

ORDINANCE NO. WWD#1 – 2009-03

AN ORDINANCE OF SUTTER COUNTY WATERWORKS DISTRICT NO. 1  
ESTABLISHING MONTHLY WASTEWATER RATES FOR THE COMMUNITY OF  
ROBBINS, CALIFORNIA

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE SUTTER COUNTY WATER WORKS DISTRICT #1 AS FOLLOWS:

SECTION 1: PURPOSE AND FINDINGS

(1) The Board of Directors of the Waterworks District No. 1 finds that the public health and welfare make it necessary to increase wastewater service fees for those customers serviced by the District in the Community of Robbins, California.

(2) These fees supersede all previously established monthly utility fees for the District as stated in, Waterworks District No. 1, Ordinance 1 and Resolution 02-01.

SECTION 2: STANDARD MONTHLY UTILITY RATES

(1) A wastewater (sewer) operation maintenance and fee shall be charged monthly to the owner or owners of each property that discharges septic-system effluent to the facility for treatment and disposal based on equivalent dwelling units (EDU) and in accordance with the following schedule:

<u>Description</u>	<u>No. of EDUs</u>	<u>Total Fee per month</u>
Single family residence	1.00 EDU	\$55.00
Commercial, Industrial, and Municipal	1.72 EDU	\$94.60
Apartments and Mobile Home Parks	1.00 EDU per unit	\$55.00 per unit
Each additional occupied structure	1.00 EDU	\$55.00 per structure
School	1.72 EDU	\$94.60

Additional Occupied Structures include any additional structures on a parcel in addition to the primary structure, such structures used for domestic occupancy or commercial use. Additional Occupied structures shall be assumed to be occupied at all times. The only exception would be if the additional structure is equipped with separate water and wastewater connections, and those connections are disconnected by the District.

Pursuant to California Government Code Section 53756, the monthly fees will be adjusted by the Consumer Price Index – West Urban Area each year for a period not to exceed five years if required by the District's estimated annual budget provided by the Director of Public Works.

Additional District fees not listed are established in the District's General Policies and Procedures.

SECTION 3: USE OF FEES REVENUES

Revenues generated by the district shall only be used to offset expenses of operating and maintaining the District's water and wastewater facilities.

SECTION 4: AREAS OF APPLICATION

This ordinance shall apply only to those properties within the Community of Robbins, California served by the District.

SECTION 5: AUTHORITY

(1) The authority to fix and collect fees, rates or charges for the use and supply of water for the district is authorized by Section 55501 of the California Water Code.

(2) The authority to collect compensation for the connection to and use of sewerage collection, treatment and disposal facilities is authorized by Government Code Section 25825.

(3) The authority to set forth the mechanism for setting district rates by 2/3rds vote is authorized by Health and Safety Code section 5471.

(4) All established fees and any such increase in fees to properties served by the district shall conform to the requirements established by Proposition 218 [California Constitution Article 13D, §6, subdivision (a)]

SECTION 6: SEVERABILITY

If any portion of this ordinance is held by a court of competent jurisdiction to be unconstitutional or invalid, that portion shall be considered a separate and independent provision, and the holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 7: EFFECTIVE DATE

(1) This ordinance shall take effect on August 1, 2009 and, together with the names of the members of the Board of Directors of the County of Sutter Waterworks District No. 1 voting for and against the ordinance, shall be published in the Appeal Democrat, a newspaper of general circulation, at least once before the expiration of fifteen (15) days from the date of passage.

PASSED AND ADOPTED this 15<sup>th</sup> day of June, 2009, by the Board of Directors of the County of Sutter Waterworks District No. 1, State of California, by the following vote:

AYE: Directors Montna, Cleveland, Munger, Whiteaker, and Gallagher

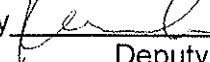
NO: None

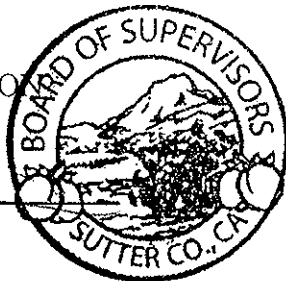
ABSENT: None

ABSTAIN: None

ATTEST:

DONNA M. JOHNSTON  
COUNTY CLERK

By  Deputy



  
CHAIRMAN, BOARD OF DIRECTORS