

DIVISION VI FEES AND CHARGES

Section 6.01 Plan Checking Fees

Any person required by this Chapter to have improvement plans checked by the District shall reimburse the District for the actual total costs to the District of providing such a service. Such costs shall be determined by the District Manager. The District will require a non-refundable deposit as established from time to time by the Board for all commercial, industrial, public or multi-family proposed improvements.

Applications for plan checking are available at the District Office and are to be filled out by the Engineer submitting the improvement plans.

Section 6.02 Sewer Construction Permit Fee

Any person making a permanent or temporary improvement to the District's collection system shall reimburse the District for the total costs of field and structure inspection, procuring or preparing record plans, automobile mileage, and all overhead and indirect costs. The applicant shall also be responsible to pay the cost of all labor, equipment, and materials required for the actual improvements. Such costs shall be determined by the District Manager.

Section 6.03 Connection Charges

There is hereby levied and assessed against any premise, or portion thereof, which has been approved for connection to the District collection system, a charge, as set by the Board from time to time. Connection charges include the following fees: hook-up unit fee, fixture unit fee, and tapping fee.

- A. Time of Payment.** All connection charges shall be paid to the District upon approval of an application and prior to any construction.
- B. Units.** Each unit, as defined in Section 6.03E, shall be charged a hook-up, fixture unit and tapping fee when applicable.
- C. Existing House Lateral.** If there is an adequate, existing house lateral to which a unit shall be connected, no tapping fee shall be charged. If there is an existing house lateral connection which is not adequate for the unit(s) to be served or if there is no existing house lateral to which the unit(s) to be served may be connected, then a tapping fee shall be charged for each tap performed by the District into the District's collection system.
- D. Connections.** Connections of house laterals or of the force main into the District's existing force main shall be charged the applicable hook-up fee, and fixture unit fee. Any taps required under these circumstances shall be performed by the District or their approved contractor and shall be subject to the tapping fee.
- E. Hook-Up Unit Fee.** For the purpose of this Section, a hook-up unit fee shall be charged for every new sewer connection based on the following:

1. Residential - single family unit, duplex, triplex, quadplex, residential condominium, townhouse, apartment, or other type of living unit intended for occupancy.

(Fee = One (1) Hook-up Unit Fee per dwelling unit.)
2. Commercial - Motels, hotels, dormitories, rooming houses, commercial buildings, and all other connections except residential and industrial.

(Fee = One (1) Hook-up Unit Fee per twenty-two (22) or less equivalent plumbing fixture units.)
3. Industrial and other facilities discharging other than domestic sewage, a fee to be set by the Board depending on quantity and strength of proposed discharge.

(Minimum Fee = Hook-up Unit Fee per twenty-two (22) or less equivalent plumbing fixture units.)
4. Swimming pools, where backwash system is connected to sewer.

(Fee = 10% of one (1) Hook-up Unit Fee per backwash system.)

F. Tapping Fee. The fee for tapping the sewer main shall be the total actual costs of labor, equipment and materials for the District or its approved contractor to perform the tap. The hook-up unit fee for connecting to an existing house lateral shall be established from time to time by the Board and is as set forth in Schedule A attached hereto and incorporated herein by reference.

G. Fixture Unit Fee. The fixture unit fee shall be assessed on any residential premises where the total count of equivalent plumbing fixture units exceeds the twenty-two (22) allowed. A fixture unit fee shall also be assessed on any premises which experience a change in use per Paragraph I below. The fee per fixture unit in excess of twenty-two (22) shall be established from time to time by the Board and is as set forth in Schedule A attached hereto and incorporated herein by reference. Public use fixtures shall apply to common spaces and areas of commercial, industrial, public, multi-family uses or other like structures. Numbers of equivalent fixture units in a facility, for purposes of computing connection charges, shall be determined from the latest edition of the International Association of Plumbing and Mechanical Officials (IAPMO) Uniform Plumbing Code. [Amended by Ord. 99-02]

Notes:

