

ORDINANCE NO. 8-15

**ORDINANCE AND ORDER OF THE GOVERNING BOARD
OF THE SUMMERLAND SANITARY DISTRICT
AMENDING ORDINANCE NO. 8
REVISING AND AMENDING CERTAIN SEWER
SERVICE CHARGES ESTABLISHED BY ORDINANCE NO. 8-14**

Be it ordained by the Governing Board of SUMMERLAND SANITARY DISTRICT as follows:

RECITALS

WHEREAS, the Board of Directors ("Governing Board"), in accordance with applicable law (including but not limited to Sections 5471 and 6520.5, respectively, of the California Health and Safety Code), desires to amend and update its Ordinance No. 8 pertaining to the adoption and collection of sewer service rates and charges; and

WHEREAS, the Board desires to repeal those portions of prior sewer service charge ordinances of the District which are inconsistent with the provisions herein;

NOW, THEREFORE, BE IT ADOPTED as follows:

ARTICLE I

Sewer Service Rates and Charges

Section 2 of Article III of Ordinance No. 8 is hereby amended in its entirety, and as amended shall provide as follows:

"Section 2. Sewer Service Rates and Charges. The following are annual sewer service charges. To compute the monthly rate, divide the specified number by twelve (12)."

USE

**FY05/06 SEWER
SERVICE CHARGE**

A)	Apartments: (for each one family dwelling unit)	\$ 628.29
B)	Churches:	\$ 628.29
C)	Commercial (including Governmental & public Buildings)	
	1. Auto courts with two or less sleeping units	\$1,443.38
	2. Auto courts for each additional sleeping unit	\$ 172.32
	3. Barber and Beauty shops with three or more operators	\$2,878.61
	4. Barber and Beauty shops with less than three operators	\$1,443.38
	5. Bars: (Service of any alcoholic beverage, but not food) * with restaurant, add restaurant rate.	\$1,795.80
	6. Car Wash	\$9,009.00
	7. Food Markets: (Grocery store, meat market less than 5000 sq. ft.)	\$1,443.38
	8. Food markets: (5000 or more sq. ft.)	\$5,407.32
	9. Food markets: (with garbage grinders, add to above rate)	\$5,407.32
	10. Meeting and Convention Halls: (without kitchen) (With kitchen)	\$662.40 \$1,443.38

ARTICLE II

Minimum Annual Rates; Effective Date of Ordinance

Section 3 of Article III of Ordinance No. 8 is hereby amended in its entirety, to read as follows:

Section 3. Minimum Annual Rate and Unclassified Uses.

Notwithstanding anything to the contrary in this Ordinance, the minimum annual rate for any property being served shall be \$628.29. For premises having a sewer connection, but for which a specific classification for sewer service charges has not been set forth in this ARTICLE III, the District shall charge such rate as in its sole discretion it deems applicable for the type of use being made of the premises in relation to the uses made of classified premises and the rate in this Ordinance fixed for said classified premises.

The rates hereinabove set forth shall be effective as of July 1, 2005. This declaration of the effective date shall not change the lien date as set forth in Health and Safety Code § 5473.5.”

ARTICLE III

Collection

Article IV of Ordinance No. 8 is hereby amended in its entirety, to read as follows:

ARTICLE IV

Collection

Section 1. Where applicable, and permitted by law, and if this Governing Board elects to do so by resolution, the sewer service charge will be placed on, and collected

USE	FY05/06 SEWER SERVICE CHARGE
11. Mobile Home Parks (per space or lot)	\$ 628.29
12. Parks, public (for each toilet, commode and urinal)	\$ 628.29
13. Public Garages:	\$1,594.14
14. Public Buildings: without food service (plus source control)	\$4,395.05
15. Restaurants: (less than 1000 sq. ft. of serving area) * with bar, add bar rate	\$1,795.80
16. Restaurants: (1000 to 2000 sq. ft. of serving area)	\$5,407.32
17. Restaurants: (more than 2000 sq. ft. of serving area)	\$6,283.05
18. Schools, Elementary and Nursery:	\$ 628.29
19. Self Service Laundries:	\$7,735.97
20. Service Station: (without wash racks) * with wash racks add car wash rate	\$1,443.38
21. Theaters, Bowling Alleys, Amusement	\$5,407.32
22. Dwelling Unit	\$ 628.29

used for any purpose other than that for which the rates and charges are imposed.

