

SECTION 3: CHARGES AND FEES

Section 3.01 Participation Charges – General:

- A. No person shall connect any building sewer, alter, or change the use of any commercial structure or equivalent dwelling unit or portion thereof, or enlarge any commercial structure until a participation charge for each connection, enlargement, alteration, or change of use has been paid to the District.
- B. The provisions of this Ordinance are enacted pursuant to the provisions of Article IV, Chapter 6, Sections 5400 et seq. of the Health and Safety Code. Pursuant to the provisions of Section 5474 of the Health and Safety Code all participation charges fixed herein for the privilege of connecting to the District's wastewater system shall be due and payable prior to such connection.
 - 1. Notwithstanding the preceding, payment of participation fees due the District from non-residential users may, at the District's discretion, be deferred and made payable over a period of time under such terms and conditions as may be imposed by the Board in accordance with Resolution 97-9 or any amendments thereto.
- C. In the event a structure is altered to produce more than a single EDU, an additional participation charge shall be due for each additional EDU or portion thereof produced. Payment of such fees and charges shall be the responsibility of the real property owner.
- D. In the event additional participation charges become due from a structure previously connected to District's wastewater system, such charges shall become due immediately upon completion of the enlargement or alteration which results in additional participation charges and in the event such charges are not paid when due, the amount of such charges shall constitute a lien against the respective lots or parcels of land to which the facilities are connected. Prior to making such fees or charges a lien, the District shall give notice to the owners of the lots or parcels of land affected pursuant to the provisions of Section 5474 of the Health and Safety Code.
- E. In the event a connection, change in use or alteration of any commercial structure, enlargement of any commercial structure, or change in number of equivalent dwelling units within a structure has been made in violation of the provisions of this Section, the real property owner where such connection, alteration, change, or enlargement has occurred shall be responsible to the District for the payment of participation charges, and, in addition, may be required to disconnect the building sewer from the public sewer and reconnect to the public sewer under the District's supervision and shall be required to pay, in addition to such participation charge a reconnection charge in accordance with the District's Fee Schedule Resolution,

- together with all actual costs and expenses incurred by the District in making such reconnection.
- F. A basic participation charge for each equivalent dwelling unit shall be fixed and established by ordinance, and may be changed from time to time by the Board of Directors in accordance with provisions of Sections 12809 and 14401 of the Public Utilities Code.

Section 3.02 Participation Charges – Commercial/Industrial:

Determination of Commercial or Industrial Equivalent Dwelling Units. For purposes of this Ordinance, commercial or industrial EDU's shall be determined as follows:

A. General Regulations

1. Not Less than 1 EDU per building.
2. Prescribed participation charges apply only to the particular uses listed herein. Where multiple uses, and/or tenants within the meaning of this Ordinance, are contained or can be contained in the same structure, the General Manager, based on building permit data, applicable zoning, and plans of the developer, will allocate the respective square footage for the various uses and/or tenants, and determine a composite participation charge composed of the respective participation charges for each such use and/or tenant. Subsequent modifications to any structure may result in reclassification and the assessment of additional incremental participation charges.
3. No refunding of previously paid participation charges will be made where modifications are made to any structure which places it in a classification with a lower participation charge rate.
4. The real property owner shall be responsible for payment of any and all additional charges.

B. Low Strength-Low Quantity Commercial or Industrial Users-

For commercial or industrial units having wastewater strength of less than 200 mg/1 B.O.D. and/or suspended solids, and a quantity of less than 25,000 gpd, an EDU shall be determined as follows:

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|-------------------------------------|-----------------------|
| 1. Low Occupancy User | NOT Less than 1 EDU |
| a) Parking Garage | per every 5 Employees |
| b) Regional Distribution Facilities | |
| c) Storage Buildings | |

- 2. Low-Density Users 1/6 EDU per 1,000 sq. ft.
 - a) Church (w/o Kitchen)

