

ORDINANCE NO. 153

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

WHEREAS, the Montara Water and Sanitary District Code (MWSD Code) includes regulations governing connections to and use of the District's water and sewerage facilities, the construction, operation and maintenance thereof and for the establishment and collection of all fees and charges pertaining thereto; and

WHEREAS, said Code further provides for the establishment and collection of monthly rates to be charged for the collection, removal, and disposal of refuse and for recycling services performed by the District's franchisee under agreement with the District; and

WHEREAS, said Code provides that such fees and charges may be set forth in a Master Fee Schedule; and

WHEREAS, periodically such fees and charges are reviewed and adjusted to conform to the costs corresponding to the services, commodities and facilities to which they pertain; and

WHEREAS, the fees and charges pertaining to water and sewer services and facilities set forth in Sections 2, 3 and 4 hereof have heretofore been enacted in accordance with the requirements of law including, to the extent applicable, the provisions of Section 6 of Article XIII D of the California Constitution (enacted by Proposition 218, November 6, 1996 Statewide election) and also following noticed public hearing thereon and this ordinance restates said fees and charges without revision; and

WHEREAS, a notice was published once in the Half Moon Bay Review giving notice of a public hearing to consider adoption of the revised Master Fee Schedule on August 16, 2007; and

WHEREAS, on August 16, 2007 a public hearing upon the proposed fees and charges for water and sewer connection fees and miscellaneous service fees was held, and at the public hearing the Board of the Montara Water and Sanitary District considered all protests against the proposed fees or charges; and

WHEREAS, on July 12, 2007 a public hearing upon the proposed fees and charges for sewerage service was held not less than 45 days after mailing the notice of the proposed fees or charges to the record owners of each identified parcel upon which the fees or charges are proposed to be imposed and at the public hearing the Board of the Montara Water and Sanitary District considered all protests against the proposed fees or charges; and

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WHEREAS, written protests against the proposed fees or charges were not presented by a majority of owners of the identified parcels; and

WHEREAS, said public hearing was also held pursuant to notice published in the District's Official Newspaper and all persons present at the hearing and interested in the matter were heard or given the opportunity to be heard on the enactment of fees and charges for sewerage services;

WHEREAS, at the November 16, 2007 meeting the Board approved the sending notices on December 27, 2006 with a Public Hearing of February 15, 2007 for a water rate increase in accordance with Prop 218; and

WHEREAS, on February 15, 2007 the Board held the protest hearing in accordance with Prop 218 and a total of 44 written protests were submitted amounting to about 2% of the property owners sent notices of the proposed water rate increases;

WHEREAS, a noticed public hearing concerning water quantity charges and water services and facilities fees and charges were held on March 15, 2007 for the first increment increase in the water rates; and

NOW, THEREFORE, THE BOARD OF THE MONTARA WATER AND SANITARY DISTRICT, A PUBLIC AGENCY IN THE COUNTY OF SAN MATEO, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The following provisions of the Master Fee Schedule are hereby amended and enacted:

SEWER SERVICE CHARGE RATES

The annual sewer service charge for property occupancy uses corresponding to the categories specified hereinafter, shall be, and is hereby established as an amount equal to the applicable rate hereinafter specified times the cubic feet of water consumption attributable to such property per annum divided by one hundred (Section 4-2.100, MWSD Code).

<u>Classification</u>	<u>Rate/HCF*</u>	<u>Minimum Charge</u>
Residential	\$27.44	\$439.04

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Restaurants	\$49.78	\$796.42
Motels	\$29.50	\$471.97
Offices	\$24.26	\$388.11
General Commercial	\$26.29	\$420.60
All other Commercial	\$28.59	\$457.48
Schools	\$24.70	\$395.14
Hospitals	\$27.60	\$441.67

*Hundred cubic feet

SECTION 2. The following provisions of the Master Fee Schedule are hereby restated:

<u>Description of Fee</u>	<u>Fee</u>
Sewer Connection Permit (Section 3-9.500, MWSD Code)	\$18,627
Fixture Unit Charge (Section 3-9.500, MWSD Code)	\$745
Sewer Connection Permit for Parcels Where Owner is Paying Sewer Service Charge and Abandoning Septic System (Section 3-9.500, MWSD Code)	\$11,834
Fixture Unit Charge—Parcels Paying Sewer Service Charge And Abandoning Septic System (Section 3-9.500, MWSD Code)	\$473
Sewer Connection Permit for Second Dwelling Units—Fixture	\$473

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Unit Charge (Section 3-10.200, MWSD Code)

Connection Permit Administrative Fee (Section 3-9.600, MWSD Code)	\$161
Connection Permit Inspection Fee (Section 3-9.600, MWSD Code)	\$368
Remodel Permit Fee (Section 3-9.500, MWSD Code)	\$273
Private Sewer System Permit (Section 3-4.200, MWSD Code)	\$125
Private Sewer System Deposit for Hydrologic Investigation (Section 3-4.1200 (c), MWSD Code)	\$2,109
Connection Permit Administrative Fee - Subdivisions & Commercial Units (Section 3-9.600, MWSD Code)	Actual Costs (\$161 minimum)
Connection Permit Inspection Fee - Subdivisions & Commercial Units (Section 3-9.600, MWSD Code)	Actual Costs (\$368 minimum)
Administrative Fee for Reimbursement Agreement (Section 3-9.500, MWSD Code)	Actual Costs (\$161 minimum)
Administrative Fee for Main Line Extension Agreement (Section 3-9.500, MSD Code)	Actual Costs (\$161 minimum)
Connection Fee to Connect to Interceptor (Section 3-9.500, MWSD Code)	Prorata share of current current value of interceptor
Miscellaneous Inspection Fee (Section 3-9.500, MWSD Code)	Actual Costs (\$368 minimum)

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Second Unit Connection Fee—Studio Unit (10 fixture units) (Section 3-10.200, MWSD Code)	\$7,453
Second Unit Connection Fee—One Bedroom Unit (11 fixture units) (Section 3-10.200, MWSD Code)	\$8,198
Second Unit Connection Fee—Additional Fixture Units (Section 3-10.200, MWSD Code)	\$745
Second Unit Permit Application Fee (Section 3-10.400, MWSD Code)	\$161
PROPERTIES IN SEAL COVE ASSESSMENT DISTRICT	
(i) Reimbursement to District for Class 1 undeveloped properties.	To be determined by Board.
(ii) Reimbursement to District for Class 4 undeveloped properties.	To be determined by Board.
(iii) Reimbursement to District for Class 5 undeveloped properties.	To be determined by Board.
(iv) Credit offset to Sewer Connection Charge for Class 2 undeveloped properties.	To be determined by Board.
Administrative Charge for Processing Collection of Delinquent Trash and Water Charges On Tax Roll (Section 2-7.103, MWSD Code)	\$34 per account
Charge to Photocopy Documents	\$1.12 per page for first four pages; \$0.28 for each page over four.
Charge for Failure to Obtain Permit	Double amount of Permit Fee

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(Section 1-5.200, MWSD Code)

(minimum, if actual collection costs exceed above amount)

SECTION 3. The following provisions of the Master Fee Schedule are hereby restated:

WATER RATES.

Quantity Rate per Hundred Cubic Feet of Water (HCF), Tier 1: \$4.733 for 0 to and including 19 HCF.

Quantity Rate per Hundred Cubic Feet of Water (HCF), Tier 2: \$6.285 for 20 HCF and above.

(Section 5-5.102, MWSD Code)

Service Charge Per Meter Per Month:

(Section 5-5.102, MWSD Code)

5/8 x 3/4-inch meter:	\$30.76
3/4-inch meter:	\$36.69
1-inch meter:	\$49.94
1 1/2-inch meter:	\$66.71
2-inch meter:	\$90.13
3-inch meter:	\$166.72
4-inch meter:	\$226.77

Private Fire Protection Per Meter Per Month:

(Section 5-5.106, MWSD Code)

4-inch connection or smaller:	\$12.19
6-inch connection:	\$17.28
8-inch connection:	\$23.03
10-inch connection:	\$48.54
12-inch connection:	\$67.73

Private Fire Protection Administrative Fee: \$390

(Section 5-3.208, MWSD Code)