1. Number of fixture units or other items of plumbing or equipment not specifically identified in the Uniform Plumbing Code shall be based on the manufacturer's information for sewage production and the interpretation of the latest version of the Uniform Plumbing Code by the District Manager. [Amended by Ord. 99-02]
 2. Plumbing stub-ups for fixture connections shall be assigned fixture units based upon information supplied by the owner subject to review by the District Manager.
- I. Change of Use. If at any time after payment of a connection charge, there is a change of use on the premises resulting in an increase in plumbing fixtures, the owner shall, prior to issuance of a permit, pay a fixture unit fee, as set forth in Schedule A attached hereto and

incorporated herein by reference, to the District for each equivalent fixture unit in excess of the number used in calculating the original connection charge.

- J. The connection charge as set from time to time by the Board is a flat charge which allows for the initial installation of a hook-up unit. This fee includes the hook-up and fixture fee for a single family unit or equivalent. The total connection charge shall be the sum of the tapping, hook-up and fixture unit fees which may be greater or less than the flat charge due to the possibility of either a tapping fee or a residential premises hook-up containing greater than twenty-two (22) equivalent fixture units.

Section 6.04 Billing for Sewer Service

The District shall begin billing for service when the District first determines a discharge to the collection system has occurred by the permittee or in accordance with Division V.

Section 6.05 Fee For Processing Sewer Line Easements

For each written contract required by Division V, requiring the processing of sewer line easements, the District shall be reimbursed by the applicant for the total actual costs of processing the required easement(s). In the event it is necessary to rewrite the description, the District again shall be reimbursed by the applicant for the actual total processing cost.

Section 6.06 Application Fee

- A. When a person applies for a permit, the applicant shall pay to the District an application fee as established from time to time by the Board per application made. The District shall not accept an application until it receives the application fee.
- B. Any person who has paid an application fee pursuant to this section, and whose application expires or is canceled, withdrawn, voided, terminated, or abandoned, whether voluntarily or involuntarily, shall not be entitled to a refund of or credit from the application fee.

Section 6.07 Fees For Preparing Or Checking Special Studies

Before proceeding with the preparation of any special study, the District shall collect from the person making the request for the study a fee in the amount of the estimated cost of preparing the study, as determined by the District Manager. If, after the fee is paid, a change in the study is requested which will increase the cost of preparing the study, supplemental fees shall be collected in the amount of the estimated additional cost. Studies prepared by others and submitted for checking by the District shall be subject to the fee requirement stated above.

Section 6.08 Septic Tank, Cesspool and Holding Tank Discharge Prohibited

Disposal of residential, septic tank, cesspool, holding tank, wastes, or other discharges into the District's sewer system is prohibited. (Amended by Ord 2009-06)

Section 6.09 Collection of Fees Charged

All fees and connection charges shall be due prior to connection to and use of the collection system of the District.

Section 6.10 Rates and Charges for Sewer Service

A. Power of Board. For the purposes of providing funds for the maintenance, operation and capital improvements of the District, the Board may from time to time establish rates, charges, and other fees to be levied and assessed against consumers such as are necessary to carry out the provisions of this Chapter.

B. Definitions. For the purposes of this section only, the specified terms shall have the following definitions:

1. "Domestic users" shall mean all residential users, including single family units, residential condominiums, and other multi-family dwellings.
2. "Commercial users" shall mean all business or other similar users, commercial condominiums, hotels, laundries, laundromats, service stations, public buildings, and unoccupied storage/warehouses, swimming pools (semi-public), spa/hot tubs (semi-public).
3. "Commercial unit" shall mean each office, store, or other separately owned or operated commercial space or structure, including any commercial user which is not otherwise specifically identified.
4. "Industrial user" shall mean:
 - a. Any user of a publicly owned treatment works:
 - 1) identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended; and,
 - 2) which discharges more than 50,000 gallons per day (gpd) of sanitary wastes, or which discharges, after exclusion of domestic wastes or discharges from sanitary conveniences, the weight of biochemical oxygen demand (BOD) or suspended solids (SS) equivalent to that weight found in 50,000 gpd of sanitary waste; or,
 - b. any user of a publicly owned treatment works which discharges sewage to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works.
5. "Laundry" shall mean a commercial laundering facility.
6. "Laundromat" shall mean a self-service laundry utilized by the public.

