

**ORDINANCE 2004-04**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF AMERICAN CANYON, STATE OF CALIFORNIA  
APPROVING REVISIONS TO MUNICIPAL CODE, TITLE 13, CHAPTER 13.06  
UPDATING THE CITY'S  
WATER CONNECTION DEVELOPMENT IMPACT FEES**

**WHEREAS**, pursuant to Section 66000 of the Government Code, the City Council in 1999 adopted Ordinance 99-07 amending Chapter 13.06 of the Municipal Code and establishing a Water Connection Impact Fee Schedule to recover costs associated with projected impacts that development will have on the City's water infrastructure and services; and

**WHEREAS**, in accordance with the regulations established in the Government Code, adjustments to the impact fees may be made from time to time to ensure that the fees reflect realistic construction costs; and

**WHEREAS**, it is common practice and equitable to tie a City's Development Impact Fee to the Engineering News Record 20-City Construction Cost Index (ENR Index) to ensure that any increases in construction costs can be accurately tracked by a nationally recognized benchmark; and

**WHEREAS**, the ENR Index in June 1999 was 6,039 and the ENR index as of November 2003 was 6,794, representing an increase in construction costs of 12.5%; and

**WHEREAS**, in order to ensure that the City's Development Impact Fees keep pace with current construction costs, the City's fees need to be increased by 12.5% above the fees in Ordinance 99-07; and

**WHEREAS**, in accordance with Section 66016 of the Government Code the City of American Canyon has held a duly noticed Public Hearing to consider the recommendations of City Staff; and

**WHEREAS**, the City Council considered all testimony given at the Public Hearing on January 15, 2004 regarding a proposed Ordinance to amend Section 13.06 of the City of American Canyon Municipal Code;

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

Section 1: Table 13.06.050 in Section 13.06.050 of the American Canyon Municipal Code is amended to read as follows:

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>
• x ¾	20 gpm	\$977
¾	30 gpm	\$1,465
1	50 gpm	\$1,929
1 ½	100 gpm	\$4,883
2	160 gpm	\$7,812
3	320 gpm	\$15,624
4	500 gpm	\$24,413
6	1000 gpm	\$48,825

Section 2: Subsection B is hereby modified to read as follows:

- 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 of the fire connection up to a maximum of one inch (1") diameter. The water connection fee for residential connections shall be based on the meter size needed for basic and domestic flow, not the minimum meter size required for fire flow.

Section 3: Subsection C is hereby added to Section 13.06.050 of the American Canyon Municipal Code as follows:

- C. The City of American Canyon in its sole discretion may adopt revised Water Distribution Connection Fees based on the proportionate effects of inflation or changes to the cost of living. For purposes of calculation, the Engineering News Record 20-City Construction Cost Index shall be used for adjusting said fees. Said adjustments in accordance with this section may be approved by a resolution of the City Council.

Section 4: Section 13.06.070 B of the American Canyon Municipal Code is amended to read as follows:

The Water Demand Connection Fee shall be computed as the number of equivalent dwelling units of a project of application times the amount of \$3,761 per equivalent dwelling unit. For the 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	100
Commercial	ksf	155
Restaurants	seats	25
Lodging	rooms	60
Offices	ksf	75
Warehouses	ksf	50
Industrial	ksf	75
Schools	pupils	15
Recreation	acres	500

Section 5: Subsection D is hereby added to Section 13.06.070 of the American Canyon Municipal Code as follows:

D. The City of American Canyon at its sole discretion may adopt revised Water Demand Connection Fees based on the proportionate effects of inflation or changes to the cost of living. For purposes of calculation, the Engineering News Record 20-City Construction Cost Index shall be used for adjusting said fees. Said adjustments in accordance with this section may be approved by a resolution of the City Council.

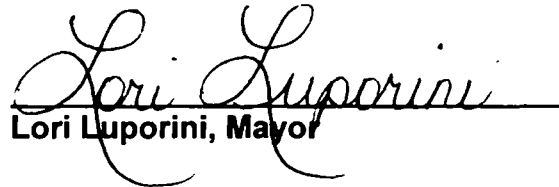
Section 6: Effective Date. In accordance with Government Code 66017, this ordinance shall take effect sixty (60) days after its adoption.

Section 7: Severability. This Ordinance shall be liberally construed 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 the other provisions or applications of this ordinance which can be given effect

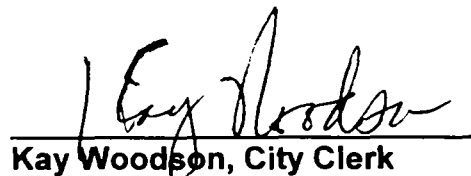
without the invalid provision or application. To this end, the provisions of this ordinance are declared to be severable and are intended to have independent validity.

The foregoing ordinance was introduced and read at a regular meeting of the City Council of American Canyon, State of California, held on the 5th day of February, 2004, 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 19th day of February, 2004, by the following vote:

<b>AYES:</b>	<b>Luporini, Shaver, Anderson, Colcleaser, Garcia</b>
<b>NOES:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

  
Lori Luporini, Mayor

**ATTEST:**

  
Kay Woodson, City Clerk

**APPROVED AS TO FORM:**

  
William D. Ross, City Attorney