

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING SECTION 14.04.020 OF THE MUNICIPAL CODE
TO ADJUST SEWER AND WATER USER FEES

WHEREAS, the City Council determined that certain wastewater collection and treatment infrastructure improvements are required; and

WHEREAS, the City has identified long-term financing as the only means to pay for said improvements; and

WHEREAS, the former ordinance amendment provided for annual Consumer Price Index adjustments for sewer user fees beginning July 1, 2005; and

WHEREAS, it is desirable to provide additional assurances to bond rating agencies, the bond trustee and bond holders that the City has the resources to make long-term financing debt service payments; and

WHEREAS, accelerating the CPI adjustment from July 1, 2005 to July 1, 2004 would provide the desired assurances of available resources.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES ORDAIN AS FOLLOWS:

SECTION 1. Subdivision C of Section 14.04.020 of the Paso Robles Municipal Code is hereby amended to read as follows:

SECTION 2. Section 14.16.020 of the Paso Robles Municipal Code is hereby amended to read as follows:

“14.16.020 Sewer charges

Every person whose premises are served by a connection with the system of sewerage of the city, whereby the sewage or industrial wastes, or either or both, are disposed of by the city through the sewage treatment plant, or otherwise, shall pay a sewer service charge established by ordinance of the city council. Other than as expressly provided herein, the rates for such sewer service fee shall only be established or amended by a two-thirds vote of the city council in favor of such establishment or amendment of sewer service rates.

Effective March 1, 2002, the base sewer service fee for all customers shall be \$30.00 per two-month billing period. Effective January 1, 2003, the base sewer service fee shall be increased to \$35.30 per two-month billing period. Effective January 1, 2004, the base sewer service charge for all customers shall be increased to \$40.86 per billing period. Residential customers shall pay only the base sewer service charge. Nonresidential customers shall pay the base sewer service charge for 1,000 cubic feet of metered water and shall pay an additional charge of \$1.07 for each additional 100 cubic feet of metered water used by said nonresidential customer. Metered landscape water is not included in the determination of sewer service charges.

[Effective July 1, 2004, the sewer service charges established in this section shall be modified annually each July 1 by the increase in the Consumer Price Index for the San Francisco-Oakland-San Jose Region as reported by the Bureau of Labor Statistics for the year ending April of each year.]

The sewer service charges shall further be reviewed no less than bi-annually in conjunction with the update of the City's budget to ensure that the sewer service fees then in existence do not exceed the costs of providing sewer service within the City.”

SECTION 3. Publication. The City Clerk shall cause this Ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 4. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 5. Inconsistency. To the extent that the terms of provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 6. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held September 17, 2002, and passed and adopted by the City Council of the City of El Paso de Robles on the 1st day of October 2002 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Frank Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk