

Ordinance No. 10386 (N.S.)  
05/13/2015 (SA01)

SAN DIEGO COUNTY SANITATION DISTRICT FEES AND CHARGES FOR THE  
PROVISION OF SEWER SERVICE

The Board of Directors of the San Diego County Sanitation District ordains as follows:

Section 1. The Board of Directors is authorized to fix and collect charges for the provision of sewer service pursuant to California Health and Safety Code, Section 5470 et seq. This ordinance establishes fees and charges that shall become operative starting on July 1, 2015. Until this date, all existing fees and charges imposed by the District, including any ordinance sections imposing those fees and charges, shall remain in effect.

Section 2. This ordinance contains fees and charges for the provision of sewer service as prescribed by the Uniform Sewer Ordinance (No. 9103).

Section 3. The fees and charges contained herein will be applied to all parcels located in and annexed into the District.

**Section A. DEFINITIONS.** The term “District” refers to the San Diego County Sanitation District and any successor agency to the District.

The term “Sewer Service Area” refers to communities served by the District, and all territories within the boundaries of the District, including any territory annexed to the District. Sewer service area boundaries are those which previously existed as separate sanitation or sewer maintenance districts prior to the September 13, 2010 reorganization. Communities served by the District include Alpine, Campo, East Otay Mesa, Harmony Grove, Julian, Lakeside, Pine Valley, Spring Valley, and Winter Gardens.

**Section B. ANNUAL SEWER SERVICE CHARGES.** There is hereby levied and assessed upon each premise within the District that discharges sewage directly or indirectly into the sewer lines of the District, and upon each person owning, letting, or occupying such premise an annual sewer service charge. Charges are based on the number of EDUs (capacity) assigned to a particular customer classification, flow volume and sewage strength of the wastewater discharged pursuant to the San Diego County Uniform Sewer Ordinance. An EDU is the average annual sewer discharge rate of 240 gallons per day for a single-family residence.

1. All Service Areas (Except Harmony Grove)

ANNUAL SEWER SERVICE CHARGE		
Customer Classification	EDUs*	Amount
Single Family Dwelling	1.0	\$336
Condominium	1.0	\$336
Multi-Family Dwelling	0.8	\$269
Mobile Home	0.65	\$218

2. Harmony Grove Service Area Only

The charges and fees described herein will only be collected after operational responsibility of the on-site wastewater treatment facilities is transferred from the Developer to the District.

Improved Parcels	Unimproved Parcels
Authorized Maximum - All Customer Classes	
<b>ANNUAL SEWER SERVICE CHARGE</b>	<b>ANNUAL SEWER STANDBY FEE</b>
\$780/EDU	\$780/EDU

Each wastewater generating parcel in the Harmony Grove service area is charged either a Sewer Standby Fee or a Sewer Service Charge (not both). Standby Fees are applied to parcels that do not yet have structures generating wastewater – yet the infrastructure necessary to receive those flows is in-place and readily available. Service Charges are applied to lots that have structural improvements discharging wastewater.

**Section C. CAPACITY FEES.** In addition to any other fees for connection to the sewer lines within the District, a capacity fee is established for each dwelling unit connecting to the sewer system after the effective date of this ordinance. The number of equivalent dwelling units prescribed in the San Diego County Uniform Sewer Ordinance shall be used to compute the amount of the fee.

CAPACITY FEE	
Service Area	Per EDU
Winter Gardens	\$1,000
Campo, Lakeside, Pine Valley, Spring Valley	\$2,000
Alpine	\$2,300
East Otay Mesa	\$2,500
Julian	\$4,000
Harmony Grove	\$0

**Section D. SPECIAL CONNECTION FEES.** In addition to any other fees in effect for connection to the sewer lines within the District, the following special connection fees are applied.

1. Lakeside Service Area:

- a. **INDUSTRY ROAD LATERAL FEE** [Established 11/2/1993]. The reimbursement fee to connect to an installed lateral paid for by the District between manholes 14 and 17 of the Industry Road sewer line shall pay \$3,200 for each sewer lateral. These laterals are designated for Assessor's Parcel Numbers: 382-250-27, 394-011-21, 394-011-27, 394-011-28, 394-011-29, and 394-011-30.