7. "Public building" shall mean any public service building, including a police station or fire station, or any other publicly owned building not otherwise specifically identified.

C. Annual Service Charge. Each lot or premises which is connected to and each owner or customer receiving sewer service from the District's collection system shall pay an annual sewer service charge.

1. **Flat Rate Charge.** There is hereby levied and assessed by District upon all domestic users, a flat rate sewer service charge which is equal to the unit value assigned by the District to the premise, or class of premises multiplied by the flat rate charge for a single family unit premises as set forth in Schedule A which is attached hereto and incorporated herein by reference.
2. **Unit Value.** The Manager shall assign to each premise within the District subject to a flat rate charge a unit value based on the classification system established by the District for such purpose. The basis for such a value shall be that a single family unit has 22 equivalent plumbing fixture units according to the latest version of the Uniform Plumbing Code.
3. **Commercial Sewer Service Rate.** There is hereby levied and assessed upon all commercial users a commercial sewer service rate, which rate is set forth on Schedule A, which is attached hereto and incorporated herein by reference.
4. **Industrial Sewer Service Rate.** There is hereby levied and assessed upon all industrial users a industrial sewer service rate, which is equal to the commercial sewer service rate as set forth on Schedule A, which is attached hereto and incorporated herein by reference.
 - a. Additionally, the industrial user may be subject to a annual surcharge depending on the strength of the sewage, as may be determined by the District Manager from time to time. In the event that the average waste discharge characteristic and annual surcharge is disputed, the discharger shall submit a request for an analysis and flow measurement to the District and bear all expenses associated with measurement and sampling.
 - b. For each industrial user, the District may require the installation, at the expense of the industrial user, of District-approved recording and sampling devices or sewage meters on the user's premises for use by the District. Such devices or meters shall be available for inspection by District personnel at any reasonable time. The industrial user shall be responsible for the maintenance, repair and replacement of all sampling or recording devices, sewage meters, and related equipment. The industrial user shall be responsible for any damage or expense involved in the repair or

replacement for which the industrial user, its agents, officers or employees is or are responsible.

- c. At its sole option and as an alternative to the industrial user charge, the District may require an industrial user to pretreat the user's sewage flow so that the flow, after exclusion of domestic wastes or discharges from sanitary conveniences, is less than the equivalent weight in BOD and SS found in 50,000 gpd of sanitary waste.

D. Service Charge. When an annual service charge is based on water use, the annual sewer service charge shall be determined as stated above. However, when a water meter fails to register or a meter cannot be reasonably read, the quantity rate component of the annual sewer service charge shall be based on the average quantity of water supplied for comparable service during the preceding year. When there is no record of water supplied for comparable service, the total service charge shall be determined by the District Manager.

- E. 1. No sewage shall be collected from any premises or persons except through a service connection in compliance with the District's rules and regulations.
2. No sanitary sewer service or facility shall be furnished to any premises or persons free of charge.

F. Temporary Sewer Services:

1. **Temporary Service.** The District shall charge any person who seeks a temporary sewer service a basic fee for each service requested. Rates, charges, deposits and rules and regulations thereof may be established from time to time by the Board as set forth in Schedule A. Fees for temporary sewer service shall include a service establishment fee and per trip cost to inspect facilities as set forth in Schedule A.
[Amended by Ord. 00-01]

Section 6.11 Billing Procedures and Service Lateral Testing

A. Direct Bill. Except as otherwise specified herein, the District shall directly bill each individual owner of each lot or premises connected to the District's collection system. The annual sewer charge shall be payable by each owner and each customer. Each owner shall be liable to the District for payment of the annual sewer charge regardless of whether the owner is also the customer and regardless of whether service is provided through an individual service lateral or multi-customer service lateral.

