

**ORDINANCE 1-2017**

**AN ORDINANCE OF THE BOARD OF DIRECTORS  
OF THE TRUCKEE SANITARY DISTRICT REPEALING AND REPLACING THE  
TRUCKEE SANITARY DISTRICT CODE AND ADOPTING CERTAIN REVISED  
FEES AND RATES**

**WHEREAS**, the Truckee Sanitary District Code, is a compilation and codification of existing District procedures, rules, regulations, rates, charges and fees, together with those secondary codes adopted by reference; and

**WHEREAS**, the Board of Directors adopted the current version of the Truckee Sanitary District Code in April 2008 with amendments adopted in November 2008, April 2012, and May 2013; and

**WHEREAS**, the Board of Directors desires to repeal the existing version of the Truckee Sanitary District Code and adopt an updated version; and

**WHEREAS**, the District is committed to the fair and equitable provision of sewer services to persons and entities within its jurisdiction, in conformity with California law; and

**WHEREAS**, the District has not raised sewer charges since 1987, and in 2014 the District retained HDR Engineering, Inc. to perform a sewer rate study to determine the adequacy of the District's sewer charges to meet the District's financial needs (the "Fee Study"); and

**WHEREAS**, the Fee Study examined the District's need to fund future system replacements while also providing for ongoing operations and maintenance of the District's existing system; and

**WHEREAS**, a copy of the Fee Study is on file with the Clerk of the District and is available on the District's website; and

**WHEREAS**, based on the Fee Study, the Board of Directors desires to increase certain monthly user fees paid by the District's customers (the "User Fees"); and

**WHEREAS**, the District also desires to increase the seal cap deposit and establish a new supplemental inspection charge for private pump stations (collectively, the "Sewer Charges"), and the amount of such Sewer Charges does not exceed the cost to the District to perform those services; and

**WHEREAS**, the District scheduled a public hearing to consider the increased User Fees, the revised Sewer Charges, and the revised Truckee Sanitary District Code for April 20, 2017; and

**WHEREAS**, in accordance with Proposition 218, a notice of public hearing, with information regarding the proposed User Fees, was sent to the owners of every parcel of property subject to the proposed User Fees more than 45-days prior to the scheduled public hearing; and

**WHEREAS**, the District published notice of the public hearing to consider this Ordinance in accordance with Government Code section 6066; and

**WHEREAS**, at the conclusion of the public hearing held on April 20, 2017, the Board of Directors determined that written protest of the proposed User Fees was not received from property owners representing a majority of the parcels subject to the User Fees.

**NOW, THEREFORE**, be it ordained by the Board of Directors of the Truckee Sanitary District as follows:

**Section 1. Recitals**

The District hereby finds and determines that the above recitals are true and correct and have served as the basis, in part, for the findings and actions of the District set forth below.

**Section 2. Adoption of Revised Truckee Sanitary District Code**

The Truckee Sanitary District Code adopted by Ordinance 1-2008, as amended, is hereby repealed. The Truckee Sanitary District Code (revised April 2017), including any secondary codes adopted by reference, is hereby adopted as the rules, regulations, and standards of the District. A certified copy of the Truckee Sanitary District Code (revised April 2017) is on file in the office of the Clerk of the District and is available for public review during normal business hours. Copies of the Code are available for purchase by the public at a price equal to the actual cost to the District of copying the document. This Ordinance is adopted pursuant to applicable law, including Health and Safety Code section 6491.2.

Whenever a reference is made to this code as the Truckee Sanitary District Code or to any portion thereof, or to any ordinance of the District, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

**Section 3. Adoption of Revised User Fees**

As of the effective date below, the Board of Directors of the Truckee Sanitary District hereby finds and declares that the monthly user fee shall be as set forth in Exhibit A, attached hereto and incorporated herein. These fees are contained in Appendix A-2 of the Truckee Sanitary District Code (revised April 2017). The basis of these fees is the Fee Study on file with the Clerk of the District.

