

ORDINANCE NO. 9652 (N.S.)

AN ORDINANCE OF THE SPRING VALLEY SANITATION DISTRICT
REPEALING ORDINANCE NO. 35, 36, 49 AND 68
AND READOPTING SEWER SERVICE CHARGES,
CONNECTION FEES AND ANNEXATION FEES

The Board of Directors of the Spring Valley Sanitation District, ordains as follows:

Section 1. REPEAL OF ORDINANCES. The Spring Valley Sanitation District Ordinances 35, 36, 49 and 68 are hereby repealed. The repeal of these ordinances shall not result in the termination of any liens against any lot or parcel of land against which any charges have been imposed pursuant to these ordinances.

Section 2. ANNUAL SEWER SERVICE CHARGES. There is hereby levied and assessed upon each premise within the District that discharges sewage directly or indirectly into the sewer lines of the District, and upon each person owning, letting, or occupying such premise. an. annual sewer service charge. The annual sewer service charge shall be increased by 4% per year and shall be collected on the tax rolls, beginning in Fiscal Year 2004/2005 through Fiscal Year 2008/2009 as follows:

Customer Category	EDUs*	FY 04/05	FY 05/06	FY 06/07	FY 07/08	FY 08/09
Single Family Dwelling	1.0	\$287	\$299	\$310	\$323	\$336
Condominium	1.0	\$287	\$299	\$310	\$323	\$336
Multi-Family Dwelling	0.8	\$230	\$239	\$248	\$258	\$269
Mobile Home	0.65	\$187	\$194	\$202	\$210	\$218

* Number of Equivalent Dwelling Units (EDUs) assigned by the San Diego County Uniform Sewer Ordinance to a particular category including residential, commercial, industrial, and other uses.

The annual sewer service charge for all users is based on assigned capacity (EDUs), flow volume and sewage strength of the wastewater discharge as determined by the formula established in the San Diego County Uniform Sewer Ordinance.

Section 3. CONNECTION FEES. In addition to any other fees for connection to the sewer lines within the District, a connection fee of \$2,000 is established for each dwelling unit connecting to the sewer system of the Spring Valley Sanitation District after the effective date of this ordinance. The number of equivalent dwelling units prescribed in the San Diego County Uniform Sewer Ordinance shall be used to compute the amount of the connection fee.

Section 4. 1956 BOND FUND AREA. In addition to any other fees for connection to the sewer lines within the District, the following fees are hereby established for each connection of a dwelling or establishment to a sewer service lateral that is connected directly to certain trunk line sewers and collection line sewers located within the District and constructed with the 1956 Spring Valley Sanitation District Bond Issue Funds and shown on a plat entitled "Construction of a Trunk Sewer System in the Spring Valley Sanitation District" consisting of 17 sheets on file with the Clerk of the Board of Supervisors of the County of San Diego as Document No. 226062:

- (a) For each connection to premises used exclusively for residential purposes (including incidental farming) the fee shall be \$300; provided, however, that where more than one such connection is made to serve a parcel of land held in a single ownership and having an area of 7,500 square feet or less, the connection fee shall be charged only for the first connection to such parcel.

- (b) For each connection to premises used for commercial purposes or used other than exclusively for residential purposes (including incidental farming) and on which there is located or to be located a building or buildings having an aggregate area of less than 5,000 square feet, the fee shall be \$300.
- (c) For each connection to premises used for commercial purposes or used other than exclusively for residential purposes (including incidental farming) and on which there is located or to be located a building or buildings having an aggregate area of 5,000 square feet or more, the fee shall be \$5.00 per lineal foot of the premises fronting on, i.e. adjacent to, the sewer line; provided, however, where, as in the case of a corner lot, the premises have more than one frontage adjacent to the sewer line, the fee shall be computed on the basis of the frontage to which the connection is made and no charge shall be made for any other frontage until such time as such other frontage is connected to the sewer line; provided, further, that this fee shall not be charged more than once for the same premises except in the case of premises having more than one frontage adjacent to the sewer line, in which case a fee shall be charged for each frontage when such frontage is connected to the sewer line. The term "premises" as used in this subsection shall include not only the land on which there is located the building connected to the sewer, but in addition shall include all land under the same ownership used in connection therewith or incidental thereto. Where only a portion of land under one ownership is used in connection with or incidental to the use of the building connected to the sewer, only such portion of land shall be considered as the "premises."

Section 5. FRISBEE STREET - 1911 ACT. A connection fee of \$50 is established for each dwelling unit or equivalent dwelling unit connected to any sewer that is tributary to the sewers constructed under the Improvement Act of 1911, Assessment District No. 226, Frisbee Street et al., and more particularly delineated on plat entitled "Assessment Diagram No. 226", on file with the office of the County Recorder of the County of San Diego as Document No. 104357.

Section 6. KENWOOD DRIVE AREA. A connection fee of \$350 is established for each connection of a dwelling to sewer service lateral that is connected directly to that collection line sewer located in Kenwood Drive within the extension on file in the office of the Clerk of the Board of Supervisors of the County of San Diego as Document No. 385144.

Section 7. ANNEXATION AND DETACHMENT FEES. In addition to any other fees in effect, the following annexation/detachment fees are hereby established:

- (a) Annexation/Detachment Application Fee. For annexation or detachment of territory, an application fee of \$800 is established.
- (b) Annexation Fee. In addition to the fee established in Section 7(a) of this ordinance, there is hereby established an annexation fee for property annexed to the District. The annexation fee for all properties annexed to the District on or after the effective date of this ordinance shall be \$1,000 per Equivalent Dwelling Unit (EDU) based on the San Diego County Uniform Sewer Ordinance. Annexation fees shall be determined on the basis of capacity required as expressed by EDU(s).
- (c) Payment of Annexation/Detachment Fees. The entire fee prescribed in Section 7 shall become owing, due and payable to the District at the time application is made. Changes in property use resulting in increased sewer capacity shall be subject to additional annexation fees.

- (d) Refund of Annexation/Detachment Fee. The annexation/detachment application fee covers administrative costs and is nonrefundable. In the event the proposed annexation is discontinued, the annexation fee established in Section 7(b) shall be refunded upon written request.

Section 8. OPERATIVE DATE. This ordinance shall become operative on July 1, 2004.

Section 9. EFFECTIVE DATE. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED this 19th day of May 2004.