

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2750

(UNCODIFIED)

**ORDINANCE ESTABLISHING FEES AND CHARGES FOR THE USE
OF AND FOR SERVICES RELATING TO CITY WATER SERVICES**

WHEREAS, Section 22-60 of the Oxnard City Code requires that the City Council establish by ordinance the rates charged for all water supplied by the City; and

WHEREAS, Section 22-60 of the Oxnard City Code provides that the rates charged for water supplied by the City shall be increased by the same percentage that the rates paid by the City to its water supply wholesalers increase; and

WHEREAS, the Water Resources Division – Water Section operates as a self-supporting enterprise fund (Water Fund) that depends upon revenues derived from providing water to City customers; and

WHEREAS, the City's Water Resources Division – Water Section prepared a biennial budget and recommendations for the Water Resources Division – Water Section for fiscal years 2007-08, and 2008-09, dated July 10, 2007 (Budget), on file with the City Clerk, which also establishes the basis for the fees and charges set forth herein; and

WHEREAS, Section 15273 of the California Environmental Quality Act (CEQA) Guidelines provides that CEQA does not apply to the modification of public agency rates and other charges which the public agency finds are intended for certain purposes.

NOW, THEREFORE, the City Council of the City of Oxnard does hereby find as follows:

1. The adoption of this ordinance is exempt from the California Environmental Quality Act because the fees adopted herein are for the following purposes:
 - a. Meeting operating expenses, including the increased cost of water supplies, and Water Resources Division – Water Section employee wages and fringe benefits; and
 - b. Purchasing and leasing supplies, equipment, and materials associated with the provision of water service; and
 - c. Meeting financial reserve needs and requirements; and
 - d. Obtaining funds for capital projects necessary to maintain water service within the City service area, including cast iron pipe replacement, water quality treatment upgrades, fire hydrant upgrades, hydraulic improvements to the existing system, control system improvements, and groundwater well rehabilitation, none of which expand the water system.

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2. The basis for the foregoing claim of exemption is found in the Budget on file with the City Clerk.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. Section 22-61 of the Oxnard City Code is amended to read as follows:

“The following fees and methods for charging and collecting for services relating to the water system of the city are established and effective during the dates indicated, as follows:

I. Monthly Rates

A. Effective November 1, 2007, through June 30, 2008

1. Monthly Rates for Single-Family Water Use

Rate Per Hundred Cubic Feet (HCF)	Single Family
0 to 6 HCF/Mo.	\$1.653
7 to 12 HCF/Mo.	\$1.839
Over 12 HCF/Mo.	\$2.568

2. Monthly Rates for Multi-Family Residential Water Use

Rate Per Hundred Cubic Feet (HCF)	Multi-Family
0 to 17 HCF/Mo.	\$1.359
18 to 32 HCF/Mo.	\$1.503
Over 32 HCF/Mo.	\$2.247

3. Monthly Rates for Commercial/Industrial Blended Water Use

Rate Per Hundred Cubic Feet (HCF)	Commercial/ Industrial Blended
0 to 13 HCF/Mo.	\$1.359
14 to 23 HCF/Mo.	\$1.503
Over 23 HCF/Mo.	\$2.247

B. Effective July 1, 2008

1. Monthly Rates for Single-Family Water Use

Rate Per Hundred Cubic Feet (HCF)	Single Family
0 to 6 HCF/Mo.	\$1.703
7 to 12 HCF/Mo.	\$1.894
Over 12 HCF/Mo.	\$2.645

2. Monthly Rates for Multi-Family Residential Water Use

Rate Per Hundred Cubic Feet (HCF)	Multi-Family
0 to 17 HCF/Mo.	\$1.400
18 to 32 HCF/Mo.	\$1.548
Over 32 HCF/Mo.	\$2.314

3. Monthly Rates for Commercial/Industrial Blended Water Use

Rate Per Hundred Cubic Feet (HCF)	Commercial/ Industrial Blended
0 to 13 HCF/Mo.	\$1.400
14 to 23 HCF/Mo.	\$1.548
Over 23 HCF/Mo.	\$2.314