**Section E. REIMBURSEMENT FEES.** Reimbursement fees are established pursuant to Health & Safety Code Sections 4742.3 and 4766, as a means of providing fair share reimbursement for improvements constructed by third parties. Reimbursement to the party that financed and/or constructed the improvements is accomplished by way of reimbursement agreement with the District. Agreements are for a term not to exceed twenty years, and the District serves as agreement administrator. A processing fee is due at time of application pursuant to this ordinance.

The District cannot assure sewer improvements will actually be utilized by other persons or projects within the term of the agreement and therefore cannot guarantee that a developer or other third party will recover the cost of constructing over-sized sewer facilities. Reimbursement payments are processed semi-annually based on the amount collected during that period. The following reimbursement fees are applied, in addition to any other fees in effect for connection to the sewer lines within the District:

1. East Otay Mesa Service Area:

a. D&D LANDHOLDINGS REIMBURSEMENT FEE [Expires 4/8/2029].

In addition to other fees for connection, a connection fee of \$840, plus 5.25% simple interest per annum for each permit issued for properties that connect to sewer lines NS 2402, 2433, 2458 and 2468, and are located within the northern basin (Basin No. 1) of the East Otay Mesa Service Area of the District as depicted in area map titled Exhibit "A" of the agreement, all as more particularly described in the "Reimbursement Agreement between East Otay Mesa Sewer Maintenance District and D & D Landholdings for Cost of Construction of Sewers". Interest charges will be computed from the effective date of the reimbursement agreement, monthly, to the time that charge is collected.

The following listed properties and any other property or properties resulting from the subdivision, division or splitting of these properties into separate lots or parcels shall be excluded from payment of the reimbursement fee since owners of these properties paid for the construction. Parcels excluded from payment of the fee include: Assessor Parcel Numbers 648-040-39, 648-040-40, 648-040-41, 648-040-42, 648-040-43, and 648-040-44.

b. CITY OF SAN DIEGO REIMBURSEMENT FEES (Reference "Sewage Transportation Agreement between City of San Diego and East Otay Mesa Sewer Maintenance District").

Prior to connecting to sewer, the property owner is required to pay the City of San Diego reimbursements for the Otay Valley Trunk Sewer, Otay Mesa Trunk Sewer, and Otay Mesa Pump Station. The District must first review project plans and determine the total number of reimbursement EDUs prior to City of San Diego processing.

2. Lakeside Service Area:

a. LANE REIMBURSEMENT FEE [Expires 12/11/2017].

In addition to other fees for connection, a connection fee of \$11,927, plus 6% simple interest per annum, plus a 5% administrative fee for each Dwelling Unit or Equivalent Dwelling Unit that connects directly to the Private Contract 2400 sewer main with a sewer lateral connection. Interest charges will be computed from the effective date of the reimbursement agreement, monthly, to the time that charge is collected.

Assessor's Parcel Numbers 397-401-53 and 397-401-52 are excluded from payment of the fee.

The following Assessor's Parcel Number will be required to pay the reimbursement fee for connection to sewer line identified as PC 2400: 397-402-55. Should APN 578-040-87 be involved in a lot split, or any non-listed parcels become annexed which could benefit from the service of the sewer line identified as PC 2400, a reimbursement fee will be applicable. The fee will be revised based on the total new number of benefitting parcels.

**Section F. SEWER CAPACITY COMMITMENTS. (New Major and Minor Subdivisions)**

The following provisions shall apply to new major and minor subdivisions which intend to receive sewer service from the District:

1. Where a tentative subdivision map or tentative parcel map has been approved or conditionally approved, the Director of Public Works may accept application for a capacity commitment when the final subdivision map or parcel map is submitted for final approval but only after all conditions of the tentative map not relating to sewer service have been fulfilled.
2. The District shall be deemed to have committed sewer capacity only if the District has issued a capacity receipt for the non-refundable payment of the entire capacity fee in effect at the time and applying to the parcel, tentative map or tentative parcel map.
3. The capacity fees may be collected and the capacity receipt issued independently from or concurrently with the issuance of the wastewater discharge permit.
4. The sewer capacity commitment shall apply to legal lots within the tentative parcel map, or tentative map for which it is issued. The commitment cannot be sold or transferred to other lots. The only exception is that transfer of commitment can occur between lots if the lots existed within the original tentative parcel map, or tentative map and they have a single common owner.
5. In the event, that the capacity fees within the District increase, additional capacity fees, if any, shall become due and payable at the time of issuance of the wastewater discharge permit.
6. If a wastewater discharge permit is not obtained within two (2) years from the date of issuance of the capacity receipt, the capacity commitment for the parcel shall be void, and

may be renewed only on payment of additional capacity fees applicable, if any, and subject to capacity available in the District at the time of application for renewal.