- 3. Medium Density User 1/3 EDU per 1,000 sq. ft.
 - a) Church (w/ Kitchen and Meeting Hall)
 - b) School (w/o Cafeterias or Gymnasiums w/ Showers)
 - c) Bowling/Entertainment Center (w/o Showers)
 - d) Day Care Center (w/o Kitchen and/or Disposal Facilities)
 - e) Sports/Fitness Center (w/o Showers)
 - f) Retail Store
 - g) Bank/Offices (Other than Medical/Dental)
 - h) Chiropractor's Office
 - i) Theatres
 - j) Auditorium/Halls/Lodges

- 4. High Density User 2/3 EDU per 1,000 sq. ft.
 - a) Barber/Beauty Shop
 - b) School (w/ Cafeterias or Gymnasiums w/ Showers)
 - c) Bowling/Entertainment Center (w/ Kitchen)
 - d) Day Care Center (w/ Kitchen and/or Disposal Facilities)
 - e) Sports/Fitness Center (w/ Showers)
 - f) Medical/Dental Office
 - g) Service Station
 - h) Pet Grooming Center
 - i) Veterinary Clinic

j) Bars

5. Special Commercial User

a) Car Wash (per Automatic Wash Stall)	8	EDU per Unit
b) Car Wash (per Self-service Wash Stall)	2	EDU per Unit
c) Laundromat	$\frac{2}{3}$	EDU per Washer
d) Market/Mini-market (w/o Disposal)	$\frac{2}{3}$	EDU per 1,000 sq. ft.
e) Market/Mini-market (w/ Disposal)	2	EDU per 1,000 sq. ft.
f) FSE (FOG producing establishment)	2	EDU per 1,000 sq. ft.
g) FSE (Non FOG Producing Establishment, with limited food preparation)	1	EDU per 1,000 sq. ft.
h) FSE Outside/Overflow Dining Area		
1) w/ Covered Area	2	EDU per 1,000 sq. ft.
2) w/o Covered Area, but fenced	1	EDU per 1,000 sq. ft.
i) Mortuaries	2	EDU per 1,000 sq. ft.
j) Hospital	$\frac{1}{2}$	EDU per Licensed Bed
k) Rest Home/Convalescent Hospital	$\frac{1}{3}$	EDU per Licensed Bed
l) Camping/Recreational Vehicle Site	$\frac{1}{2}$	EDU per Site
m) Recreational Vehicle Dump Site	1	EDU per Site
n) Hotel/Motel Unit (w/ Kitchen)	1	EDU per Unit
o) Hotel/Motel Unit (w/o Kitchen)	$\frac{1}{2}$	EDU per Unit

6. Other Commercial/Industrial Users not listed

**Based on a Study done
by the General Manager**

C. High Strength-High Quantity Commercial or Industrial Users

For commercial or industrial users having wastewater strength of greater than 200 mg/1 B.O.D. and/or suspended solids, and/or a quantity of greater than or equal to

25,000 gpd, and/or requiring either special handling or treatment, an EDU shall be determined as follows:

$$1. \text{ EDU's} = \frac{\text{gpd}}{200} \left[0.61 + \frac{\text{B.O.D. mg/L}}{300} (0.22) + \frac{\text{suspended solids mg/L}}{200} (0.17) \right] *$$

**[Not less than a multiplier of one (1)]*

2. In addition, special treatment and/or handling costs may be added as determined by the General Manager.
- D. Industrial processing plants and similar heavy or unusual uses not classified by the provisions of this Ordinance shall be charged participation charges and fees as determined by the General Manager.

Section 3.03 Participation Charges – Residential:

- A. Determination of Residential Equivalent Dwelling Units. For purposes of this Ordinance, Residential EDU's shall be determined as follows: Dwelling units, including, but not limited to single family homes, duplexes, condominiums, mobile homes, secondary living units, and apartments shall be one (1) EDU per living unit.
- B. There shall be no participation charge for a central recreation building or washroom in a residential mobile home park, condominium or apartment complex so long as the use thereof is restricted to occupants of the mobile home park, condominium or apartments. The real property owner shall substantiate the private, restricted use of said facilities in writing to the District.

