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ORDINANCE NO. 2015-02

**ORDINANCE OF THE ALTO SANITARY DISTRICT BOARD OF
DIRECTORS ESTABLISHING A MASTER FEE SCHEDULE FOR:
(1) PERMITS RELATING TO SEWER LATERALS REPAIRS,
CERTIFICATIONS AND INSPECTIONS,
(2) CONNECTION FEES FOR NEW AND SECOND UNITS; AND
(3) FIXTURE COUNTS FOR NEW AND REMODEL
CONSTRUCTION**

SECTION I. FINDINGS:

WHEREAS, the Alto Sanitary District, operating as a public agency, provides services required to fulfill its mandate to operate and maintain an adequate wastewater collection system, to prevent sewer overflows and to pay for treatment and disposal of the wastes generated by that system;

WHEREAS, the purpose of establishing a schedule of the services and fees for inspections, permits and connections services is to make clear to the public what they can expect to pay for the services that the District provides;

WHEREAS, the Alto Sanitary District must charge fees in order to be fiscally responsible as an Agency. The District conducted a study with the assistance of Nute Engineering in arriving at fees that accurately reflect the cost to the District. Such fees will reflect the cost of the service to be provided by District staff. Fees are necessary in the areas of lateral inspections, permits, new connections and fixture counts for remodels;

WHEREAS, the Alto Sanitary District hereby establishes the fee schedule set forth below for District services.

SECTION II. ESTABLISHMENT OF A MASTER FEE SCHEDULE FOR DISTRICT SERVICES

**THE BOARD OF DIRECTORS OF THE ALTO SANITARY DISTRICT
HEREBY ORDAINS AS FOLLOWS:**

MASTER TABLE OF FEES FOR DISTRICT SERVICES

The Fee Schedule as set forth below lists the fees for all of the services that the District provides. Some services such as plan review, inspections, and other tasks may be required multiple times on more complex projects. The fees shown below are priced to include the standard compliment of those tasks. Multiple reviews, inspections, and consultations are charged in addition to the basic fee. The inspection cost is shown in the

1 table. Engineering and other professional services will be charged at the rate the district
 2 pays.
 3

MASTER FEE SCHEDULE	
SEWER SERVICE FEE*	\$500 per EDU
LATERAL ORDINANCE – Standard	\$379
LATERAL ORDINANCE – Exception	\$185
LATERAL ORDINANCE – Violation	\$500 plus T&M
PERMIT – Major	\$549
PERMIT – Minor	\$259
CONNECTION FEES	
New Dwelling Buy-In	\$7,414
2 nd Unit (less than 700 sq ft w/Kitchen)	\$1,854
2 nd Unit (>= 700 sq ft w/Kitchen)	\$3,707
FIXTURE UNIT (FU) FEES	
New Construction, over 25 FU's	\$565 per FU
Remodels w/o previous FU count, over 11 FU's	\$304 per FU
INSPECTION FEES	
Inspection Fee	\$194
Inspection Reschedule fee (within 24 hours of inspection)	\$75

21 *The Sewer Service Fee was previously set via a Proposition 218 procedure and is listed
 22 here as informational only.
 23

24 Following is an explanation of the fees found in the Master Fee Schedule.
 25

26 Sewer Service Fee: The sewer service fee is an annual charge that pays for sewer system
 27 maintenance, repair, and sewage treatment. The District bases this charge on the
 28 Equivalent Dwelling Unit (or EDU), which reflects the costs for providing these services.
 29 In most cases, this charge appears on the property tax bill each year. The amount of the
 30 fee is adopted by the Alto Sanitary District Board of Directors through an open political
 31 process as required by Proposition 218. The last time sewer service fees were raised was
 32 in June 2010; Ordinance 2010-01.
 33

34 Lateral Ordinance Certification: The Alto Sanitary District adopted the Sewer Lateral
 35 Ordinance 2015-01 in April 2015. It is an ordinance regulating the construction, use and
 36 maintenance of private sewer laterals in the Alto Sanitary District. Under the ordinance,
 37 a private sewer lateral must be certified to be in compliance with District standards when
 38 any of the following occur (note this is an abbreviated list. For the complete text refer to
 39 the actual Ordinance):

- 40 1. Health and Safety
 - 41 a. Overflow or malfunction of the sewer lateral.
 - 42 b. Lateral failure or lack of maintenance as determined by the District
 - 43 Engineer after an incident.
 - 44 c. Public health threat
 - 45 d. Aged pipes and/or root intrusion suspected as causing higher than average
 - 46 flow in a neighborhood.

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2. Events

- a. Property additions and improvements valued at \$50,000 or more or cumulative improvements valued at \$50,000 or more over a three-year period.
- b. Transfer of property title for properties with connections to the sanitary sewer.
- c. Whenever the District is replacing a sewer main or conducting repair of a sewer main or the County is doing road resurfacing on or near the road where the private sewer lateral connects to the sewer main.

