

ORDINANCE NO. \_\_\_\_\_

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

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

WHEREAS, on October 3, 2007, the City Council approved Ordinance No. 07-OR0633-1 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; and

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

1 NOW, THEREFORE, the City Council of the City of Oceanside DOES ORDAIN as  
2 follows:

3 SECTION 1. Section 29.11.1 is hereby amended to read as follows:

4 **“Sec. 29.11.1 Wastewater system buy-in fees.**

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

Meter Size	Buy-In Fee
<b>Residential Single Family:</b>	
Regardless of meter size	\$6,313
<b>Multi-Family and Non-Residential:</b>	
5/8” & 3/4”	\$6,313
1”	\$15,782
1½”	\$31,563
2”	\$50,501
3”	\$94,689
4”	\$157,815
6”	\$315,631
8”	\$505,009
10”	\$725,950

22 SECTION 3. Section 29.11.1 (a) is hereby amended to read as follows:

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

24 An additional wastewater system buy-in fee may be imposed on  
25 special users for wastewater flow based on excess water usage and strength characteristics.  
26 Water usage and strength characteristics will be reviewed to determine the actual flow rate,  
27 BOD, TSS and/or ammonia loadings of the discharge after the special user has paid an initial  
28

1 wastewater system buy-in fee. An additional wastewater buy-in fee shall be assessed using the  
2 following unit costs:

<b>Special Users Wastewater Buy-In Fees</b>	
<b>Parameter</b>	<b>Buy-In Cost</b>
Per meter equivalent (customer costs)	\$116.44
Per unit (748 gallons) of wastewater discharged	\$49.33
Per pound of Biochemical Oxygen Demand Discharged	\$6.73
Per pound of Total Suspended Solids Discharged	\$3.60
Per pound of Ammonia Discharged	\$4.53

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

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

12 Effective on the first bill reflecting charges for usage from and after March 12,  
13 2009, all wastewater service customers of the city shall be subject to a monthly service charge  
14 hereby imposed as follows:  
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<b>Meter Size</b>	<b>Monthly Service Charge</b>
5/8"	\$15.93
3/4"	\$15.93
1"	\$34.93
1 ½"	\$66.60
2"	\$104.61
3"	\$193.30
4"	\$320.00
6"	\$636.76
8"	\$1,016.85
10"	\$1,460.30

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 reflecting charges for usage from and  
5 after March 12, 2009, all wastewater service customers, except for special users, of the city  
6 shall be subject to a monthly flow charge hereby imposed as follows:

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<b>Group I – Residential Customers</b>		<b>Monthly Charge</b>
Single Family – Low Use (0-5 units)		\$8.90
Medium Use (6-10 units)		\$19.18
High Use (11+ units)		\$37.44
Master-Metered Single Family (per residential unit)		\$15.04
Manufactured Homes (per residential unit)		\$10.28
Multi-family – per unit of estimated sewage flow		\$2.42
<b>Non-Residential Customers</b>		<b>Estimated Sewer Flow (per unit)</b>
Group II	Low Strength	\$2.42
Group III	Medium Strength	\$2.74
Group IV	Medium High Strength	\$3.92
Group V	High Strength	\$4.69
Group VI	Churches	\$2.42
	Public Schools	\$2.42
Group VIII	RV Parks	\$2.42
	Hotel/Motel without Restaurant	\$2.42

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21 Section 6. Section 29.18 (a) is hereby amended to 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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<b>Special User Wastewater Flow Charges</b>	
<b>Parameter</b>	<b>Unit Cost</b>
Per unit (748 gallons) discharged	\$1.35
Per pound of Biochemical Oxygen Demand Discharged	\$0.42
Per pound of Total Suspended Solids Discharged	\$0.24
Per pound of Ammonia Discharged	\$0.24

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. 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 8. 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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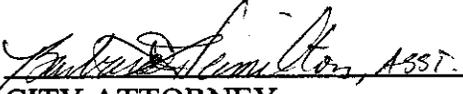
1 INTRODUCED at a regular meeting of the City Council of the City of Oceanside held  
2 on the \_\_\_\_\_ day of \_\_\_\_\_, 2009, and, thereafter,

3 PASSED, AND ADOPTED by the City Council of the City of Oceanside, California  
4 this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by the following vote:

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

9 \_\_\_\_\_  
10 MAYOR, CITY OF OCEANSIDE

11 ATTEST:  
12 \_\_\_\_\_  
13 CITY CLERK

14 APPROVED AS TO FORM:  
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16 \_\_\_\_\_  
17 CITY ATTORNEY

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

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING  
OCEANSIDE CITY CODE, CHAPTER 37, ESTABLISHING  
WATER USER RATE, WATER SYSTEM BUY-IN FEE, AND  
EXTERNAL WATER PROVIDER CHARGE INCREASES

WHEREAS, on October 3, 2007, the City Council adopted Ordinance No. 07-OR633-1 related to establishing monthly residential, non-residential water rates; water system buy-in fees and external water provider charges;

WHEREAS, these water rates have been analyzed and found to be insufficient to pay for the costs of improving and upgrading necessary public water transmission, treatment storage and distribution facilities;

WHEREAS, Section 37.56.1 of the Oceanside City Code established water system buy-in fees to be paid as a condition precedent to connection to the City water system;

WHEREAS, these water system buy-in fees have been analyzed and found to be insufficient to pay for the capital costs of constructing public water transmission, treatment, storage and distribution facilities necessary for the future;

