

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING
OCEANSIDE CITY CODE, CHAPTER 29, ESTABLISHING
SEWER USER RATE, SEWER SYSTEM BUY-IN FEE
INCREASES AND SPECIAL USER RATES AND SYSTEM
BUY-IN FEES

WHEREAS, the City of Oceanside through its Water Utilities Department Wastewater Division provides essential public health and safety services to its residents;

WHEREAS, on December 7, 2005, the City Council approved Ordinance No. 05-OR0710-1 related to establishing wastewater system buy-in fees and monthly wastewater residential, non-residential and Group VII-Industrial/Special User rates;

WHEREAS, Section 29.11.1 of the Oceanside City Code established wastewater system buy-in fees to be paid as a condition precedent to connection to the City wastewater treatment and disposal system;

WHEREAS, wastewater system buy-in fees are evaluated periodically to maintain an adequate fee structure to recover costs for constructing public wastewater collection, treatment and disposal facilities;

WHEREAS, the wastewater system buy-in fees established have been analyzed and found to be insufficient to pay for the capital costs of constructing public wastewater collection, treatment and disposal facilities necessary for the future;

WHEREAS, wastewater rates are evaluated periodically to maintain an adequate fee structure to recover costs for wastewater services;

WHEREAS, the wastewater rates have been analyzed and found to be insufficient to pay for the costs required to collect, treat and dispose of public wastewater;

WHEREAS, on January 21, 1998, the City Council adopted Resolution No. 098-013 authorizing the Water Utilities Director to adjust and establish sewer rates for customers based on tests of levels of biological oxygen demand and total suspended solids in the sewage discharged into the City's sewage treatment system;

1 WHEREAS, the City has determined that the category of non-residential wastewater
2 customers formerly called “Group VII – Industrial/Special Users” should be changed to
3 “Special Users” and a new calculation to determine wastewater system buy-in fees and flow
4 charges for this category should be added to the City’s rate schedules;

5 WHEREAS, the City Council has determined that provision for special users is
6 necessary to recover costs for collection and treatment from non-residential wastewater
7 customers discharging high-strength, high-flow effluent into the wastewater collection,
8 treatment and disposal system; and

9 NOW, THEREFORE, the City Council of the City of Oceanside DOES ORDAIN as
10 follows:

11 **SECTION 1. Sec. 29.1. Definitions.**

12 Section 29.1 is hereby amended by adding the following definitions in alphabetical order
13 to read:

14 *“Special User.* A Special User shall mean any establishment that discharges more than
15 25,000 gallons per day and/or that has all characteristics of a significant industrial user and/or
16 has loading impacts on the wastewater system of BOD of greater than 300 parts per million,
17 TSS greater than 300 parts per million and/or ammonia greater than 25 parts per million, and/or
18 any establishment that cannot be classified in any other user category, based on its individual
19 flow and strength characteristics.

20 *Special user flow charge.* The special user flow charge is based on an establishment’s
21 individual flow and strength characteristics and is determined based on the calculation in
22 Section 29.18.

23 *Special user wastewater system buy-in fee.* The special user wastewater system buy-in
24 fee is based on an establishment’s excess water usage and strength characteristics and is
25 determined based on the calculation in Section 29.11.1 (a).

26 *Total Suspended Solids.* The total suspended matter that floats on the surface of, or is
27 suspended in water, wastewater or other liquids, and which is removable by laboratory
28 filtering.”

SECTION 2. Section 29.11.1 is hereby amended to read as follows:

“Sec. 29.11.1 Wastewater system buy-in fees.

Effective sixty (60) days after this ordinance is adopted, all new connections to the city’s wastewater system shall be assessed a wastewater system buy-in fee based on water meter size, except residential single-family connections, which will be charged for a 5/8-inch meter regardless of water meter size. Such fee shall be as follows:

Meter Size	Buy-In Fee
Residential Single Family:	
Regardless of meter size	\$6,035
Multi-Family and Non-Residential:	
5/8” & 3/4”	\$6,035
1”	\$15,088
1½”	\$30,175
2”	\$48,280
3”	\$90,525
4”	\$150,875
6”	\$301,750
8”	\$482,800
10”	\$694,025

SECTION 3. Section 29.11.1 (a) is hereby added and shall read as follows:

Sec. 29.11.1 (a) Special User Wastewater system buy-in fees.