II. Monthly Meter Rates

In addition to monthly rates for water use (per HCF) as set forth in subsection I, all accounts shall pay one of the following monthly meter rates, based on meter size:

A. Monthly Meter Rates – Effective November 1, 2007, through June 30, 2008

Meter Size (inches)	Single Family	Multi-Family	Commercial/ Industrial Blended
0.75"	\$9.58	\$8.18	\$6.61
1.0"	\$15.11	\$12.88	\$10.16
1.5"	\$27.96	\$23.48	\$18.33
2.0"	\$46.63	\$36.39	\$28.49
3.0"	\$95.20	\$81.75	\$60.95
4.0"	\$161.60	\$132.87	\$104.22
6.0"	\$335.27	\$277.98	\$213.32
8.0"	\$481.61	\$399.37	\$311.21
10.0"	\$775.23	\$642.69	\$493.43

B. Monthly Meter Rates – Effective July 1, 2008

Meter Size (inches)	Single Family	Multi-Family	Commercial/ Industrial Blended
0.75"	\$9.87	\$8.43	\$6.81
1.0"	\$15.56	\$13.27	\$10.46
1.5"	\$28.80	\$24.18	\$18.88
2.0"	\$48.03	\$37.48	\$29.34
3.0"	\$98.06	\$84.20	\$62.78
4.0"	\$166.45	\$136.86	\$107.35
6.0"	\$345.33	\$286.32	\$219.72
8.0"	\$496.06	\$411.35	\$320.55
10.0"	\$798.49	\$661.97	\$508.23

III. Special Water Services: Effective November 1, 2007:

A. Flat Rates

Where meters are not installed, water services shall be paid for each dwelling facility or business activity or service, whether or not such facility, activity or service is at the same location, at a monthly rate which shall be determined by the public works director subject to the approval of the city manager.

B. Fire Services

The monthly rate for water service and water consumed by private fire lines used exclusively for fire protection, whether such lines are attached to automatic sprinkler systems, fire hydrants or hose attachments, shall be as follows:

1. Fire Services:

Meter Size (inches)	Fireline
0.75"	\$1.21
1.0"	\$2.06
1.5"	\$4.00
2.0"	\$6.43
3.0"	\$14.19
4.0"	\$24.26
6.0"	\$50.58
8.0"	\$72.77
10.0"	\$117.29

C. Metered Construction Rate

All water drawn through a temporary meter on a fire hydrant or other connection to a main shall be paid for at double the commercial/industrial blended rate for water use, as set forth in subsection 1(C).

In addition to the monthly rates for water use, a monthly charge based on meter size shall be imposed as follows:

Meter Size	Monthly Rate
1"	\$20.06
3"	67.50

D. Unmetered Construction Rate

In new subdivisions and other projects where meters are not installed immediately, the monthly construction rate shall be as follows:

Service Size	Monthly Rate
3/4"	\$5.67
1"	8.34
1-1/2"	12.70
2"	16.67

For each inch in diameter over two inches, the monthly rate shall be increased by \$4.30 per inch over the two-inch service monthly rate stated above.

E. Service to City

1. The city shall pay for all installation services furnished to the city at the rates established by this section. However, the water division shall be exempt from paying for installation service.
2. The city shall pay for all water furnished to the city at the rates established by this section. However, the water division and the fire department shall be exempt from paying for water provided to them.
3. Unmetered water used for street sweeping, plant watering, storm drain flushing, construction purposes, and all miscellaneous uses not herein specifically mentioned shall be deemed to have been furnished through a single meter for each department. The public works director shall estimate the monthly volume of unmetered water used for such purposes.
4. All water furnished to property owned by the city shall be metered.

F. Temporary Agricultural Use

The city may provide water on a temporary basis for agricultural purposes in accordance with section 22-65 of the City Code. Monthly water rates for temporary agricultural purposes shall be the same as commercial/industrial blended rates.

