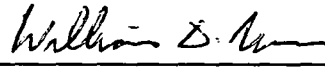
Lori Maples, Mayor

APPROVED AS TO FORM

ATTEST



Mark Joseph, City Clerk



William D. Ross, City Attorney