

ORDINANCE NO. 83-3

AN ORDINANCE ESTABLISHING AND  
PRESCRIBING SEWER SERVICE CHARGES

SEWERAGE AGENCY OF SOUTHERN MARIN

The Board of Commissioners of the Sewerage Agency of Southern Marin, a joint powers agency, Marin County, California, does ordain as follows:

ARTICLE I. GENERAL PROVISIONS

- 1.1 Short Title. This ordinance may be cited as "Sewerage Agency of Southern Marin Sewer Service Charge Ordinance."
- 1.2 Definitions. Unless the context otherwise indicates, terms used herein have the following meanings:
  - a. "Agency" means Sewerage Agency of Southern Marin.
  - b. "Commercial Unit" shall mean any user not specifically classified as a single family dwelling unit.
  - c. "Community Sewer" shall mean a sewer owned and operated by the Agency or Member Entity tributary to a treatment works owned by the Agency.
  - d. "EDU" or "Equivalent Dwelling Unit" means the volume of wastewater flow produced by an average single family dwelling unit, which wastewater is of a composition or strength usually produced from domestic use and which wastewater flow peaks and ebbs at the usual times of the day or night as the result of being produced from domestic use.
  - e. "Member Entity" means any city, public entity or district which is a party to the joint exercise of powers agreement by which Sewerage Agency of Southern Marin was created.
  - f. "Sewer service charges" means fees, tolls, rates, rentals or other charges for services and facilities furnished by Agency in connection with the operation of its sanitary sewerage system.
  - g. "Single family dwelling unit" shall mean the place of residence for a single family. Property developed for multi-family use shall be assigned the number of such units that the structure(s) thereon provide(s) in number of facilities for single family use.
  - h. "Treatment Works" - Any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature or necessary to recycle or reuse water at the most economical cost over the useful life of the works, including interceptor sewers, outfall sewers,

sewage collection systems, pumping, power, and other equipment and appurtenances; extensions, improvements, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste, including storm water run-off, or industrial waste, including waste in combined storm water and sanitary sewer systems.

- i. "User" shall mean any person that discharges, causes, or permits the discharge of wastewater into a community sewer.
- 1.3 Separability. This Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.
- 1.4 Inconsistent Ordinances. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 1.5 Publication. This ordinance shall be entered in full upon the minutes of the Board of Commissioners and shall be published once in the Mill Valley Record, a newspaper published in the Agency and shall take effect upon expiration of the week of publication.

## ARTICLE II. SEWER SERVICE CHARGES

- 2.1 Schedule of Charges. Agency sewer service charges are hereby established and shall be collected, for services furnished by the Agency throughout the entire area comprising the Agency, from each Member Entity. Methods of collection are hereby established and shall be used by each Member Entity to collect from individual users throughout the entire area comprising the Member Entity for services furnished by the Member Entity and for Agency sewer service charges.
  - a. EDU Determination - Each user shall be assigned a number of EDU's approximately proportional to the benefit that the user derives from the use of the treatment works as compared to the total benefit derived by all users.

Each single family unit shall be assigned one EDU.

Each commercial unit shall be assigned the number of EDU's as determined by dividing the actual annual water consumption of the user by the annual water consumption of the average single family dwelling unit within the Member Entity boundaries times a factor to account for the difference in wastewater strength between the average single family unit and the commercial unit.

Water consumption shall be based upon Marin Municipal Water District billing records. Factors shall be as set forth in Exhibit "A" hereto attached and by reference made a part hereof. In no case shall a commercial user be assigned less than one EDU.

Each Member Entity shall supply the Agency with the total numbers of new connections within its territorial limits, prior to March 1 of each calendar year, so as to enable the Agency to calculate the appropriate Agency sewer service charge for the upcoming fiscal year based upon the updated number of EDU's within the Member Entity boundaries.

- b. Agency Sewer Service Charge - The Agency sewer service charge for each Member Entity shall be determined annually by the Agency by allocating the total annual Agency budget proportionately to each Member Entity. The capital portion of the Agency budget shall be allocated to each Member Entity based upon a fixed percentage that reflects the Member Entity's allocated capacity of the treatment works. The operations and maintenance portion of the Agency budget shall be allocated to each Member Entity based upon the number of EDU's within the boundaries of the Member Entity as compared to the total number of EDU's within the boundaries of the Agency. The Agency sewer service charges are as set forth in Exhibit "B" hereto attached and by reference made part hereof.

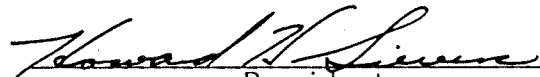
The Agency may, from time to time with the concurrence of the Member Entity(s), assign special allocation to the Agency sewer service charge of a Member Entity(s) to collect the cost of services provided by the Agency for the specific benefit of the Member Entity(s).