- c. The amount of the sewer service rates and charges imposed upon any parcel do not exceed the proportional cost of the service attributable to the parcel.
- d. Sewer service is actually used by or immediately available to the owners of parcels upon which the sewer service rates and charges are imposed.
- e. The sewer service rates and charges are imposed for the use of the District's sanitary sewer facilities and not for general governmental services.
- f. The District has complied with the procedural requirements of Section 6 ("Property Related Fees and Charges") of Article XIII D. of the California Constitution in enacting this ordinance.

ARTICLE VI

Exemption From CEQA

Pursuant to Section 21080(8) of the Public Resources Code and 14 Cal. Code Regs. Section 15273(a), the Board finds and determines that: (a) the establishment of the charges, rates and fees imposed by this Ordinance are exempt from the requirements of the California Environment Quality Act (CEQA) for the reasons set forth in Section 21080 of the Public Resources Code; and (b) the changes, rates and fees adopted hereby are for the purposes set forth in the above-cited provisions.

ARTICLE VII

Repeal of Prior Ordinance; Remainder of Ordinance No. 8 Unchanged

Ordinance No. 8-14 previously adopted by the Governing Board is hereby repealed in its entirety. All other provisions of Ordinance No. 8 not otherwise modified by this Ordinance No. 8-15 shall remain unchanged and in full force and effect.

ARTICLE VIII

Publication and Effective Date

with, the County tax statements. If such an election is made and if an application for a connection is made after June 30th in any given year so as to be too late to be placed on the next fiscal year tax statement, then the applicable rate for the prorated balance of the fiscal year must be paid in advance at the time of making application.

All other sewer charges, the collection of which is not specifically prescribed in this Section, shall be paid in advance for each fiscal year on the 1st day of July of each fiscal year.”

ARTICLE IV

Repeal of Prior Article VII; New Provision Regarding Liens

Article VII of Ordinance No. 8 is hereby repealed. A new Article VII is hereby enacted, as follows:

“ARTICLE VII

Liens

The amount of unpaid sewer service charges plus any penalties thereon shall constitute a lien upon the real property upon which such charges have been imposed as of noon on the first Monday in March of each year, and such lien shall continue until the charges and all penalties thereon are fully paid or the property sold therefore.”

ARTICLE V

Charges and Rates Do Not Exceed Costs

The Governing Board finds and determines as follows:

- a. The revenues derived from the sewer service rates and charges provided in this Ordinance do not exceed the amount required to provide the service for which the rates and charges are imposed.
- b. The revenues derived from the sewer service rates and charges shall be used in accordance with laws governing the District and shall not be

This Ordinance shall be published or posted in accordance with California Health and Safety Code Section 6490 and shall be effective as of July 1, 2005.

PASSED AND ADOPTED by the Governing Board of SUMMERLAND SANITARY DISTRICT this 20th day of June, 2005, by the following vote:

AYES: III

NAYS: Ø

ABSENT: 1

Randy Akens
RANDY AKENS, President
Board of Directors
SUMMERLAND SANITARY DISTRICT

(SEAL)



ATTEST:

Jan Davis
_____, Secretary
Board of Directors

This Ordinance shall be published in accordance with Chapter 21A, Title 10, Oregon Administrative Rules, and shall be effective on July 1, 2008.

ISSUED AND ORDERED by the governing board of the following
SARATOGA DISTRICT FIRE BOARD

DATE: _____

BY: _____

ATTEST: _____

[Signature]
NANCY ALONSO, President
SARATOGA DISTRICT FIRE BOARD



DATE: _____
BY: _____
SARATOGA DISTRICT FIRE BOARD