

CITY OF RIVERBANK

ORDINANCE NO. 2009-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK AMENDING
TITLE V: PUBLIC WORKS, CHAPTER 51: SEWERS, SECTION 51.03: RATES AND
CHARGES, OF THE CITY OF RIVERBANK CODE OF ORDINANCES

The City Council of the City of Riverbank does hereby ordain as follows:

Title V: PUBLIC WORKS, Chapter 51: SEWERS, Section 51.03: RATES AND
CHARGES, of the Riverbank City Code is hereby amended to read as follows:

§ 51.03 RATES AND CHARGES.

(A) *Inspection fee.* An inspection fee of \$30 shall be paid the Building Inspector.

(B) *Connection fees.* Connection fees for sewer service for properties not in the
City on October 14, 1963 shall be paid to the City as follows:

(1) Single-family residence (when connection is made to existing lateral)	\$4,420
(2) Single-family residence (when connection is made to house connection stub behind the curb or at the property line in the alley)	400
(3) Duplex or triplex (each unit)	400
(4) Multiple housing (apartments, condominiums, mobile homes, or in manufactured housing in parks or special projects, each unit)	400
(5) Commercial establishments (domestic sewage only, each unit)	1,000
(6) Commercial establishments discharging dishwater, including but not limited to Laundromats, carwashes, or discharges from garbage grinders,	
first 1,000 square feet of floor area	1,200 each
100 square feet, or fraction, additional floor area	100 each
(7) Industrial establishments (domestic sewage only) each unit	1,000

(8) Industrial establishments
(discharges from industrial use)

To be
negotiated

(C) *Front footage assessment.*

(1) A front footage charge of \$7 per lineal foot shall be paid to the City at the time application is made for sewer service connection to an existing sewer lateral for which no previous front footage assessment or fee has been paid for the particular lot or parcel. Subdivision lots shall be exempt from the front footage charge when service laterals have been installed, by the sub-divider, to serve properties within the development.

(2) Front footage assessments will be made and paid to the City based upon the property frontage along the street or alley where the connection is made.

(D) *Extension of sewer lateral.* Whenever the installation of a new sewer line is required to serve an applicant for sewer service, the applicant's obligation or cost for sewer service will be the established front footage assessment, inspection and connection fees, and monthly service charge. The applicant shall advance to the City 100% of the cost of extending sewer service to his property and the cost of the line across the full width of applicant's property. The City will reimburse to the applicant the difference between the applicant's obligation or costs and the total cost of the sewer lateral extension over a ten-year period in equal annual installments, with no interest, commencing one-year following the City's acceptance of the completed project, provided however, that in the event it appears for any reason unfeasible to extend a sewer lateral under the terms of this section, the City may refuse to extend the sewer lateral or it may agree to extend the sewer lateral under a separate agreement containing terms, conditions, and provisions for payment which are mutually agreed upon by the City and the property owner or owners requesting the extension.

(E) *Charges for connection to sewer lines financed by State or Federal funds.*

(1) In the event State or Federal funds are used in construction of a sewer line, the front footage assessment and connection fees will be reduced 50%, for single-family residential applicants who hook on to the sewer line within a 12-month period following the completion of the project. Following the 12-month period, single-family residential applicants for sewer service involving connections to State or Federal funded sewer lines will be assessed the regular front footage and connection fees.

(2) All applicants other than single-family residential applicants shall not receive a reduced connection and front footage assessment rate.

(F) *Monthly sewer service charges.* The following monthly sewer service charges are hereby established for properties served by the City:

(1) (a) The rate for churches, single-family dwellings, for each unit in a duplex,

duplex, triplex, or multiple-family unit, and for each space in a mobile home park located inside the City, and for hotels and motels, shall be \$20.15 per month per church, dwelling unit, rental room, or space.

(b) The rate for the above service located outside the City shall be \$21.26 per month per church, dwelling unit, rental room, or space, or an amount as allowed by law, whichever is greater.

(2) (a) The rate for commercial rooming or boarding houses and similar establishments, shall be \$20.15 per month for water flow of less than 1,000 cubic feet per month, plus \$ 0.01492 per cubic foot of water flow in excess of 1,000 cubic feet per month.

(b) The rate for the above service located outside the City shall be \$21.26 per month, plus \$ 0.01492 per cubic foot of water flow in excess of 1,000 cubic feet per month, or an amount as allowed by law, whichever is greater.

(3) (a) The rate for commercial retail, hospitals, extended care facilities, markets (without delicatessens), automobile service facilities, and commercial Laundromats shall be \$20.15 per month for water flow of less than 1,000 cubic feet per month, plus \$ 0.01492 per cubic foot of water flow in excess of 1,000 cubic feet per month.

(b) The rate for the above service located outside the City shall be \$21.26 per month for water flow of less than 1,000 cubic feet per month, plus \$ 0.01492 per cubic foot of water flow in excess of 1,000 cubic feet per month, or an amount as allowed by law, whichever is greater.

