

ORDINANCE NO. 97-2

LAKE CANYON COMMUNITY SERVICES DISTRICT RATES AND FEES FOR WASTEWATER REGULATION

An Ordinance establishing sewer rates and fees within the District.

The Board of Directors of the Lake Canyon Community Services District, Santa Clara County, California, does ORDAIN as follows:

Section 1. Basic Sewer Service Charges. On the effective date of this ordinance, the rates and minimum sewer service charges billed monthly to customers within the service area of the District shall be as follows:

Schedule of Sewer Service Charges

<u>User Classification</u>	<u>Monthly Charge</u>
Single-Family Residential	\$75.00
Multi-Family Residential	\$75.00 per residential unit
Public Buildings	\$75.00 per equivalent residential unit

Basic service charges include those for routine inspections, maintenance and repair, enforcement, water quality monitoring, debt service, capital reserve, and general District administrative costs and overhead. These services benefit all users to an equal degree and will be charged as an equal service fee to all users. Based on the District budget adopted on July 12, 1993 for FY 1994, the basic service fees will be \$75 per dwelling unit equivalent. These costs will be collected in advance semi-annually by the Santa Clara County Assessors Office.

Section 2. Sewer Service Deposit. Upon making written application for sewer service, using the attached application form, the applicant shall leave on deposit with the District, an amount equal to two times the monthly rate for the service requested. Should applicant become delinquent or default on any service charges due to the District, the District reserves the right to apply any or all of the deposit to the amount due. Application of the deposit to the amount due does not foreclose the District from any and all remedies against Applicant.

Section 3. Non-Connection Fees/Charges. Charges shall be levied upon and be payable by the owner of any building that is not connected to the community sewer as required by any ordinance, rule, or regulation, of the District, Santa Clara County, or the State of California, including but not limited to the State Small Community Grant Program. If a property owner has not connected his or her building to the community sewer within sixty (60) days after issuance of official notification by the District to the property owner's address of record, the District may enter upon the property and connect the building to the community sewer. The property owner shall then be liable to the District for any and all costs expended by the District to connect the building to the community sewer, plus a 50% administrative fee calculated on the total cost to the District of such endeavor. Such charges shall be subject to all provisions of Article VIII of the District's Wastewater Regulation.

Section 4. Discontinuing Service. Should all or any part of the bill upon which the sewer service- charge is levied become delinquent, the District may discontinue service.

Section 5. Tampering. No person shall uncover, make any connection with or opening into, use, alter, extend, or disturb any community sewer or appurtenance or perform any work on any lateral or building sewer without first obtaining a written permit from the District.

Section 6.. Wastewater Collection System Connection Charges. Installation of a lateral sewer and septic tank facility, or connection to an existing septic tank facility shall be made by the property owner under the direction of the District and a charge shall be made in accordance with the following:

Schedule of Installation and Connection Fees

<u>Classification</u>	<u>Installation Fee</u>
Single family residential unit	\$28,000.00
Multiple family residential unit	\$28,000.00 / per unit*
Public buildings	\$28,000.00 / per equivalent residential unit

* Provided the tank facility is located and sized properly to accept additional connections, as determined by the District Manager.

Section 8. Application for Permit. Any person legally entitled to apply for and receive a permit shall make such application on forms provided by the District for that purpose. He/she shall give a description of the character of the work to be performed! location, ownership, occupancy and use of the premises in connection therewith. The Manager may require plans, specifications, or drawings and other such information as may' be deemed necessary for connection to an exiting septic tank facility.

Section 9. Special Services. Special service costs include the services outlined below which benefit specific properties. Costs for these services will be accounted for separately and billed on an as-delivered basis to the benefiting properties in the subsequent special services bill.

Special Service	Service Fee
Construction Inspection	Charged at District Cost
Legal Cost for Abatement	Charged at District Cost
Service Call*	Charged at District cost \$40/hour

*Other than routine inspection and maintenance.

Property owners billed for special services will receive an itemized breakdown of the material labor and equipment costs represented by the charge. Appeals of special service charges will be heard by the Board if a written complaint is received within 30 days of the date of the bill containing the special service charge in dispute.

Section 10. Area Where Rates are Effective. The rates and fees established by this ordinance shall be effective in all those areas served by the Lake Canyon Community Services District.

Section 11. Repeal of Inconsistent Provisions and Ordinance. Any and all provisions of previously adopted ordinances and resolutions of the Lake Community Services District which are inconsistent with rates and charges adopted by this ordinance are repealed.

Section 12. Effective Date; Posting. This ordinance shall become effective thirty (30) days from the date of its passage, and shall be posted within the District in three (3) public places.

INTRODUCED: June 9, 1997

PASSED: July 7, 1997

AYES: David McCrary, Jo Thorsen, Chuck Wilson, Phil Abel, Kirk Epperly

NOES: 0

ABSTENTIONS: 0

Lake Canyon Community Services District

By: Charles F. Wilson, President

Attest:

Tiffany Epperly, Secretary

Effective Date of Ordinance: 9-20-97