7. Exceptions:

- a. East Otay Mesa Service Area: Sewer capacity commitments are not issued in this service area. Sewer capacity shall be committed at issuance of the wastewater discharge permit.
- b. Julian Service Area: Holders of sewer capacity commitments purchased prior to September 1, 1992 shall be exempt from paying any increases in capacity fee adopted after September 1, 1992, and those sewer capacity commitments shall not expire, nor become void, nor be required to be renewed, and will be valid indefinitely.

**Section G. SADDLE CONNECTION FEES.** Physical connection of a sewer service lateral to a public main or trunk line can only be performed by District personnel, or a person authorized by District permit. This kind of connection requires installation of a coupling, known as a saddle. In cases where District personnel install the saddle connection, the following saddle fees are applied.

SADDLE FEE		
4 and 6 inch saddle connection	≤ 13 feet deep	\$250
4 and 6 inch saddle connection	> 13 feet deep	\$250 plus \$8/ft of depth below 13 feet

**Section H. ANNEXATION AND DETACHMENT FEES.** In addition to any other fees in effect, the following annexation/detachment fees are hereby applied:

- 1. Annexation/Detachment Application Fee. For annexation or detachment of territory, the application fees are as follows:

APPLICATION FEE	
Service Area	
Alpine, Campo, East Otay Mesa, Lakeside, Spring Valley, Winter Gardens	\$800
Julian, Pine Valley	\$700 ≤ 21 Acres
Julian, Pine Valley	\$800 > 21 Acres

- 2. Annexation Fee. In addition to the application fee, there is hereby established an annexation fee for property annexed to the District. Annexation fees shall be determined on the basis of capacity required as expressed by EDU(s) based on the San Diego County

Uniform Sewer Ordinance, or by Acreage. The annexation fee for all properties annexed to the District on or after the effective date of this ordinance shall be as follows:

ANNEXATION FEE	
Service Area	Per EDU or Acre
Winter Gardens, Lakeside	\$500/EDU
Alpine, Spring Valley	\$1,000/EDU
Julian, Pine Valley	\$1,000/Acre
Campo	\$2,000/EDU
East Otay Mesa	N/A
Harmony Grove	N/A

3. Payment of Annexation/Detachment Fees. The entire fee prescribed in Section H shall become owing, due and payable to the District at the time application is made. Changes in property use resulting in increased sewer capacity shall be subject to additional annexation fees.
4. Refund of Annexation/Detachment Fee. The annexation/detachment application fee covers administrative costs and is nonrefundable. In the event the proposed annexation is discontinued, the annexation fee shall be refunded upon written request.

**Section I. MISCELLANEOUS FEES.** In addition to any other fees established by this ordinance, the following fees are for recovery of staff costs associated with the following processes.

DUE AT TIME OF APPLICATION	
Reimbursement Agreement Processing Fee	\$500
Sewer Availability Letter	\$15

Section 4. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in a newspaper of general circulation published in the County of San Diego.

Section 5. This Ordinance shall be operative on July 1, 2015. Until this ordinance becomes operative, all existing fees and charges imposed by the District, including any ordinance sections imposing those fees and charges, shall remain in effect.

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

By: \_\_\_\_\_  
Thomas L. Bosworth, Sr. Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 13<sup>th</sup> day of May, 2015.

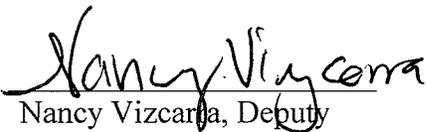
  
BILL HORN  
Chairman, Board of Supervisors  
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Jacob, D. Roberts, R. Roberts, Horn  
ABSENT: Cox

ATTEST my hand and the seal of the Board of Supervisors this 13<sup>th</sup> day of May, 2015.

DAVID HALL  
Clerk of the Board of Supervisors

By   
Nancy Vizcarra, Deputy



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