(4) (a) The rate for offices shall be \$20.15 per month for water flow of less than 1,000 cubic feet per month, plus \$ 0.01325 per cubic foot of water flow in excess of 1,000 cubic feet per month.

(b) The rate for restaurants and short order facilities, and markets with delicatessens, shall be \$20.15 per month for water flow of less than 1,000 cubic feet per month, plus \$ 0.01624 per cubic foot of water flow in excess of 1,000 cubic feet per month.

(c) The rate for restaurants with full kitchens shall be \$20.15 per month for water flow of less than 1,000 cubic feet per month, plus \$ 0.02353 per cubic foot of water flow in excess of 1,000 cubic feet per month.

(d) Establishments with grease traps may qualify for lower rates if they can continually demonstrate that their grease trap is significantly lowering the flow and strength of effluent into the City wastewater collection and treatment system. The determination of an establishment's qualification for this discount shall be at the sole discretion of the Public Works Director.

(e) The rate for the above services located outside the City shall be \$21.26 per month for each 1,000 cubic feet of water flow or portion thereof, or an amount as allowed by law, whichever is greater.

(5) The rate for Riverbank Unified School District facilities shall be calculated by multiplying the student and staff population at each facility by a factor of 0.34749 for facilities without cafeterias, and a factor of 1.30891 for facilities with cafeterias.

(6) The rate for industrial establishments shall be as follows:

Total Annual Charges:

$$C = 96.209V + 10B$$

C = Annual Operation and Maintenance Costs

V = Annual Volume (M.G.)

B = Annual B.O.D. Loading (lbs.)

(a) The above formula is based on estimated costs, flows, and B.O.D. loadings. The charges set forth below, including any pre-payments, may be adjusted either up or down at the end of the fiscal year according to actual costs, flows, and B.O.D.s for that year, or be negotiated by the Public Works Department and the permit holder. If a substantial increase occurs, then the City shall take appropriate action. This may be in the form of increased charges, decreased discharge, or some other form, which will achieve the intent of the revenue program.

(b) A new formula shall be established by the City Council for each successive year, based on the budget for the new year.

(c) Based on the above formula, any cheese company shall pay the following rates and charges:

1. A rate of 0.00725 per month per each cubic foot of water used.

2. Whole milk will not be accepted into the sewer system. Each spill of whole milk shall result in a charge to the responsible cheese company of \$500. If the Wastewater Treatment Plant Operator is notified of a milk spill before the milk reaches the Treatment Plant, the charge shall be reduced to \$100. The cheese companies shall submit the necessary information to enable the City to bill them properly.

(d) All other industries shall pay a rate as established by legislation of the City Council, and if no legislation is passed fixing such rates, then the rates set forth in division (F)(1) through (F)(5) above shall apply.

(7) (a) All sewer service charges shall be billed on a bimonthly basis. The bimonthly rates shall double the monthly rates during the time the bimonthly billings are in effect.

(b) All residential, industrial, commercial, and school facility charges shall be subject to an annual increase based upon a multiplier equivalent to 75% of the April Consumer Price Index (CPI) West – B/C, as adjusted annually.

(8) *Multiply accounts on one meter.* Where more than one residence/business is served by a common meter, a composite sewer rate shall be determined, based on the number and type of residences/businesses served by the meter. The composite rate shall be computed as a weighted average of the respective sewer rates for the individual residences/businesses based on categories and rates established previously in this section. The composite rate shall be determined on a case-by-case basis by the City, using estimated flows for the individual businesses and the respective sewer rates established for specific categories.

(a) The weighted average is computed by estimating the amount of flow by their individual rate (assuming they were on individual meters), and summing the total cost and flow for the multiple account meters.

(b) Composite rates will vary from multiple accounts to multiple accounts, depending on the mix of user types for the shared meter.

(9) All sewer services charges shall be due and payable on the first day of the month following the two-month period for which the billing is rendered and delinquent on the last day of that month.

(10) Any sewer charges, which are not paid on or before the delinquent date, shall have a service charge of 10% of the billing assessed at the time of payment.

(11) The increase in rates imposed by this section shall be repealed automatically in seven-years from the date of its imposition.

(G) *Septic tank destruction permit.* Any property owner seeking to abandon their septic tank must first obtain a septic tank destruction permit from the City of Riverbank Public Works Department. The fee for the permit shall be \$75.

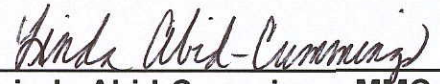
This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Riverbank held on November 23, 2009. Said ordinance was given a second reading at a regular meeting of said Council on December 14, 2009, and Councilmember Daniel Fielder seconded by Councilmember Jesse James White, moved

moved the adoption of said ordinance, and upon roll call was carried by the following vote of 4-1:

AYES: Councilmembers: Fielder, Benitez, D. A. White, and Mayor Madueño
NAYS: Councilmember: J. J. White
ABSENT: None
ABSTAIN: None

ATTEST:



Linda Abid-Cummings, MMC
City Clerk

APPROVED:



Virginia Madueño
Mayor