3. Exceptions to the Inspection Requirement for Events only

- a. Prior replacement of the sewer lateral within the last 20 years.
- b. Prior inspection or repair of a sewer lateral within three years.

Standard: In all of the cases above and where the owner is not in possession of a valid certification, the property owner will submit to the District an application for certification accompanied by a video inspection recording. District engineers will review the inspection report. If the sewer lateral is healthy it will be certified by the District as acceptable. If the sewer lateral needs repair, the property owner will be given notice to repair and, after repairs are made and the sewer lateral passes inspection by District personnel, it will be certified as being acceptable.

Exception – Property owners may file for an exception to having their sewer laterals inspected if they satisfy the exception requirements listed above. In these cases an Exception certification may be applied for.

Violation Enforcement – In cases where the District determines that the sewer lateral must be repaired and the property owner fails to comply within the 180-day time limit, the cost of enforcement will be charged back to the property owner or the real estate agent, whoever was responsible for making sure the work got done. The offending party shall be responsible for all expenses that the District incurs enforcing District standards in conjunction with the violation. Expenses of the District shall include District staff at \$75 per hour, sewer inspector at \$194 per hour, engineering consultants at \$180 to \$188 per hour and legal consultation at \$205 per hour. Detail on options that the District may pursue can be found in Section 430-D of Ordinance No. 2015-1, ORDINANCE REGULATING THE CONSTRUCTION, USE AND MAINTENANCE OF PRIVATE SEWER LATERALS IN THE ALTO SANITARY DISTRICT.

Construction Permits – A permit is required when any construction on a property that involves the sewer lateral. A permit is also required for new construction or remodels of a dwelling so that the District can check the sewer lateral connection as well as the number of plumbing fixtures on the property.

1 Permit – Major – A Major Permit is for larger projects such as house remodels,
2 new construction, and sewer lateral replacements. These projects will require
3 plan review and possibly multiple inspections.

4 Permit – Minor – A Minor Permit is for smaller projects that fall within the
5 property line such as replacing the upper sewer lateral or adding a clean-out to the
6 lateral.
7

8
9 New Connections – New Units, Second Units, and Additional Fixtures – This type of fee is
10 a “buy-in” to the collection system, thereby adding capacity and maintenance costs
11 associated with providing sewer service. The Alto Sanitary District has determined these
12 fees as a percentage of the value of the Districts capital assets. The calculations used to
13 derive these fees are available to the public upon request. The fees reflect the actual cost
14 of the connection.

- 15 1. New Connections are required for properties that have never had a connection to
16 the Alto Sanitary District collection system. Examples include conversion of a
17 septic system and new construction on an unimproved lot.
- 18 2. Second Unit Connections are required when a sewer lateral is added to a
19 property already connected to the District collection system. This would include
20 any unit with a lavatory and a kitchen.
- 21 3. Fixture Count Fees - When a property has a permit with the County for remodel
22 or new construction, the District will count the number of fixture units that have
23 been added to the building. A fixture unit (FU) has a value depending on what it
24 is. For example a bathroom sink is 1 FU and a bathtub equals 2 FU’s. Every
25 fixture unit over the number of fixture units the building had before construction
26 began will be assessed. For new construction, the charge is \$565 for every FU
27 over 25; the amount allotted for new dwellings. For remodels the fixture unit
28 charge is \$304 for every FU over 11, unless the owner can show that the dwelling
29 had more than 11 fixture units before construction began. There is also a charge
30 for the inspection. If an appointment was made for an inspection and the owner
31 reschedules the inspection within 24 hours of the inspection time that the
32 inspection was supposed to occur there will be a \$75 rescheduling fee.
33

34 **NOW, BE IT FURTHER ORDAINED** that this Master Fee Schedule of
35 services for fiscal year 2015/2016 are set by this Ordinance and the Board of Directors
36 declares that such fees reflect the actual costs to the District and are the reasonable cost of
37 providing the services. Additionally, the staff of the Alto Sanitary District is hereby
38 authorized to charge fees for any miscellaneous services incurred by the District that are
39 not specified in the Master Fee Schedule at an hourly rate of \$75 for District staff and the
40 current rate for consultants and crews that are hired to fulfill the service.
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SECTION III. Effective Date. This ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage and shall be published once before the expiration of fifteen (15) days after its passage, with the names of the supervisors voting for and against the same in the MARIN INDEPENDENT JOURNAL, a newspaper of general circulation published in the County of Marin.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Alto Sanitary District held on this **25th** day of November, **2015**, by the following vote:

AYES 5 *Bosenko, Bransgrove, GAINER, Kennedy, Femenia*

NOES 0

ABSENT: 0

[Handwritten Signature]

President, of the Board
Stanley Bransgrove

ATTEST:

Rosalie Femenia Secretary