Installation of Private Fire Protection

Service from Meter to District Main:

(Section 5-5.204, MWSD Code)

Cost invoiced to District by contractor

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Private Fire Protection Connection Charge (3/4" to 5/8" meter): \$3,818
Private Fire Protection Connection Charge (1" meter): \$6,375
Private Fire Protection Connection Charge (1 1/2 " meter): \$12,712
Private Fire Protection Connection Charge (2" meter): \$20,347
Private Fire Protection Connection Charge (3" meter): \$38,175
Private Fire Protection Connection Charge (4" meter): \$63,641
Private Fire Protection Connection Charge (6" meter): \$106,085
Private Fire Protection Connection Charge (8" meter): \$176,843
Private Fire Protection Connection Charge (10" meter): \$294,797
(Section 5-3.208 MWSD Code)

Private Fire Protection Inspection Fee: \$368
(Section 5-3.210 MWSD Code)

Miscellaneous Service Fees:

Check Not Honored by Bank: \$21
(Sections 1-5.200, 5-5.122 MWSD Code)

Poor credit history deposit: twice estimated first payment
(Sections 1-5.200, 5-3.210 MWSD Code)

Reconnection Charge due to Non-Payment: \$53
(Sections 5-3.210, 5-5.120 MWSD Code)

Developer Service Fee (minimum): \$2,109 deposit against which all
District costs to process application are charged.
(Sections 5-3.102, 5-3.210 MWSD Code)

Hydrant Meter Deposit: \$534 against which water use charged.
(Section 5-4.227 MWSD Code)

Service Charge for Posting Door Tag for Delinquent Account: \$23 per
customer per incident.
(Sections 1-5.200, 5-3.210 MWSD Code)

Credit for Customer paying bill using ACH: \$1 per bill.

Service Charge for Unauthorized Use of Fire Hydrant: \$113 per incident
plus actual water used plus damages.
(Section 5-5.202 MWSD Code)

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SECTION 4. The following provisions of the Master Fee Schedule are hereby restated:

The monthly rates to be charged by the District's Franchisee for the collection, removal, and disposal of refuse for all occupied premises (except agricultural premises) and recycling services within the District effective for the years indicated are:
(Section 2-7.100 MWSD Code)

Description of Fees	2007	2008	2009	2010	2011
RESIDENTIAL					
1. Weekly collection, single container placed in front of premises, wet and dry garbage ("first can" service):					
a. Container limits: volume - 20 gals. (3/10 cu. Yd.), weight--40 lbs.-per mo.	\$7.99	\$8.71	\$8.89	\$9.06	\$9.24
b. Container limits: volume - 30 gals. (1/4 cu. Yd.), weight--60 lbs.-per mo.	\$11.47	\$12.50	\$12.75	\$13.00	\$13.26
2. Weekly collection, container(s) placed in front of premises in addition to initial ("first can") container, wet and dry garbage					
a. Container limits: volume - 30 gals. (1/4 cu. Yd.), weight--60 lbs.-per mo.	\$16.81	\$18.32	\$18.68	\$19.06	\$19.44
3. Occasional collection(s) combined with weekly collections, but not on a regular, recurring basis: Container limits: volume 30 gals. (1/4 cu. Yd.), weight--60 lbs.					
a. Combined with 30 gal. first can service--per container	\$3.21	\$3.50	\$3.57	\$3.64	\$3.71
4. Special Services (charges added to above, basic charges):					
a. Container placed at side or rear of dwelling--per container	\$2.96	\$3.23	\$3.30	\$3.36	\$3.43
b. Container not placed at specified collection point and return call required--per container	\$6.06	\$6.61	\$6.74	\$6.87	\$7.01
c. Excess volume charge for each gallon exceeding 30 gallon limit--per gallon	\$0.85	\$0.93	\$0.95	\$0.97	\$0.99
d. Special collections combined with regular service, including collections for brush, yard clippings, boxes, etc.	Estimate	Estimate	Estimate	Estimate	Estimate