B. Multi-Unit Billing. Where owners of premises in a multi-unit structure served through a multi-customer service lateral are billed individually and belong to a homeowners' or similar association, the association shall provide to the District current and up-dated lists of the owners of each premises. The association shall inform the District in timely fashion of any change in ownership in its members.

C. Composite Billing. Notwithstanding Section A above, the District may elect to send a composite bill to groups of customers served by individual or multi-customer service laterals when each of the following conditions are met:

1. The owners to be billed as a group own lots or premises in a multi-unit living structure;
2. The owners are served through one or more individual or multi-customer service laterals;
3. The owners have formally organized in writing into a homeowners or similar association.
4. The homeowners or similar association, through properly executed covenants, conditions, articles of incorporation or by-laws, has the power to act as the sole agent for the owners concerning sewer service charges in a manner which binds individual owners; and
5. The association enters into a written agreement with the District which provides, among other matters, that:
 - a. The association shall be responsible for and guarantee payment of all such charges within the time required by the District's rules and regulations, regardless of whether any single owner has paid the owner's share of such charges to the association;
 - b. The District shall bill to and the association shall pay all delinquent penalty and interest charges on the composite bills;
 - c. The District's bill or other notices to the association shall constitute a bill or other notice to each individual owner or customer, who shall agree that no other notice or bill to individual owners or customers shall be necessary for, or a prerequisite to, the District's exercise of its powers to terminate service, or place liens on each owner's property or exercise other legal remedies necessary to preserve the collection of and collect delinquent bills and charges, and;
 - d. The bill shall consist of the sum of the total annual sewer charges for each owner or customer represented by the association, which shall be the sum of the service charge for each customer, lot, or premises plus the total quantity rate charge for all service through the individual or multi-customer service lateral. The District shall not be responsible for any disparity among such customers for the amounts of sewage discharged or for the size of premises served. Any adjustment for such disparity in use or in the quantity rate charge shall be the responsibility of the owners or customers served.

D. Written Agreement. All applications for service shall constitute a written agreement to pay for all service rendered pursuant to the application and to be bound by all applicable District rules and regulations. An application shall be signed by the person who shall be responsible for the bills for sewer service provided through that service lateral, regardless of whether the service lateral is a single customer or multi-customer meter.

- E. **Lateral Testing.** At its discretion, the District may test a service lateral at any time. Reasons for testing may include but not be limited to suspicion of inflow or infiltration, blockage, or sale of property. The District shall test a service lateral upon the request of a customer, provided the customer first deposits an amount estimated by the Manager to conduct the test with the District. The difference in the deposit and actual total cost of conducting such a test will be refunded or billed to the customer.

Section 6.12 Collection of Sewer Use, Service Charges and Rates

All sewer use, service charges and rates may be billed on the same bill and collected together with rates and charges for any other District services. If all or any part of such bill is not paid for any service, the District may discontinue any or all of the services for which the bill is rendered.

- A. **Time of Payment.** All annual sewer service charges are payable in advance on an annual basis. Payment plans may be prearranged and are payable at the office of the District.
- B. **Issuance of Bills.** All bills for sewer service will be rendered by the District as provided in this Chapter. Bills not paid sixty (60) days from billing date, except pursuant to payment plan, are delinquent.
- C. **Penalty and Administrative Charge.** All delinquent bills will be subject to a 1% per month interest charge plus a \$10.00 service charge for each additional billing that is prepared by District. Any check which is returned to District on the basis of insufficient funds or "refer to maker" are subject to an additional \$25.00 service charge per check.
- D. **Notice of Delinquency, Administrative Charge, and Interest.** On each bill for sewer service, notice will be given of the date upon which the billing shall become delinquent and of applicable administrative and interest charges as provided in this Chapter.
- E. **Flat Rate Billing.** Bills for flat rate sewer service will be rendered and are payable yearly in advance. Less than annual bills for flat rate service will be pro-rated to the end of the billing year in accordance with the applicable District schedule. Should the pro-rated period be less than one month, no pro-ration will be made and no bill shall be less than the monthly fixed charge. Flat rate service may be billed, at the option of the District, at intervals other than yearly.
- F. **Discontinuance of Service.** A consumer's sewer service may be involuntarily discontinued for non-payment of a bill for service rendered at any current or previous location by District, provided said bill was presented to the consumer's last known address and has not been paid within sixty (60) days after the billing date. Discontinuation of service shall be in accordance with Division IX.
- G. **Joint and Several Liability.** Two or more parties who join in one application for service or who jointly own property served by the District shall be jointly and severally liable for payment of bills and shall be billed by means of single periodic bills.
- H. **Payment Plan.** If consumer is not in default to any other sum due District at the time of the rendering of the annual flat rate billing pursuant to the above, and provided further that applicant submits a written request to District within thirty (30) days of the rendering of the

