

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING SECTIONS 14.04.020 AND 14.16.020 OF THE CITY OF EL PASO DE ROBLES
MUNICIPAL CODE TO ADJUST SEWER AND WATER USER FEES

WHEREAS, the City Council current policy is to review water and sewer user fees bi-annually to ensure that those fees correspond to the City's cost of providing water and sewer services; and

WHEREAS, the existing ordinance provides for annual inflationary adjustments to water and sewer user fees; and

WHEREAS, the annual inflationary adjustments have not kept pace with the increase in operating costs for water and sewer services; and

WHEREAS, due to the unavailability of a four million gallon water storage facility due to quake damage, the community must conserve 25% of its historical summertime water consumption; and

WHEREAS, the proposed variable rate is intended to encourage water conservation and to implement the City's adopted Urban Water Management Plan.

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:

“C. FEES—WATER USAGE RATES. The monthly rates to be charged and collected by the water department for all water consumption including private fire lines, bulk water delivery or fire hydrant usage from every person, school, firm or corporation shall be charged at rates established by ordinance of the City Council. Other than as expressly set forth herein, such water usage rates may only be established or amended by a two-thirds vote of the city council in favor of such establishment or amendment of water usage rates.

Effective July 1, 2004, the base water usage fee shall be \$26.24 for up to 2,000 cubic feet of water per customer for each two-month billing period plus \$0.96 per 100 cubic feet of water beyond 2,000 cubic feet.

The base water usage fee established in this section shall be modified annually 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 water usage fees shall further be reviewed no less than bi-annually in conjunction with the update of the City's budget to ensure that the sewer and water connection fees then in existence do not exceed the costs of providing water service within the City.”

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 July 1, 2004, the base sewer service fee for all customers shall be \$45.48 per two-month billing period. January 1, 2005, the base sewer service fee shall be increased by an additional 1%. 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.

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. Severability

If any action, subsection, sentence, clause or phrase of this ordinance is, for any reason, held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Introduced at a regular meeting of the City Council held on April 20, 2004, and passed and adopted by the City Council of the City of El Paso de Robles on the 4th day of May by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk