

ORDINANCE 2008- 01

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF AMERICAN CANYON AMENDING
CHAPTER 13 OF THE CITY OF AMERICAN CANYON
MUNICIPAL CODE REGARDING WATER CAPACITY FEES

WHEREAS, at a regular meeting on March 4, 2008, the City Council approved the first reading of a proposed Ordinance regarding technical corrections to Sections 13.06.090 and 13.06.100 pertaining to water capacity fees; and

WHEREAS, a second reading of the proposed Ordinance was approved at a regular meeting of the City Council on March 18, 2008; and

WHEREAS, the City Clerk's Department shall codify the above referenced Ordinance after adoption by the City Council;

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

Section 1: Technical Corrections

Section 13.06.090 of the City of American Canyon Municipal Code is hereby amended to read as follows:

- A. At the time of submission of an application for a building permit for connection to the City water system, an applicant shall be required to pay a water capacity fee, in proportion to the new connection's impact on the water system.
- B. For the purposes of calculating the water capacity fee, a single family residence shall be considered one "equivalent dwelling unit" (EDU), with one EDU being assigned a design flow of 680 gallons per day. For the purposes of calculating the maximum daily water use of a multi-family residence requesting connection to the water system, each within a multi-family residence unit will be assumed to be 65% of one single family EDU. Single and multi-family residences will pay water capacity fees according to subsection (D) below.
- C. All applications for building permits for non-residential connections will be required to pay a water capacity fee proportional to the expected maximum daily water use of the connection, as calculated by the applicant and certified by the City Manager, Public Works Director or other designated staff. The applicant shall, using commonly accepted building and plumbing practices, demonstrate the average daily and maximum daily water use in-gallons per day (gpd) for the connection to the water system. Non-residential water capacity fees shall be calculated according to the cost per gpd detailed in subsection (D).

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D. Water capacity fees shall be calculated according to the following schedule.

Single family residence (one EDU)	\$11,634
Multi-family residence (.65 EDU)	\$7,562
Commercial/industrial/public (per gpd)	\$17.11

E. The City in its sole discretion may adopt revised water capacity fees based on the proportionate effects of inflation or changes to the cost of living. The Engineering News Record Construction Cost Index for the San Francisco region shall be used for adjusting said fees. Any such adjustment in accordance with this Section may be approved by a resolution of the City Council.

Section 13.06.100 of the City of American Canyon Municipal Code is hereby amended to read as follows:

A. If, in the judgment of the City Manager or Public Works Director, and after the final water capacity fee is established, any customer increases the demand on the water system capacity in a substantial and permanent way, due to changes in the size or nature of the building or premises previously permitted, the City shall charge and collect additional water capacity fees based upon the increased water use. The additional water capacity fee shall be established by computing the new number of EDUs in service at the connection, and then subtracting from that figure the number of EDUs originally purchased in accordance with Section 13.06.020.

SECTION 2: This ordinance shall take effect thirty (30) days after its adoption.

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.

SECTION 4: The forgoing 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 4th day of March, 2008, and approved and adopted at a regular meeting on the 18th day of March, 2208, by the following vote:

AYES: Garcia, Bennett, Callison, Coffey, West

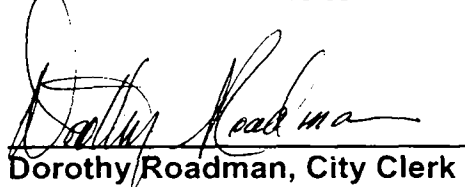
NOES: None

ABSTAIN: None

ABSENT: None



Leon Garcia, Mayor



Dorothy Roadman, City Clerk



William D. Ross, City Attorney