WHEREAS, at its June 26, 2008 meeting, the Board of Directors of the San Diego County Water Authority ("Authority") approved an increase in the amount of its municipal and industrial water surcharge by \$81 per acre foot for treated water and \$77 per acre foot for untreated water; and

WHEREAS, at its June 26, 2008 meeting, the Board of Directors of the San Diego County Water Authority ("Authority") approved an increase in the amount of its infrastructure access charge to be levied against each member agency,

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

1 SECTION 1. Section 37.34 is hereby amended to read as follows:

2 **"Sec. 37.34 Monthly service charge.**

3 Effective on the first bill reflecting charges for usage from and after March 12, 2009, all  
4 water service customers of the city shall be subject to a monthly service charge hereby imposed  
5 as follows:

Meter Size	Monthly Water Service Charge
5/8"	\$12.97
1"	\$28.59
1 1/2"	\$54.63
2"	\$85.89
3"	\$158.81
4"	\$262.98
6"	\$523.42
8"	\$835.93
10"	\$1,200.54

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14 SECTION 2. Sec. 37.35 is hereby amended to read as follows:

15 **"Sec. 37.35 Monthly consumption charge.**

16 Effective on the first bill reflecting charges for usage from and after March 12, 2009, all  
17 water service customers of the city shall be subject to a monthly consumption charge hereby  
18 imposed as follows:

Units of Water Used	Monthly Water Consumption Charge (per unit*)
<b>Single-family</b>	
1 <sup>st</sup> tier (0-13 units)	\$1.88
2 <sup>nd</sup> tier (14 + units)	\$2.16
<b>Multi-family</b>	
1 <sup>st</sup> tier (0-7 units)	\$1.74
2 <sup>nd</sup> tier (8 + units)	\$2.00
Non-residential/Agricultural/Irrigation	\$2.05
Reclaimed water	\$1.65

27 \* A unit of water is equal to seven hundred forty-eight (748) gallons."  
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1 SECTION 3. Section 37.56.1 is hereby amended to read as follows:

2 **“Sec. 37.56.1 Water system buy-in fees.**

3 Effective sixty (60) days after adoption of this ordinance, all new connections to  
4 the city’s water system shall be assessed a water system buy-in fee based on meter size as  
5 follows:

<u>Meter Size</u>	<u>Buy-In Fee</u>	<u>Meter Size</u>	<u>Buy-In Fee</u>
5/8”	\$4,597	4”	\$114,923
1”	\$11,492	6”	\$229,845
1½”	\$22,985	8”	\$367,753
2”	\$36,775	10”	\$528,645
3”	\$68,954		

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13 SECTION 4. Section 37.57 is hereby amended to read:

14 **“Sec. 37.57 Fees for New Meters and Installation**

15 Each new connection to the city’s water system shall be assessed a fee based on meter  
16 size to pay the costs for a new meter and installation equipment provided by the City. Such fee  
17 shall be established hereafter by resolution of the Oceanside City Council.

18 SECTION 5. Sections 37.110 and 37.511 are hereby amended to read as follows:

19 **“Sec. 37.110 San Diego County Water Authority Surcharge**

20 Effective on the first bill reflecting charges for usage from and after March 12,  
21 2009, there is hereby established a water surcharge on City of Oceanside water customers in the  
22 amount of \$0.25 per unit of water. The City Council, by ordinance, may periodically adjust the  
23 surcharge based on the amount of surcharge approved by the San Diego County Water  
24 Authority.

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1                   **Section 37.111 San Diego County Water Authority Infrastructure Access**

2 **Charge**

3                   Effective on the first bill reflecting charges for usage from and after March 12,  
4 2009, there is hereby established an infrastructure access charge on water customers of the City  
5 of Oceanside. This charge is established as follows:

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Meter Size	Meter Equivalent*	Monthly Charge
5/8"	1.00	\$1.90
1"	1.60	\$3.04
1.5"	3.00	\$5.70
2"	5.20	\$9.88
3"	9.60	\$18.24
4"	16.40	\$31.16
6"	30.00	\$57.00
8"	52.00	\$98.80
10"	78.00	\$148.20

13 \*A meter equivalent is a basic 5/8" water meter used in most single-family homes.

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15                   SECTION 6. The City Clerk of the City of Oceanside is hereby directed to publish this  
16 ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15)  
17 days after its passage in the North County Times, a newspaper of general circulation published  
18 in the City of Oceanside.

19                   SECTION 7. Severability.

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

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1 INTRODUCTION at a regular meeting of the City Council of the City of Oceanside held  
2 on the \_\_\_\_\_ day of \_\_\_\_\_, 2009, and, thereafter,

3 PASSED, AND ADOPTED by the City Council of the City of Oceanside, California  
4 this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by the following vote:

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

10 \_\_\_\_\_  
MAYOR, CITY OF OCEANSIDE

11 ATTEST:

APPROVED AS TO FORM:

12 \_\_\_\_\_  
13 CITY CLERK

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15 \_\_\_\_\_  
16 CITY ATTORNEY

17 AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING OCEANSIDE CITY  
18 CODE, CHAPTER 37, ESTABLISHING WATER USER RATE, WATER SYSTEM  
19 BUY-IN FEE, AND EXTERNAL WATER PROVIDER CHARGE INCREASES  
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