- c. Method of Collection - Each Member Entity shall collect an equitable portion of the Agency sewer service charge and Member Entity budget from each user within its territorial limits. The sewer service charge made to each user shall be determined by dividing the total Agency sewer service charge assigned to the Member Entity plus the Member Entity budget by the total number of EDU's within the boundaries of the Member Entity to determine the cost of one EDU. Each user will then be charged the cost of one EDU multiplied by the number of EDU's assigned to that user. This amount shall be the sewer service charge to each individual user.

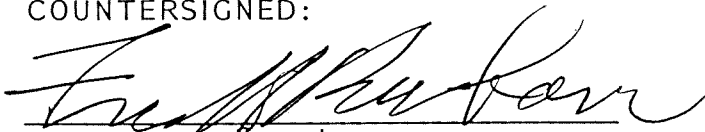
- 2.2 Use of Revenues. Revenues derived under this ordinance shall be used only for the acquisition, construction or reconstruction, and the maintenance and operation of sanitary sewerage facilities of the Agency and to repay principal and interest on bonds issued for the construction of such sanitary sewerage facilities and to repay federal or state loans or advances made to the Agency for the construction or reconstruction of sanitary sewerage facilities; provided, however, that such revenue shall not be used for the acquisition or construction of new local street sewers or laterals, as distinguished from main trunk, interceptor and outfall sewers.

ARTICLE III. BILLING AND COLLECTION

3.1 Agreement to Bill and Collect. Each Member Entity has entered into the joint exercise of powers agreement by which the Sewerage Agency of Southern Marin was created and thereby has agreed to bill and collect for the Agency those sewer service charges which have been established by said Agency. The authority to make such agreement and to perform such activity is contained in the provisions of Section 54346.3 of the Government Code of the State of California.

  
\_\_\_\_\_  
President  
Sewerage Agency of Southern Marin

COUNTERSIGNED:

  
\_\_\_\_\_  
Secretary

(SEAL)

I hereby certify that the foregoing is a full, true and correct copy of an ordinance which was duly and regularly passed and adopted by the Sewerage Agency of Southern Marin Commission, Marin County, California, at a meeting duly held on the 15th day of December, 1983, by the following vote of the Commissioners thereof;

AYES, and in favor thereof, Commissioners: Sievers, Tobin, Praszker,  
Buchanan and Davies.

NOES, Commissioners: None.

ABSENT, Commissioners: None.

  
Secretary

EXHIBIT "A"  
SEWERAGE AGENCY OF SOUTHERN MARIN  
COMMERCIAL USER FACTORS

Commerical Unit	Estimated BOD (B)	Estimated SS (S)	Factor <sup>(a)</sup>
Car wash	20	150	0.6
Auto steam cleaning	1,150	1,250	4.3
Bakery	1,000	600	3.0
Bar w/o restaurant	200	200	1.0
Restaurant	1,000	600	3.0
Store/retail	150	150	0.8
Hospital/convalescent	250	100	0.9
Hotel w/o restaurant	310	120	1.3
Hotel w/restaurant	500	600	2.2
Commercial laundry	450	240	1.5
Laundromat	150	110	0.8
Mortuary	800	800	3.0
Professional office	130	80	0.7
Service station and repair shop	180	280	1.1
Market w/garbage disposal	800	800	3.0
Schools	---	---	(b)

(a)  $Factor = 1/3 \left\{ 1 + \frac{B}{200} + \frac{S}{200} \right\}$  where 200 mg/l BOD and SS is the assumed wastewater strength of the average single family dwelling unit.

$$(b) \text{EDU} = \frac{\text{No. Pupils}}{2.5(a)} \times \frac{\text{Hours/Day}}{16(b)} \times \frac{\text{Days/Year}}{365(c)} +$$

$$\frac{\text{Staff}}{2.5(a)} \times \frac{\text{Hours/Day}}{16(b)} \times \frac{\text{Days/Year}}{365(c)}$$

(a) Assumes 2.5 persons per dwelling unit.

(b) Assumes typical single family dwelling unit is "active" 16 hours per day.

(c) Assumes single family dwelling unit is active 365 days per year.

EXHIBIT "B"

SEWERAGE AGENCY OF SOUTHERN MARIN  
AGENCY SEWER SERVICE CHARGES

Member Entity	Debt Allocation		O&M Allocation		Special Allocation (\$)	Agency Sewer Service Charge (\$)
	Fixed (%)	Annual (\$)	EDU's (No.)	Annual (\$)		
Mill Valley	49.2	347,520	6,328	571,088	69,000	987,608
Richardson Bay	33.5	236,624	4,308	388,851	-0-	625,475
Homestead Valley	7.3	51,563	939	84,735	-0-	136,298
Almonte	5.2	36,730	669	60,359	-0-	97,089
Alto	3.4	24,016	437	39,465	-0-	63,481
Tamalpais (Kay Park)	1.4	9,889	180	16,250	-0-	26,139
<b>Total Agency</b>	<b>100.0</b>	<b>706,342</b>	<b>12,861</b>	<b>1,160,748</b>	<b>69,000</b>	<b>1,936,090</b>