

ORDINANCE NO. 28

**AN ORDINANCE AMENDING ORDINANCE NO. 27 OF THE
LEMON GROVE SANITATION DISTRICT
DESCRIBING METHODS FOR CALCULATING SEWER
USE CHARGES**

The Board of Directors of the Lemon Grove Sanitation District does ordain as follows:

SECTION 1. Ordinance No. 27, Article III shall be amended to read as follows:

ARTICLE III

SEWER SERVICE CHARGES

SECTION 30. ESTABLISHMENT OF SEWER SERVICE CHARGE. There is hereby levied and assessed upon each premise within the district that discharges sewage into the sewer lines of the District and upon each person owning, letting or occupying such premises an annual sewer service charge.

The annual sewer service charge is made up of two components. The first component is generally based on the District's annual cost to collect and transport wastewater, and is equally divided among the number of equivalent dwelling units (EDUs) connected to the District's system. The second component is generally the District's cost for wastewater treatment and disposal as fees paid to the City of San Diego for capacity and use of the San Diego Metropolitan Sewer System, and is allocated to users of the District's system based on the users generation of annual wastewater flow, biochemical oxygen demand, and suspended solids discharged into the District's system.

For the purpose of this ordinance, the discharge characteristics of an average single family user is one EDU and shall be composed of wastewater flow of 240 gallons per day for 365 days per year and constituent levels of sewage strength of 200 milligrams per liter (mg/l) biochemical oxygen demand (BOD) and 200 milligrams per liter (mg/l) suspended solids (SS).

For the purpose of this ordinance, the discharge characteristics of commercial/industrial users is a minimum sewer capacity of 1.2 EDU for each business unit with flow quantity and strength as measured by BOD and SS as set forth in the current edition of the California State Water Resources Control Board (State) publication "*Policy For Implementing The State Revolving Fund For Construction Of Wastewater Treatment Facilities*", or comparable industry standards acceptable to the State and approved by the District's Engineer. Minimum sewage strength capacity per commercial/industrial EDU is 200 mg/l BOD and mg/l SS.

The flow and strength rate EDUs are determined for individual business units as set forth herein in Section 30.3 and are applicable to each of the various District's users under the jurisdiction of this Ordinance. The District's Engineer shall assign flow rates, BOD, and SS based upon the estimated amount of and strength of wastewater that is typically generated for each business unit. The EDUs, flow rates, BOD, and SS so assigned shall be used in computing the sewer service charges.

If potable water delivered through the water meter is used by the District to estimate the volume of wastewater discharged over a period of time, then 90% of water meter flow is estimated to be discharged into the sewer unless the discharger or legal owner presents evidence to the contrary and this evidence is satisfactory to the District's Engineer. The District's Engineer may adjust the charges for wastewater treatment and disposal in proportion to the estimated volume of wastewater discharged to the sewer.

SECTION 30.1 Annual Sewer Service charges shall be determined by the following formula (rounded to the nearest dollar):

$$SSC = (n/N \times D) + (f/F \times M_F) + (s/S \times M_S) + (b/B \times M_b)$$

In the above formula, the following terms have the meanings and definitions as shown:

- n = Number of EDUs assigned to a particular user. EDUs are assigned as follows: 1.0 EDU each for single family dwellings, condominiums, each living unit of a multi-family dwelling, and each space for a mobile home park. Commercial/Industrial users are assigned a minimum of 1.2 EDUs, and additional EDUs may be assigned based upon Section 30.3 of this ordinance.
- f = Flow of a particular user in million gallons per year, based either upon assigned EDUs or water meter records.
- s = Suspended Solids of a particular user in pounds per year, based either upon State standards or comparable industry standards approved by the State.
- b = Biochemical Oxygen Demand of a particular user in pounds per year, based either upon State standards or comparable industry standards approved by the State.
- N = Total number of EDUs in the District. This is a summation of the EDUs assigned to all users.
- D = District budgeted costs for the fiscal year in dollars, to collect and transport wastewater. This is a net cost for District customers after non-operating revenues have been subtracted from the total District budget costs. Such budgeted costs shall include, but not be limited to operation and maintenance costs of pipelines, pump stations, and meter stations; design and construction cost of replacement facilities; and administration costs including fee collection, accounting, record maintenance, planning and code enforcement.
- M = Total District budgeted cost for the fiscal year in dollars, for treatment and disposal of wastewater. Such cost shall include, but not necessarily be limited to, fees paid to the City of San Diego for capacity in and use of the Metro System. The Metro treatment and disposal costs are further divided into cost categories as determined by the City of San Diego and allocated as follows: Flow Cost = M_F (43.7% costs); BOD Cost = M_b (30.1% of costs) and SS Cost = M_s (26.2% of costs).
- F = Total flow in the District in million gallons per year from a summation of users' flows, based either upon assigned EDUs or potable water meter records.
- S = Total Suspended Solids in the District impounds per year, from a summation of users' SS loading, based either upon State standards, or comparable industry standards approved by the State.
- B = Total Biochemical Oxygen Demand in the District impounds per year from a summation of users' BOD loading, based either upon State standards, or comparable industry standards approved by the State.

SECTION 30.2
follows:

The SSC for the Lemon Grove Sanitation District for residential units are as

FISCAL YEAR 2017-2018:

<u>Type</u>	<u>EDU Capacity</u>	<u>Estimated Flow</u>	<u>Annual SSC</u>
Single Family	1	240 gpd	\$584.98
Condominium	1	240 gpd	\$584.98
Multi-Family	1	240 gpd*	\$584.98
Mobile Home	1	240 gpd*	\$584.98

FISCAL YEAR 2018-2019:

<u>Type</u>	<u>EDU Capacity</u>	<u>Estimated Flow</u>	<u>Annual SSC</u>
Single Family	1	240 gpd	\$618.61
Condominium	1	240 gpd	\$618.61
Multi-Family	1	240 gpd*	\$618.61
Mobile Home	1	240 gpd*	\$618.61

FISCAL YEAR 2019-2020:

<u>Type</u>	<u>EDU Capacity</u>	<u>Estimated Flow</u>	<u>Annual SSC</u>
Single Family	1	240 gpd	\$654.18
Condominium	1	240 gpd	\$654.18
Multi-Family	1	240 gpd*	\$654.18
Mobile Home	1	240 gpd*	\$654.18

FISCAL YEAR 2020-2021:

<u>Type</u>	<u>EDU Capacity</u>	<u>Estimated Flow</u>	<u>Annual SSC</u>
Single Family	1	240 gpd	\$691.79
Condominium	1	240 gpd	\$691.79
Multi-Family	1	240 gpd*	\$691.79
Mobile Home	1	240 gpd*	\$691.79

FISCAL YEAR 2021-2022:

<u>Type</u>	<u>EDU Capacity</u>	<u>Estimated Flow</u>	<u>Annual SSC</u>
Single Family	1	240 gpd	\$731.57
Condominium	1	240 gpd	\$731.57
Multi-Family	1	240 gpd*	\$731.57
Mobile Home	1	240 gpd*	\$731.57

*Note that rates may be adjusted to reflect flow based upon potable water records.

SECTION 30.3

Assignment of sewer capacity for Commercial/ Industrial business units shall be assigned in terms of EDUs. The minimum charge per commercial unit shall be 1.2 EDUs or \$701.97 per annum during FY 17/18, \$742.33 per annum during FY 18/19, \$785.01 per annum during FY 19/20, \$830.16 per annum during FY 20/21, and \$877.89 per annum during FY 21/22. Higher charges will be assessed for commercial/industrial EDU's with sewage strength higher than combined 400 mg/l BOD and SS. Flow based sewer capacity to business units shall be assigned as described in Section 50.3.

