

**COUNTY SANITATION DISTRICT NO. 2-3
OF SANTA CLARA COUNTY**

**ORDINANCE NO. 50
SETTING SEWER SERVICE CHARGES**

AN ORDINANCE AMENDING ARTICLE VII, SECTION 7.02 THROUGH SECTION 7.04,
OF THE COUNTY SANITATION DISTRICT NO. 2-3 OF SANTA CLARA COUNTY
OPERATIONS CODE RELATING TO SEWER SERVICE CHARGES

THE DISTRICT BOARD OF COUNTY SANITATION DISTRICT NO. 2-3 OF SANTA CLARA COUNTY, CALIFORNIA ORDAINS AS FOLLOWS:

SECTION 1. The District Board of County Sanitation District No. 2-3 of Santa Clara County (“District”) finds and determines the following:

- A. The modification of sewer service charges is necessary for the purpose of meeting multiple financial obligations, including, but not limited to, capital improvements and rising operation/maintenance costs for treatment plant services, capital improvements and rising operation/maintenance costs of the District’s infrastructure, purchasing, or leasing supplies and equipment required as part of the foregoing obligations, and maintaining adequate financial reserves and solvency; and,
- B. The modification of sewer service charges is a statutory exemption from the California Environmental Quality Act pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of the State CEQA Guidelines.

SECTION 2. Section 7.02 of Article VII of the County Sanitation District No. 2-3 of Santa Clara County Operations Code is deleted in its entirety and a new Section 7.02 is added to read as follows:

7.02 RESIDENTIAL

	FY2021-2022	FY2022-2023	FY2023-2024
Residential – per unit	\$621.30/Year	\$677.22/Year	\$738.16/Year
Single Family/Townhouse/Condo unit	\$51.78/Month	\$56.44/Month	\$61.52/Month
Multiple Residential – per unit	\$349.68/Year	\$381.12/Year	\$415.44/Year
Duplex/Apartment unit	\$29.14/Month	\$31.76/Month	\$34.62/Month
Separate mobile home within a mobile home premises	\$350.88/Year \$29.24/Month	\$382.44/Year \$31.87/Month	\$416.88/Year \$34.74/Month
Church Premise	\$621.30/Year \$51.78/Month	\$677.22/Year \$56.44/Month	\$738.16/Year \$61.52/Month

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SECTION 3. Section 7.03 of Article VII of the County Sanitation District No. 2-3 of Santa Clara County Operations Code is deleted in its entirety and a new Section 7.03 is added to read as follows:

7.03. COMMERCIAL OR INDUSTRIAL
(Less than 50,000 gallons per day dischargers)

For each office, commercial building, restaurant, bar, ice cream parlor, laundry, car wash, school, service station, other commercial establishment or industrial establishment, a service charge based on the annual water consumption, as determined by the District Manager, and which service charge shall be determined by multiplying the appropriate rate selected below by the annual water usage:

	FY2021-2022	FY2022-2023	FY2023-2024
Fixed Charge For Infiltration/Inflow	\$1.81/Year	\$1.98/Year	\$2.16/Year
Plus additional charge per Hundred Cubic Feet (HCF) of sewage discharged			
Retail or Professional Offices	\$4.63/HCF	\$5.05/HCF	\$5.50/HCF
Domestic Laundry	\$4.18/HCF	\$4.56/HCF	\$4.97/HCF
Restaurant	\$7.98/HCF	\$8.69/HCF	\$9.48/HCF
Auto Repair Shops and Service Stations	\$4.96/HCF	\$5.41/HCF	\$5.89/HCF
Motel/Hotel	\$4.93/HCF	\$5.37/HCF	\$5.86/HCF
Medical (Office)	\$4.67/HCF	\$5.09/HCF	\$5.54/HCF
Convalescent Home	\$5.00/HCF	\$5.45/HCF	\$5.94/HCF
Other Commercial, Industrial Or Miscellaneous Uses Not Listed Above	\$4.63/HCF	\$5.05/HCF	\$5.50/HCF
Recreation and Country Clubs	\$5.80/HCF	\$6.32/HCF	\$6.89/HCF
County Fairgrounds	\$31.10/HCF	\$33.90/HCF	\$36.95/HCF
Minimum charges for commercial uses including each retail store, industrial warehouse, professional office, repair shop and service station	\$466.20/Year \$38.85/Month	\$511.80/Year \$42.65/Month	\$557.88/Year \$46.49/Month

SECTION 4. Section 7.04 of Article VII of the County Sanitation District No. 2-3 of Santa Clara County Operations Code is deleted in its entirety and a new Section 7.04 is added to read as follows:

7.04 COMMERCIAL OR INDUSTRIAL
(Greater than 50,000 gallons per day dischargers)

For each commercial or industrial establishment discharging 50,000 or more gallons of sewage per day into the sewerage system, a service charge to be determined as follows:

	FY2021-2022	FY2022-2023	FY2023-2024
Fixed Charge for Infiltration/Inflow	\$1.81/Year	\$1.98/Year	\$2.16/Year
Plus additional charge of:			
Per year for each million gallons per day of sewage discharged into the sewerage system; plus,	\$854,424.71/Year	\$931,322.93/Year	\$1,015,142.00/Year
Per year for each thousand pounds per day of biochemical oxygen demand contained in the sewage discharged into the sewerage system; plus,	\$13,734.25/Year	\$14,970.33/Year	\$16,317.66/Year
Per year for each thousand pounds per day of suspended solids contained in the sewage discharged into the sewerage system; plus,	\$9,395.15/Year	\$10,240.71/Year	\$11,162.37/Year
Per year for each thousand pounds per day of ammonia contained in the sewage discharged into the sewerage system; plus,	\$65,791.22/Year	\$71,712.43/Year	\$78,166.55/Year
Per million gallons of sewage discharged into the sewerage system; plus,	\$2,747.27	\$2,994.52	\$3,264.03
Per thousand pounds of biochemical oxygen demand discharged into sewerage system; plus,	\$379.23	\$413.36	\$450.57
Per thousand pounds of suspended solids discharged into the sewerage system; plus,	\$377.60	\$411.58	\$448.62
Per thousand pounds of ammonia discharged into the sewerage system	\$3,081.20	\$3,358.51	\$3,660.78

- A. The rate of discharge of sewage used in the above calculations shall be determined by the District Manager based on the annual water consumption (seasonal users, such as fruit processors, etc., shall have the rate of discharge calculated over the number of days of operation per season).

- B. The rates per day of biochemical oxygen demand, suspended solids, and ammonia used in the above calculations shall be determined from representative samples taken from the sewage discharged from the establishment.

SECTION 5. The sewer service charges established by this Ordinance shall be effective commencing with the Fiscal Year 2021-2022 sewer service charges.

SECTION 6. Before the expiration of fifteen (15) days after the passage of this Ordinance, it shall be published once with names of the members voting for and against the Ordinance in a newspaper of general circulation in Santa Clara County.

PASSED AND ADOPTED by the Board of Directors of County Sanitation District No. 2-3 of Santa Clara County, California on JUN 22 2021 by the following vote:

AYES: **CHAVEZ, ELLENBERG, LEE
SIMITIAN, WASSERMAN**

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

MIKE WASSERMAN, President
Board of Directors
County Sanitation District No. 2-3
of Santa Clara County

Signed and certified that a copy of the document has been delivered by electronic or other means to the President, Board of Directors.

Attest:

MEGAN DOYLE
Clerk of the Board of Directors

APPROVED AS TO FORM AND LEGALITY:

JOHN A. CASTRO
Deputy County Counsel