

**SAN RAFAEL SANITATION DISTRICT
PROPOSED ORDINANCE NUMBER 59**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 58
INCREASING THE SEWER USER SERVICE CHARGE FROM \$71.72
PER MONTH PER USER UNIT TO \$80.33 PER MONTH FOR FISCAL
YEAR JULY 1, 2024, TO JUNE 30, 2025, AND INCREASING THAT
SEWER USER SERVICE CHARGE TO \$84.34 PER MONTH FOR FISCAL
YEAR JULY 1, 2025, TO JUNE 30, 2026, AND INCREASING THAT
SEWER USER SERVICE CHARGE TO \$88.56 PER MONTH FOR FISCAL
YEAR JULY 1, 2026, TO JUNE 30, 2027, AND SUCH MONTHLY CHARGE
SHALL REMAIN AT \$88.56 PER MONTH FOR EACH SUCCESSIVE YEAR
UNTIL CHANGED BY THE DISTRICT BOARD OF DIRECTORS**

**THE BOARD OF DIRECTORS OF THE SAN RAFAEL SANITATION
DISTRICT OF MARIN COUNTY DO ORDAIN as follows:**

SECTION 1. Definitions.

(a) **Agent.** An agent means any person specifically authorized to act on behalf of the engineer for the San Rafael Sanitation District.

(b) **Assessor's Use Code.** Assessor's Use Code means the number coding and classification of property in use by the Marin County Assessor.

(c) **Connection.** Connection means any physical connection between any type of piping not owned by the District to any type of piping which is directly or indirectly connected to the District Sewer System.

(d) **District.** District means the SAN RAFAEL SANITATION DISTRICT, a special district organized pursuant to California Health and Safety Code Section 4700.

(e) **District Sewer System.** District sewer system means any sewer which is part of the sewage facilities owned and operated by the District.

(f) **Dwelling Unit.** Dwelling unit means any residence, portion of apartment house, or other habitation occupied by a single person or single family and requiring sewage disposal services.

(g) **Engineer.** Engineer means the engineer appointed, employed or retained and designated by the Board of the San Rafael Sanitation District to perform the District's engineering and administrative work.

(h) **Owner.** Owner means the person holding fee title to any premises as shown by the official records of the County Recorder of Marin County.

(i) **Person.** Person means any person, firm, company, corporation, partnership, association, any public corporation, political subdivision, city, county, district, the State of California, or the United States of America, or any department or agency thereof.

(j) **Premises.** Premises means any lot, piece or parcel of real property improved or unimproved within the territorial limits of the District.

(k) Sewer User Unit. Sewer user unit means any dwelling unit or any building, commercial establishment, industry, or other improvement which discharges sewage flow equivalent to one dwelling unit.

SECTION 2. Purpose.

The purpose of the ordinance shall be to operate the San Rafael Sanitation District.

SECTION 3. Free Services.

No facilities or services of the sewer system shall be furnished to any premises or to any owner or other person free of charge.

SECTION 4. Minimum Monthly Sewer Service Charge.

For each premise connected or required by the District to be connected to the sewer system, the minimum monthly sewer service charge shall be established by this ordinance of the District Board and may be amended from time to time by future ordinances. There will be no charge for vacant land or premises not connected to the District's sewer system.

SECTION 5. Sewer Service Charge as Minimum.

As used herein, the minimum monthly sewer service charge shall be construed to mean the minimum amount chargeable for said service; however, for any of the classifications listed herein, the monthly service charge may be more than that adopted by the District Board pursuant to Section 4 when it is determined by the District Engineer that because of certain facts involved, it is uneconomical for the District to supply sewer services to the user for the minimum sewer service charge.

SECTION 6. Sewer User Description.

The following sewer user classes are as defined by the Marin County Assessor. Future changes or additions by the Marin County Assessor may be included by the District.

