

ORDINANCE NO. 40
AN ORDINANCE OF THE UKIAH VALLEY SANITATION DISTRICT AMENDING
ORDINANCE NO 36

WHEREAS, the District adopted Ordinance No. 36 on June 30, 2011 pertaining to sewer services charges for District customers.

WHEREAS, Ordinance No. 36, Section 3 D.(2) defines "consumption" as "a three month average of winter water use as measured and recorded at the water meter serving the same parcel or premise receiving sewer service for the months of January, February, and March."

WHEREAS, It has been determined that for commercial and industrial users of the District sewer system, determining the actual amount of waste water going into the sewer system will, in certain cases, ensure that said users are paying their appropriate share of the costs of the sewer system.

NOW, THEREFORE:

The Board of Directors of the Ukiah Valley Sanitation District hereby ordains as follows:
This Ordinance No.40, shall amend Section 8.12 of Ordinances No 36, 25 and 12 as follows:

(2) Definition of Consumption. (a)“Consumption” shall mean a three month average of winter water use as measured and recorded at the water meter serving the same parcel or premise receiving sewer service for the months of January, February, and March. The water meter readings may include portions of the preceding month from January or a portion of the succeeding month from March; it is intended that a three month average is calculated from three consecutive water meter reading periods established by the water purveyors for the stated three months. If the water consumption readings for the three winter months indicate that the premise being served sewer service was vacant during a portion of the three winter months, the District Manager is authorized to average the water consumption for the period the premise appeared to be occupied or to use the previous year's average if judged appropriate. The District Manager is also authorized to eliminate from the calculation water readings which are clearly not representative of average monthly water use when compared to water readings for two of the three months or other past months. In circumstances where past historical data does not apply because of a change of occupancy or use , the charge shall be estimated according to usage data from similar occupancies or or uses until sufficient usage data is obtained from either water usage data or flow meter data to determine the amount to be charged.

(b) The District Manager, is authorized, at his/her discretion, to have installed for permanent or temporary purposes at the most appropriate location on any District main or existing sewer lateral serving a commercial or industrial site, a flow meter to measure the actual volume and content of waste water going into the District's sewer services system. If the installation is permanent and is a condition of approval for connection to the District's collection system, the total cost for said installation shall be borne by the owner of the property being served by the meter.

(c) If a meter is permanently installed pursuant to subsection (b) above, the owner of the property in question may be billed on a monthly basis for the volume and content actually going into

the sewer system or the District may bill by averaging the monthly volume and content, in the amount as set forth in the table in section 8.12(D)(10) of ordinance No. 35, and as may be amended in the future. If the meter is temporarily installed for a period of three months or more, the average of this data may be used to calculate a monthly billing on the basis of the average volume and content going into the sewer system as set forth in the table in section 8.12(D)(10) of Ordinance 35.

4. This ordinance shall become effective thirty (30) days after adoption.

Introduced by title only on _____, 2016, by the following roll call vote:

AYES: Directors
NOES:
ABSENT:
ABSTAIN:

PASSED AND ADOPTED by the Board of Directors of the Ukiah Valley Sanitation District, County of Mendocino, State of California, on this _____ day of _____, 2016, by the following roll call vote:

AYES: Directors
NOES:
ABSENT: Director
ABSTAIN:

WHEREUPON, the Chairman declared the Ordinance passed and adopted and **SO ORDERED**.

James Ronco, Board Chair

ATTEST: _____
Frank McMichael
District Manager/Board Clerk

APPROVED AS TO FORM:

Attorney for the District