**Section 4. Annual Increases in User Fees**

Effective July 1 of each year through July 1, 2021, the User Fees shall increase accordingly to the schedule of fees as set forth in Exhibit A. The basis of these increases is set forth in the Fee Study on file with the Clerk of the District. The schedule of fees set forth in Exhibit A shall set the maximum permitted charge, and the District Board may adopt charges in a lesser amount by resolution. Pursuant to Government Code section 53756, the District shall provide notice to its customers 30 days prior to the increases becoming effective.

**Section 5. Adoption of Revised Sewer Charges**

As of the effective date below, the Board of Directors of the Truckee Sanitary District hereby finds and declares that the seal cap deposit and supplemental inspection charge for private pump stations shall be as set forth in Exhibit B, attached hereto and incorporated herein. These charges are contained in Appendix A-1 of the Truckee Sanitary District Code. The basis for these charges is on file with the Clerk of the District.

**Section 6. Violation of the Code.**

Pursuant to Health and Safety Code section 6523 and applicable law, any person, corporation, or other legal entity who violates, or fails to comply with, any provision of the Truckee Sanitary District Code, adopted by reference pursuant to this Ordinance, shall be guilty of a misdemeanor. Any person, corporation or other legal entity convicted of a misdemeanor for violation of the Truckee Sanitary District's Code is punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment in the county jail not to exceed thirty (30) days, or by both. Each person, corporation or other legal entity shall be guilty of a separate offense for each and every day during which any portion of which any violation, or failure to comply with, any provision of the Truckee Sanitary District Code is committed, continued or permitted by any such person, corporation or legal entity, and such person, corporation or legal entity shall be punished accordingly.

**Section 7. Severability.**

If any section of this Ordinance is determined to be unenforceable, invalid, or unlawful, such determination shall not affect the enforceability of the remaining provisions of this Ordinance.

**Section 8. District Clerk**

The Clerk of the District is directed to enter a certified copy of this Ordinance in the minutes of the Board of Directors

Section 9. Effective Date



This Ordinance shall take effect sixty (60) days after adoption, on June 19, 2017. Prior to the effective date of this Ordinance, it shall be published one time in a newspaper of general circulation printed and published within the Truckee area.

**PASSED AND ADOPTED** by the Board of Directors of the Truckee Sanitary District at a regular meeting of the Board, held on the 20<sup>th</sup> day of April, 2017, by the following vote:

**AYES:** Anderson, Gilmore, Smart, Sweet, Van Gundy  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

  
\_\_\_\_\_  
President of the Board of Directors

**ATTEST:**

  
  
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**Blake Treasan,**  
Board Secretary