Assessor's Use Code	Assessor's Use Code Description	Sewer User Unit Assignments
00	Vacant	One per dwelling unit
10	Single Family Residential - Unimproved	One per dwelling unit
11	Single Family Residential - Improved	One per dwelling unit
12	Mobile Home - Improved	One per dwelling unit
14	Attached Single Family Residential (condominium)	One per dwelling unit
15	Common Area Parcel (residential and commercial)	One per dwelling unit or equivalent thereof
20	Multiple Residential - Unimproved	One per dwelling unit
21	Multiple Residential - Improved	One per dwelling unit
36	Open Space - Unimproved	One per dwelling unit or equivalent thereof

40	Industrial - Unimproved	One per dwelling unit or equivalent thereof
41	Industrial - Improved	One per dwelling unit or equivalent thereof
50	Commercial - Unimproved	One per dwelling unit or equivalent thereof
51	Commercial - Improved	One per dwelling unit or equivalent thereof
51	Commercial - Improved (condominium)	One per dwelling unit or equivalent thereof
60	Subject to Exemption - Unimproved (churches, schools, etc.)	One per dwelling unit or equivalent thereof
61	Subject to Exemption - Improved	One per dwelling unit or equivalent thereof
80	Non-Taxable - Unimproved/Improved	One per dwelling unit or equivalent thereof
90	Public Utility - Unimproved/Improved	One per dwelling unit or equivalent thereof

SECTION 7. Assignment of Sewer User Units.

(a) One Unit Minimum. All premises connected to the District’s facilities will be assigned a minimum of one sewer user unit.

(b) Residential Dwellings. One sewer user unit shall be assigned to each single family residential dwelling unit, each dwelling unit of a multiple residential building, and each dwelling unit contained in a commercial, industrial, or other improved premise.

(c) Non-Residential Premises. For premises other than dwelling units and commercial condominiums, sewer user units shall be assigned based on the water usage of the premise. One sewer user unit shall be assigned for each 1,000 cubic feet of average monthly water consumption determined from the latest winter water consumption records (mid-December to mid-February) available from Marin Municipal Water District. Irrigation flows and other flows not discharging to the sewerage system are assigned zero sewer user units.

High Strength Sewage. For certain non-residential premises which discharge sewage having significantly greater strength characteristics as measured by concentration of suspended solids or biochemical oxygen demand than residential sewage, the total sewer user unit assignment shall be determined by multiplying the units by the strength factor indicated below:

<u>User</u>	<u>Strength Factor</u>
Markets with garbage disposals	2.34
Restaurants	2.34
Bakeries	2.34

Mortuaries	2.34
Food Service Establishments with grease interceptors	2.09

For other users, if any, discharging high-strength sewage, the strength factor shall be determined by the District Manager.

Sewer user units, as calculated above, shall be rounded to the nearest integer (not less than one).

(d) Inquiries Regarding Assignment of Sewer User Units. Questions or inquiries regarding the assignment of sewer user units must be submitted to the District in writing before changes in unit assignments will be made.

(e) Correctness of District Sewer User Charges. Each property owner is responsible for the correctness of their own sewer user charges. Refunds and the collection of undercharges would be permitted as mandated by State law and District policy regarding refunds.

SECTION 8. Monthly Service Charge.

For fiscal year 2024/2025, the sewer user charge shall be increased from \$71.72 per month to \$80.33 per month; and for fiscal year 2025/2026, the sewer user charge shall be increased from \$80.33 per month to \$84.34 per month; and for fiscal year 2026/2027, the sewer user charge shall be increased from \$84.34 per month to \$88.56 per month and shall remain at \$88.56 per month for each successive year until changed by the District Board of Directors.

SECTION 9. Person Responsible for Payment.

The person responsible for payment of all charges shall be the owner of record of such premise.

SECTION 10. Effective Date of Sewer Service Charges.

Sewer service charges shall become effective against all premises immediately upon connection to the District's facilities. However, charges are established once a year in July for the following fiscal year.

SECTION 11. Termination of Service.

If any premises shall become vacant, the applicable minimum monthly service charge shall continue to be charged to and collected from the owner of such premises until the District Manager is notified in writing that such premises are vacant or unoccupied, or until the District Manager receives a written statement or request from such owner to disconnect such premises from the sewer system. No rebates will be given for discontinued service for the remainder of the current fiscal year.