Section 3.04 Monthly Service Charges – General:

- A. A monthly service charge for each equivalent dwelling unit shall be fixed and established by ordinance, and may be changed from time to time by the Board of Directors in accordance with provisions of Sections 12809 and 14401 of the Public Utilities Code. The monthly service charge for multiple dwelling units shall be the basic EDU rate multiplied by the number of equivalent dwelling units.
- B. In the event a structure is altered to produce more than a single EDU, an additional monthly service charge shall be due for each additional EDU or portion thereof produced. Payment of such charges shall be the responsibility of the real property owner.
- C. The real property owner shall remain liable for the monthly service charge as long as the building sewer is connected to the public sewer system, regardless of vacancy. Before an owner can be removed from billing for monthly service charges, the building sewer shall be physically disconnected from the public system at the property line cleanout or point of connection with the public system in accordance

with the District Specifications. Reconnection shall be made under the direction of the District. All work and costs shall be the responsibility of the owner and shall be inspected and approved by the District. In cases of vacancy where the property is not physically disconnected, the service charge shall be based on the classification of the last occupant(s) of the structure.

Section 3.05 Monthly Service Charges – Commercial/Industrial:

The Determination of Monthly Service Charges for Commercial or Industrial EDU's shall be as follows:

- A. For purposes of this Ordinance, the monthly service charge, which is billed quarterly, for Low Strength-Low Quantity commercial or industrial EDU's shall be determined in accordance with the classifications set forth in Section 3.02 B. for sewer participation charges.
- B. The monthly service charge, which is billed quarterly, for High Strength-High Quantity commercial or industrial EDU's shall be determined in accordance with the formula set forth in Section 3.02 C. for sewer participation charges.
 - 1. In addition, special treatment and/or handling costs may be added as determined by the General Manager.
- C. In no case shall the monthly service charge for a structure be less than one (1) EDU per business. Quarterly service charge billings shall be in the name of and be the responsibility of the real property owner.
- D. Industrial processing plants and similar heavy or unusual uses not classified by the provisions of this Ordinance shall be charged monthly service charges and fees as determined by the General Manager.

Section 3.06 Monthly Service Charges – Residential:

The Determination of Monthly Service Charges for Residential EDU's shall be as follows:

- A. For purposes of this Ordinance the monthly service charge, which is billed quarterly, for residential EDU's shall be determined as follows: Dwelling units, including, but not limited to single family homes, duplexes, condominiums, mobile homes, secondary living units and apartments shall be one (1) EDU per living unit.
- B. In no case shall the monthly service charge for a residential structure be less than one (1) EDU per dwelling unit. Quarterly service charge billings shall be in the name of and be the responsibility of the real property owner.

Section 3.07 Charges and Fees – Other Regulations:

- A. Pursuant to the provisions of Section 12811 of the Public Utilities Code, all fees, tolls, rates, rentals or other charges established by the provisions of this Ordinance may be collected by any lawful means including an action at law and all remedies for the collection and enforcement thereof are cumulative and may be pursued alternatively or consecutively.

- B. Pursuant to the provisions of Section 12811.1 of the Public Utilities Code, the owner of record of real property within the District is required to pay the fees, tolls, rates, rentals, or other charges for services rendered to a lessee, tenant, or other occupant of the property and those fees, tolls, rates, rentals and other charges that have become delinquent together with interest and penalties thereon, will constitute a lien on the property when a certificate is filed in the Office of the County Recorder and such lien has the force, effect, and priority of a judgment lien.

- C. Any fees, rates, or charges imposed or established by the provisions of this (all) Ordinances(s) shall not exceed the reasonable cost to the District of the rendition of the service for which the fee or charge is imposed.