

CENTRAL MARIN SANITATION AGENCY
ORDINANCE NO. 2006-1

**AN ORDINANCE RELATING TO FEE SCHEDULES FOR CAPACITY
CHARGES, WASTE HAULERS AND INDUSTRIAL MONITORING**

THE COMMISSION OF CENTRAL MARIN SANITATION AGENCY DOES ORDAIN AS
FOLLOWS :

SECTION 1. DEFINITIONS

Agency - Agency means Central Marin Sanitation Agency, a joint exercise of powers agency formed on October 15, 1979.

Member Agency or Local Agency - A Member Agency or Local Agency means one of the four signatories of the Central Marin Sanitation Agency joint exercise of powers agreement, namely: the City of Larkspur, San Rafael Sanitation District, Sanitary District No. 1 of Marin County or Sanitary District No. 2 of Marin County.

Plumbing Fixture Unit - A plumbing fixture unit, or fixture unit, evaluates the wastewater load resulting from average use of various kinds of plumbing fixtures. As used herein, a plumbing fixture unit means a plumbing fixture unit as defined by the 2003 Uniform Plumbing Code (UPC). There are 16 plumbing fixture units in a service unit.

Service Unit - A service unit, or equivalent dwelling unit (EDU), means a unit of a wastewater discharge with volume and strength estimated to equal that of an average single-family residential unit.

SECTION 2. NO FREE SERVICE

No facilities or services of the Agency's wastewater system shall be furnished to any user free of charge.

SECTION 3. CAPACITY CHARGE

A regional capacity charge of four thousand two hundred and eighty two dollars (\$4,282.00), to be used by CMSA only and for capital expansion purposes only, shall be paid for each new sewer user connecting to a public sewer within or being served by one of CMSA's member agencies. Such charge shall be collected by the Member Agency in the same manner in which the Member Agencies now collect their own local sewer capacity charge. Member Agencies shall forward the regional capacity charges collected on behalf of CMSA within 45 days of receipt of such funds. Nothing contained herein is intended to reduce or interfere with a Member Agency's local sewer capacity charge and other fees.

The amount of such regional capacity charge is as follows:

[1]	Residential units, whether in single-family or multiple-family configuration. Per service unit:	\$4,616.00
[2]	Other new sewer user connections, including commercial, public agency, non-profit and all others users, except industrial and high strength users. Per plumbing fixture unit, as defined in the 2003 UPC:	\$ 288.50*
	Residential fee [1] divided by standard number of plumbing fixtures per unit ($\$4,616 \div 16$)	
[3]	High Strength Users, including restaurants and bakeries. Commercial fee times high strength factor ($\$267 \times 2.34$), per plumbing fixture unit, as defined in the 2003 UPC.	\$ 675.09*
	Commercial fee [2] multiplied by the high strength factor ($\$288.50 \times 2.34$)	
[4]	New industrial structures and/or those new sewer users which, as determined by the Agency's general manager, discharge special volumes or strengths of wastewater shall be charged a regional capacity charge established by Board action in each individual case.	

* But not less than \$4,616 per connection. The minimum connection fee is \$4,616.00 per connection

SECTION 4. ANNUAL ADJUSTMENT OF CAPACITY CHARGE

Each year, commencing on July 1 and continuing thereafter on each July 1, the connection fee shall be adjusted by an increment based on the change in the Engineering News-Record Construction Cost Index (ENR Index) for San Francisco compared to the base index.

However, the CMSA Board of Commissioners may at its option determine, by resolution adopted prior thereto, that such adjustment shall not be effective for the next succeeding year, or may determine other amounts as appropriate.

The base index in this ordinance is based on an ENR Index of 8447 (April 2006).

Note: The capacity charge shall not increase beyond \$4,282 times each subsequent year's ENR indices.

SECTION 5. SECOND UNITS, SENIOR CITIZEN AND AFFORDABLE HOUSING

Those residential construction projects which a Member Agency designates and determines are qualified for reduced local sewer capacity charges shall also

automatically qualify for a reduced regional capacity charge. However, the Agency's regional capacity charge shall be reduced only by the same proportionate amount as the Member Agency's charge.

SECTION 6. WASTE HAULER CHARGES

A wastewater facilities use charge shall be paid by septage haulers, other trucks hauling chemical toilet and/or domestic strength water, and recreational vehicles discharging directly in the Agency's treatment and disposal facilities. The amount of such use charges is based on the Agency's then-current regional sewer service charges. Each truckload is assigned the following service units and pays a fee in an amount equal to the number of service units times the Agency's annual service charge.

The fee for recreational vehicles will be either the use charge or five dollars (\$5.00), whichever is greater.

Such waste haulers shall also pay the cost of any monitoring necessary to verify that waste loads contain no industrial waste.

SEPTIC TANK PUMPERS AND CHEMICAL TOILET WASTES	<u>Service Units</u>
Truck volume 1,000 gallons	0.27
Truck volume 1,250 gallons	0.34
Truck volume 1,500 gallons	0.41
Other truck volumes	proportionate

RECREATIONAL VEHICLE AND OTHER DOMESTIC-STRENGTH WASTE HAULERS	<u>Service Units</u>
First 100 gallons	0.025
Each additional 100 gallons or portion	0.010

OTHER TANK TRUCK WASTES

As determined by the Agency's general manager, on a case-by-case basis.

The charges determined above shall be rounded to the nearest five cents (\$0.05).

SECTION 7. INDUSTRIAL MONITORING FEES

- A. CMSA shall assess and collect fees for the recovery of costs associated with the discharge of industrial wastes to the sanitary sewers. These fees are