SECTION 12. Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, no other provision of this ordinance shall be affected thereby.

SECTION 13. Repeals.

All parts of prior ordinances of this District which are inconsistent or in conflict with the constitutional enforcement of this ordinance are hereby repealed.

SECTION 14. Effective Date.

This ordinance shall be effective (30) days after its passage; and before the expiration of fifteen (15) days after its passage, it shall be published once with the names of the members voting for and against it in the Marin Independent Journal, a newspaper of general circulation published within said Sanitation District.

SECTION 15. Challenge to Ordinance.

Any person challenging the validity of any provision of this ordinance must do so within a court of competent jurisdiction not later than ninety (90) days from the effective date of this ordinance.

PASSED AND ADOPTED at a regular meeting of the San Rafael Sanitation District, held this 21st day of June 2024, by the following vote:

AYES:	Director Bushey, Director Rice, Chair Kate
NOES:	None
ABSENT/ABSTAIN:	None

Kate Colin
Kate Colin (Jun 24, 2024 17:06 PDT)
Kate Colin, Chair

ATTEST:

Maribeth Bushey
Maribeth Bushey (Jun 25, 2024 10:02 PDT)
Maribeth Bushey, Secretary

APPROVED AS TO FORM:

Kerry Gerchow
Kerry Gerchow (Jun 26, 2024 12:54 PDT)
Kerry Gerchow, Deputy County Counsel

Ord #59 Swr User Fee Increase


Final Audit Report

2024-06-26

Created:	2024-06-24
By:	kathryn nelson (kathrynn@cityofsanrafael.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA7TFgfCeLdrAUr1VPt58LN3-1o7uBrGH7

"Ord #59 Swr User Fee Increase" History

-  Document created by kathryn nelson (kathrynn@cityofsanrafael.org)
2024-06-24 - 8:58:37 PM GMT- IP address: 199.88.89.34
-  Document emailed to kate.colin@cityofsanrafael.org for signature
2024-06-24 - 9:00:02 PM GMT
-  Email viewed by kate.colin@cityofsanrafael.org
2024-06-25 - 0:04:25 AM GMT- IP address: 75.111.98.145
-  Signer kate.colin@cityofsanrafael.org entered name at signing as Kate Colin
2024-06-25 - 0:06:32 AM GMT- IP address: 75.111.98.145
-  Document e-signed by Kate Colin (kate.colin@cityofsanrafael.org)
Signature Date: 2024-06-25 - 0:06:34 AM GMT - Time Source: server- IP address: 75.111.98.145
-  Document emailed to maribeth.bushey@cityofsanrafael.org for signature
2024-06-25 - 0:06:36 AM GMT
-  Email viewed by maribeth.bushey@cityofsanrafael.org
2024-06-25 - 5:02:09 PM GMT- IP address: 198.140.27.240
-  Signer maribeth.bushey@cityofsanrafael.org entered name at signing as Maribeth Bushey
2024-06-25 - 5:02:34 PM GMT- IP address: 198.140.27.240
-  Document e-signed by Maribeth Bushey (maribeth.bushey@cityofsanrafael.org)
Signature Date: 2024-06-25 - 5:02:36 PM GMT - Time Source: server- IP address: 198.140.27.240
-  Document emailed to kgerchow@marincounty.org for signature
2024-06-25 - 5:02:38 PM GMT
-  Email viewed by kgerchow@marincounty.org
2024-06-26 - 7:54:23 PM GMT- IP address: 104.47.65.254

 Signer kgerchow@marincounty.org entered name at signing as Kerry Gerchow

2024-06-26 - 7:54:51 PM GMT- IP address: 73.71.174.117

 Document e-signed by Kerry Gerchow (kgerchow@marincounty.org)

Signature Date: 2024-06-26 - 7:54:53 PM GMT - Time Source: server- IP address: 73.71.174.117

 Agreement completed.

2024-06-26 - 7:54:53 PM GMT



SAN RAFAEL
THE CITY WITH A MISSION

Powered by
Adobe
Acrobat Sign