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5. Twice-yearly "cleanup days" limited to nine (9) 30-gallons containers	Reserved	Reserved	Reserved	Reserved	Reserved
6. Weekly recyclable materials collection	No charge	No charge	No charge	No charge	No charge
7. Twice monthly "greenwaste" (yard trimmings, etc.) collection, limited to four (4) 30-gallon containers bi-monthly	No charge	No charge	No charge	No charge	No charge
Description of Fees	2007	2008	2009	2010	2011
8. Bulky Goods collection service, limited to three (3) times per year	No charge	No charge	No charge	No charge	No charge
9. Bulky Goods drop-off service, Montara/Moss Beach service area, limited to two (2) times per year	No charge	No charge	No charge	No charge	No charge

MULTIFAMILY, COMMERCIAL AND INDUSTRIAL SERVICE

1. Service to restaurants, hotels, cafes, apartment houses, stores and similar places of business, factories, schools and institutions, wet and dry garbage--container limits: volume - 30 gal. cans (1/4 cu. Yd), weight--75 lbs.					
a. Regular collections:					
(1) 1 collection per week--per mo.	\$15.57	\$15.88	\$16.20	\$16.52	\$16.84
(2) 2 collections per week--per mo.	\$32.49	\$33.14	\$33.80	\$34.48	\$35.16
(3) 3 collections per week--per mo.	\$46.82	\$47.75	\$48.71	\$49.68	\$50.66
(4) 4 collections per week--per mo.	\$60.96	\$62.18	\$63.42	\$64.69	\$65.96
(5) 5 collections per week--per mo.	\$78.02	\$79.58	\$81.17	\$82.79	\$84.44
b. Special Service--excess volume charge for each gallon exceeding 30 gal. limit--per gal.	\$1.00	\$1.02	\$1.04	\$1.06	\$1.08
c. Occasional collection(s) combined with regular collections, but not on a regular, recurring basis:					
(1) Container limits: not applicable to can containers; weight --70 lbs.--per collection	\$15.62	\$15.93	\$16.25	\$16.57	\$16.90
2. Commercial Container Rental:					

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a. 1 cubic yard box--per mo.	\$22.80	\$23.26	\$23.73	\$24.20	\$24.60
b. 2 cubic yard box--per mo.	\$29.58	\$30.17	\$30.77	\$31.39	\$32.00
3. Commercial Container Collections:					
a. 1 cubic yard box--per collection	\$19.62	\$20.01	\$20.41	\$20.82	\$21.20
b. 2 cubic yard box--per collection	\$39.02	\$39.80	\$40.60	\$41.41	\$42.20
4. Compacted Commercial Container Service:					
Description of Fees	2007	2008	2009	2010	2011
a. 1 cubic yard box--per collection	\$37.63	\$38.38	\$39.15	\$39.93	\$40.70
b. 2 cubic yard box--per collection	\$76.00	\$77.52	\$79.07	\$80.66	\$82.20
5. Special Services Requiring Use of Truck and Driver--per hour	\$127.73	\$130.29	\$132.89	\$135.55	\$138.20
6. Recyclable material collection--as needed	No charge	No charge	No charge	No charge	No charge
SPECIAL PROVISIONS					
1. Senior Citizens weekly collection for single container placed in front of premises, wet and dry garbage ("first can" service):					
a. Container limits: 30 gal. (1/4 cu. Yd.) weight--60 lbs.--per mo.	\$8.66	\$8.83	\$9.01	\$9.19	\$9.30
2. Collections requiring entry on private driveways:					
a. 1-30 ft. entry	No charge	No charge	No charge	No charge	No charge
b. 31-100 ft. entry--per mo.	\$2.98	\$3.04	\$3.10	\$3.16	\$3.20
c. over 100 ft. entry--per mo. for each 50 ft. or portion thereof	\$4.46	\$4.55	\$4.64	\$4.74	\$4.80
3. Administrative charge for processing the collection of delinquent refuse charges on the tax roll--per account	\$28.75	\$29.33	\$29.91	\$30.51	\$31.10
4. Charge to photocopy documents--first page	\$1.15	\$1.17	\$1.20	\$1.22	\$1.20
Each additional page	\$0.29	\$0.29	\$0.30	\$0.31	\$0.30

SECTION 5. All ordinances or portions thereof in conflict herewith shall be, and hereby are, repealed to the extent of such conflict.