bill for a payment plan, District may allow a payment plan for the base flat billing on the following terms:

Payment plan agreement periods will be determined by the District for payment of full service fees due within the fiscal year of billing. One percent (1%) interest per month on the unpaid balance and \$10.00 service fee per billing shall be included with the payment plan. Requesting a payment plan constitutes an agreement by the customer to make all payments on or before the set due date. Additional service fees shall be charged for each reminder notice or rebilling. Failure to make payments as scheduled constitutes a delinquency of the account whereby all remaining service fees, penalties and interest become immediately due and payable. Sewer service shall be discontinued for any account over 60 days delinquent.

I. Payment Discounts. Yearly sewer service charges shown on Schedule A will be billed annually in advance on July 1 of each year. The following is the District policy concerning discounts:

1. Prepayment Discount - if the annual charge is paid in full and received in District office on or before July 31 of the current annual billing period, a discount as may be set by the Board from time to time thereof shall be allowed.
2. Current Payment, No Discount - if the annual charge is paid in full after July 31 and received in District office on or before August 31 of the current annual billing period, no discount shall be allowed.

J. Reduction in Unit Count. District recognizes that a consumer may voluntarily elect to reduce the unit count on a parcel of real property and District will allow such reduction for the next fiscal year provided consumer:

1. Submits to District before April 30 on a form approved by District, a request for reduction, to take effect July 1 of the same year; and,
2. Allows District to inspect the building or buildings which are subject to the reduction within thirty (30) days of the application.

If the unit reduction request is granted there will be no reimbursement of connection charges previously paid.

Section 6.13 Deposit

- A. Prior to receiving sewer service, an applicant for sewer service may be required to deposit with the District a sum equal to 25% of the annual rate for sewer service.
- B. A deposit may be required for each lot or premises when any of the following conditions occur:
 1. Whenever an owner of property receiving sewer service from the District transfers the property to a new owner, the new property owner shall pay a deposit to the District as identified in section A above.

2. Whenever there is a change in the owner receiving sewer service, the new owner shall pay a deposit to the District as identified in section A above.
 3. Any District customer or property owner whose sewer service is disconnected due to non-payment of District charges shall pay a deposit, as specified in section A above, as a pre-requisite for resumption of sewer service.
- C. Notwithstanding sections A, B, B.1, or B.2, an existing customer or property owner within the District who has not incurred any penalties or late charges on any sewer account with the District for nine (9) months of the immediately preceding twelve (12) months, shall not be required to deposit with the District an amount as identified in section A above.
 - D. The District may use the deposit to pay any District bill, and penalties and interest thereon, which are otherwise unpaid by the customer or property owner. The District may also use the deposit for its costs of collecting the unpaid sewer service bill and penalties. If the District uses part or all of a customer's or property owner's deposit, that customer or property owner shall pay the District a sum adequate to maintain a deposit equal to 25% of the annual rate as a condition of continued sewer service.
 - E. The amount of deposit not used by the District shall be refunded to the customer or property owner when the customer or property owner voluntarily terminates sewer service with the District.
 - F. The amount of the deposit not used by the District may be credited to the account of the customer or property owner at such time as the District determines a deposit is no longer required, provided the District has held the deposit for a minimum of twelve (12) months.