An additional wastewater system buy-in fee may be imposed on special users for wastewater flow based on excess water usage and strength characteristics. Water usage and strength characteristics will be reviewed to determine the actual flow rate, BOD, TSS and/or ammonia loadings of the discharge after the special user has paid an initial wastewater system buy-in fee. An additional wastewater buy-in fee shall be assessed using the following unit costs:

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Special Users Wastewater Buy-In Fees	
Parameter	Buy-In Cost
Per meter equivalent (customer costs)	\$99.59
Per unit (748 gallons) of wastewater discharged	\$46.65
Per pound of Biochemical Oxygen Demand Discharged	\$6.37
Per pound of Total Suspended Solids Discharged	\$3.41
Per pound of Ammonia Discharged	\$4.28

SECTION 4. Sec. 29.17.1 is hereby amended to read as follows:

“Sec. 29.17.1 Monthly service charge based on meter size.

Effective on the first bill after November 2, 2007, all wastewater service customers of the city shall be subject to a monthly service charge hereby imposed as follows:

Meter Size	Monthly Service Charge
5/8"	\$14.42
3/4"	\$14.42
1"	\$31.63
1 ½"	\$60.32
2"	\$94.75
3"	\$175.08
4"	\$289.84
6"	\$576.75
8"	\$921.03
10"	\$1,322.69

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1 SECTION 5. Section 29.18 is hereby amended to read as follows:

2 **“Sec. 29.18 Flow charge.**

3 Residential and non-residential customer flow charges shall be based on the
4 quality and quantity of sewage. Effective on the first bill after November 2, 2007, all
5 wastewater service customers, except for special users, of the city shall be subject to a monthly
6 flow charge hereby imposed as follows:

Group I – Residential Customers		Monthly Charge
Single Family – Low Use (0-5 units)		\$8.06
Medium Use (6-10 units)		\$17.37
High Use (11+ units)		\$33.91
Master-Metered Single Family (per residential unit)		\$13.62
Manufactured Homes (per residential unit)		\$9.31
Multi-family – per unit of estimated sewage flow		\$2.19
Non-Residential Customers		Estimated Sewer Flow (per unit)
Group II	Low Strength	\$2.19
Group III	Medium Strength	\$2.48
Group IV	Medium High Strength	\$3.55
Group V	High Strength	\$4.24
Group VI	Churches	\$2.19
	Public Schools	\$2.19
Group VIII	RV Parks	\$2.19
	Hotel/Motel without Restaurant	\$2.19

21 Section 6. Section 29.18 (a) shall be added and shall read as follows:

22 **Sec. 29.18 (a) Special user flow charge.**

23 Each special user shall pay monthly flow charges that shall be determined by a
24 calculation based on actual monitoring data of flow, biochemical oxygen demand, total
25 suspended solids, and ammonia as follows:
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Special User Wastewater Flow Charges	
Parameter	Unit Cost
	FY 2007-08
Per unit (748 gallons) discharged	\$1.22
Per pound of Biochemical Oxygen Demand Discharged	\$0.38
Per pound of Total Suspended Solids Discharged	\$0.21
Per pound of Ammonia Discharged	\$0.21

Flow charges will be computed annually for each industrial user at the time of renewal of the pretreatment permit. An overall charge will be calculated using the unit rates and the average concentrations measured for each loading parameter. This new charge will then be in effect for the following year.

SECTION 7. Sections 29.18 a., b., c., and d. are hereby deleted.

SECTION 8. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days after its passage in the North County Times, a newspaper of general circulation published in the City of Oceanside.

SECTION 9. Severability.

If any section, sentence, clause or phrase of the Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

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1 INTRODUCED at a regular meeting of the City Council of the City of Oceanside held
2 on the _____ day of _____, 2007, and, thereafter,

3 PASSED, AND ADOPTED by the City Council of the City of Oceanside, California
4 this _____ day of _____, 2007, by the following vote:

5 AYES:
6 NAYS:
7 ABSENT:
8 ABSTAIN:

9 _____
10 MAYOR, CITY OF OCEANSIDE

11 ATTEST:

APPROVED AS TO FORM:

12 _____
13 CITY CLERK

Beulah Annunzio
14 _____
15 CITY ATTORNEY

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