# EXHIBIT A

## APPENDIX A-2 TRUCKEE SANITARY DISTRICT FEE STRUCTURE

Type of Connection	Unit of Measure	Connection Fee Per Unit	Rate	Monthly User Fee Charge per Unit, Effective Date				
				7/1/2017	7/1/2018 <sup>(1)</sup>	7/1/2019 <sup>(1)</sup>	7/1/2020 <sup>(1)</sup>	7/1/2021 <sup>(1)</sup>
Residential	Living Unit	750.00	R	15.66	16.91	18.26	19.72	21.30
			RR <sup>(2)</sup>	20.52	22.16	23.93	25.85	27.92
Commercial Establishments (unless otherwise noted below)	# of Plumbing	50.00	B	0.94	1.02	1.10	1.19	1.29
	Fixture Units (3)		BB <sup>(2)</sup>	1.23	1.33	1.44	1.55	1.68
Hotel/Motel (without kitchen)	Living Unit	202.50	M	4.23	4.57	4.94	5.34	5.77
			MM <sup>(2)</sup>	5.55	6.00	6.47	6.99	7.55
Hotel/Motel (with Kitchen)	Living Unit	262.50	N	5.49	5.93	6.40	6.91	7.46
			NN <sup>(2)</sup>	7.18	7.76	8.38	9.05	9.77
Campsite (with sewer)	# of Sites	187.50	K	3.92	4.23	4.57	4.94	5.34
			KK <sup>(2)</sup>	5.14	5.55	6.00	6.48	6.99
Campsite (without sewer)	# of Sites	142.50	Q	2.98	3.22	3.48	3.76	4.06
			QQ <sup>(2)</sup>	3.91	4.22	4.56	4.92	5.32
Markets	# of Plumbing	50.00	G	0.94	1.02	1.10	1.19	1.29
	Fixture Units (3)		GG <sup>(2)</sup>	1.23	1.33	1.44	1.55	1.68
Laundries	# of 10 lb Machines	240.00	L	5.01	5.41	5.84	6.31	6.81
			LL <sup>(2)</sup>	6.57	7.09	7.66	8.27	8.93
	# of 20 lb-50 lb Machines	480.00	X	10.02	10.82	11.69	12.63	13.64
Restaurants & Bars	# of Inside Seats	50.00	F	0.94	1.02	1.10	1.19	1.29
			FF <sup>(2)</sup>	1.23	1.33	1.44	1.55	1.68
	# of Outside Seats	25.00	Z	0.48	0.52	0.56	0.60	0.65
# of Banquet Seats	18.00	ZZ <sup>(2)</sup>	0.63	0.68	0.73	0.79	0.85	
		Y	0.33	0.36	0.39	0.42	0.45	
Theaters	# of Seats	7.50	YY <sup>(2)</sup>	0.44	0.48	0.52	0.56	0.60
			T	0.16	0.17	0.18	0.19	0.21
Churches	# of Seats	7.50	TT <sup>(2)</sup>	0.22	0.23	0.25	0.27	0.29
			C	0.16	0.17	0.18	0.19	0.21
Barber Shops	# of Service Chairs	210.00	CC <sup>(2)</sup>	0.22	0.23	0.26	0.27	0.29
			H	4.38	4.73	5.11	5.52	5.96
Beauty Shops	# of Service Chairs	375.00	HH <sup>(2)</sup>	5.75	6.21	6.70	7.24	7.82
			A	7.83	8.46	9.14	9.87	10.66
Unclassified Service (4)	# of Units	25.00	AA <sup>(2)</sup>	10.26	11.08	11.97	12.92	13.96
			E	0.48	0.52	0.56	0.60	0.65
Other	As determined by the General Manager	11.90	EE <sup>(2)</sup>	0.64	0.69	0.74	0.80	0.87
			S	0.25	0.27	0.29	0.31	0.33
Temporary Discharge	Per 1,000 Gal.	---	SS <sup>(2)</sup>	0.32	0.35	0.38	0.41	0.44
			D	2.24	2.42	2.61	2.82	3.05
Public Schools (5)	Per 1,000 Gal.	---	DD <sup>(2)</sup>	2.93	3.16	3.41	3.69	3.98
			---	2.93	3.16	3.41	3.69	3.98

(1) Rates shown are the maximum possible rates possible on said date per Ordinance 1-2017. The Board will adopt actual rates on an annual basis.

(2) These rates apply to customers from whom the District receives no property tax monies.

(3) Refer to Appendix A-3

(4) This factor serves as a multiplier to hold the correct values on an account

(5) Refer to Section 3.12

# EXHIBIT B

## APPENDIX A-1 DEPOSITS, INSPECTION CHARGES, AND SPECIAL FEES

### DEPOSITS

Residential Seal Cap .....	\$ 600.00
Residential User Fees.....	\$ 100.00
Commercial Seal Cap .....	\$1,000.00
Plan Check Review .....	\$ 250.00
Sewer Main Tapping Deposit (Standard Minimum) .....	\$ 500.00
Utility Permit Deposit.....	\$1,500.00
Sewer Main Tapping Deposit (Special Conditions) .....	Determined on Case by Case Basis
Commercial Project Deposits .....	Determined by Plan Check
Other .....	Determined by the General Manager

### INSPECTION CHARGES

Residential .....	\$ 200.00
Supplemental Residential Pump Inspection Fee.....	\$ 250.00
Others.....	At Cost

### SPECIAL FEES AND CHARGES

Illegal Seal Cap Removal.....	\$1000.00
Permit Extension.....	\$100.00
Permit Cancellation.....	\$25.00
Owner-builder Temporary Trailer Hook Up.....	\$100.00
Annexation Fee per acre .....	\$50.00
Copy Service, 8 1/2 x 11 .....	\$0.10 Per Page
Other .....	Determined by the General Manager