IV. Billing Procedure for Periodic Charge for City Water Service: Effective November 1, 2007:

Water service bills shall be computed according to the rates then in effect and the number of days in the service period at each rate.

V. Water Service and Meter Rates: Effective November 1, 2007:

As provided in section 22-37 of the City Code, the customer shall pay for installation of each water service and water meter.

A. The rates for installing each new service and each new meter, which amount shall be paid in advance, shall be as follows:

Service	Meter	Meter Box and Tail Piece		
3/4"	3/4"	3/4"	=	\$ 699.71
1"		1"	=	925.71
1-1/2"	1-1/2"	1-1/2"	=	1,415.84
2"	2	2"	=	2,018.50

B. The rates for installing each new meter on a service less than five years old, previously installed and paid for, shall be as follows:

Meter	Service	New Box
3/4"	3/4"	\$ 329.97
3/4"	1" or Larger	379.97
1"	1"	406.07
1-1/2"	1-1/2"	709.43
1-1/2"	2"	759.43
2"	2	1,009.65

C. The rates for installing each new meter on a service more than five years old, previously installed and paid for, shall be as follows:

Meter	Service	New Box
3/4"	3/4"	\$ 552.11
3/4"	1" or Larger	652.11
1"	1"	704.31
1-1/2"	1-1/2"	1,015.84
1-1/2"	2"	1,265.84
2"	2	1,568.68

VI. Other Deposits, Fees and Rates: Effective November 1, 2007:

As provided in sections 22-19, 22-26, 22-39, 22-40, 22-48, 22-49 and 22-61 of the City Code, the city shall require the payment of deposits, fees and charges as follows:

A. Deposit guaranteeing payment

Each applicant for service shall be required to place a deposit with the city to guarantee the payment of all water charges. The amount of this deposit for monthly water service shall be:

For each	3/4" meter	\$ 41.00
For each	1" meter	61.00
For each	1-1/2" meter	112.00
For each	2" meter	174.00

For each meter over two inches, an amount equal to an approximate one-month minimum bill, but not less than \$193.00.

B. Turning water on or off

Except in an emergency situation, the charge to have water turned on or off before or after customary business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) and at any time on weekends or city-observed holidays, shall be \$64.00.

C. Billing and collection; delinquent bills; nonpayment

The customer shall pay a fee of \$11.00 for each visit to a customer's property for the purpose of collecting a water bill that is delinquent. If water service is discontinued due to nonpayment or non-compliance with the City Code or this ordinance, in addition to all other amounts due, the customer shall pay a fee of \$64.00 for resuming service.

D. Broken locks

In the event a customer breaks a lock placed on the meter for the purpose of turning on the water service or permitting or causing water service to be turned on after water service has been turned off for nonpayment or non-compliance, in addition to all other amounts due, the customer shall pay a fee of \$5.00 to replace the broken lock.

E. Removal of meter and reinstallation

In the event a customer turns on the water service or permits or causes water service to be turned on after water service has been turned off for nonpayment or noncompliance, the city shall again turn off the service and remove the meter, and the customer shall pay a fee of \$75.00 for reinstallation of the meter, in addition to other amounts due, before water service is restored."

Part 2. Severability. If any provision of this ordinance, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected, but shall remain *in full force and effect*, and to this end the provisions of this ordinance are severable.

Part 3. Ordinance No. 2617 is repealed by this ordinance effective November 1, 2007.

Part 4. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation in the City. Ordinance No. _____ was read on September 11, 2007 and finally adopted on September 18, 2007 to become effective 30 days thereafter.

APPROVED AND ADOPTED this 18th day of September, 2007, by the following vote:

AYES:

NOES:

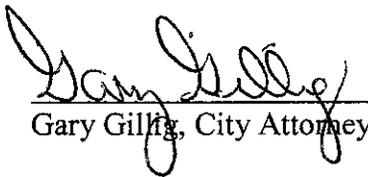
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

 08-30-07

Gary Gillig, City Attorney