SECTION 50.3 COMMERCIAL/INDUSTRIAL FACILITIES

Sewer capacity for Commercial/Industrial business units shall be assigned in terms of Equivalent Dwelling Units as follows:

a.	Food Service Establishments	<u>EDUs</u>
1)	Take-out Restaurants with disposable Utensils, no dishwasher, and no public rest rooms.	3.0
2)	Miscellaneous food establishments-ice-cream/yogurt shops, bakeries (sales on premises only).	3.0
3)	(I) Take-out/eat in restaurants with disposable utensils, but with seating and public rest rooms.	3.0 minimum
	(II) Restaurants with re-usable utensils, seating and public rest rooms.	3.0 minimum

One EDU is assigned for each 6-seat unit as follows:

0 – 18 seats=	3.0 minimum
Each additional 6-seat unit will be assigned	1.0

b.	Hotels and Motels	
1)	Per living unit without kitchen	0.38
2)	Per living unit with kitchen	0.60
c.	Commercial, Professional, Industrial Buildings, Establishments not specifically listed herein.	
1)	Any office, store, or industrial condominium or establishment. First 1,000 sq. ft.	1.20
	Each additional 1,000 sq. ft. or portion thereof	0.70
2)	Where occupancy type or usage is unknown at the time of application for service, the following EDUs shall apply. This shall include but not be limited to shopping centers, industrial parks, and professional office buildings.	
	First 1,000 square feet of gross building floor area.	1.20
	Each additional 1,000 square feet of gross	0.70
	Building floor area. Portions less than 1,000 square feet will be prorated.	

d.	Self-service laundry per washer	1.00
e.	Churches, theaters and auditoriums per each 150 person seating capacity, or any fraction thereof. (Does not include office spaces school rooms, day care facilities, food preparation areas, etc. Additional EDUs will be assigned for these supplementary uses.)	1.50
f.	Schools Elementary schools for 50 pupils or fewer	1.00
	Junior High Schools for 40 pupils or fewer values	1.00
	High School for 24 pupils or fewer	1.00

Additional EDUs will be prorated based upon the above values.

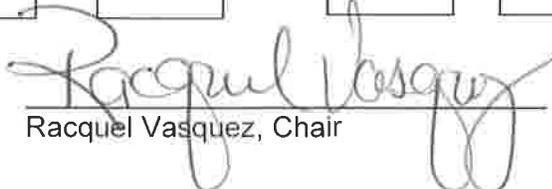
The number of pupils shall be based on the average daily attendance of pupils at the school during the preceding fiscal year, computed in accordance with the education code of the State of California. However, where the school has had no attendance during the preceding fiscal year, the Director shall estimate the average daily attendance for the fiscal year for which the fee is to be paid and compute the fee based on such estimate.

SECTION 2. DATE OF LEVY OF NEW CHARGES. The Charges referenced above shall take effect on July 1, 2017 in the manner allowed by law.

This ordinance was introduced on April 18, 2017.

PASSED AND ADOPTED this 2 day of May 2017, by the following vote, to wit:

CHAIR	<u>AYES</u>	<u>NOES</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Racquel Vasquez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOARD MEMBERS				
David Arambula	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Mendoza	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matt Mendoza	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Racquel Vasquez, Chair

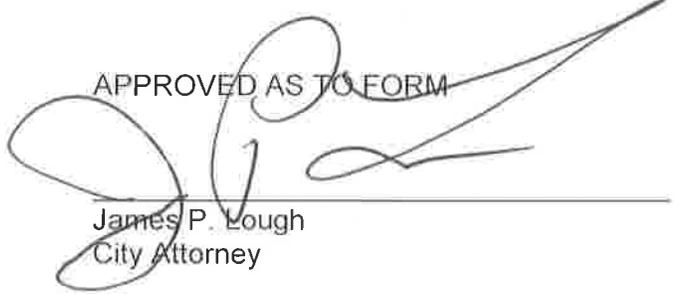
This Ordinance shall become effective thirty days following its passage and adoption.

ATTEST AND CERTIFICATION

I hereby certify that this is a true and correct copy of Ordinance No. 28, which has been published pursuant to law.



Susan Garcia
City Clerk

APPROVED AS TO FORM


James P. Lough
City Attorney