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**ORDINANCE NO. 2016-01**

**ORDINANCE OF THE ALTO SANITARY DISTRICT BOARD OF  
DIRECTORS ESTABLISHING THE RATE OF THE ANNUAL  
SEWER SERVICE CHARGE LEVIED ON IMPROVED  
PROPERTIES IN THE DISTRICT**

**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 District must pay for the administration, operation and maintenance of the District's wastewater collection system;

**WHEREAS**, the cost of wastewater treatment and disposal by the Sewerage Agency of Southern Marin (SASM) has dramatically increased and SASM has also added \$30 million dollars of planned capital improvements, which have resulted in increased costs to Alto;

**WHEREAS**, the District must fund the planned repair and replacement of the District's collection system;

*and*

**WHEREAS**, the District has a responsibility to provide sufficient reserves to fund unforeseen emergencies;

**THEREFORE BE IT ORDAINED** that the Board of Directors of the Alto Sanitary District ordain as follows:

**SECTION II. Ordinance:**

Based on the financial needs of the Sanitary District, the annual Sewer Service Charge levied per Equivalent Dwelling Unit (EDU) on improved properties in the District is hereby established to be;

\$1,100 for the fiscal year beginning July 1, 2016;  
\$1,250 for the fiscal year beginning July 1, 2017;  
\$1,500 for the fiscal year beginning July 1, 2018;

And will remain at \$1,500 until such time that the Board of Directors ordains otherwise.

1 **SECTION III. Compliance with Proposition 218**

2 The Board of Directors hereby determine that the charge set forth above is  
3 reasonable and reflects the cost of providing services based on the following findings:  
4

- 5 1. Revenues derived from the increase shall not exceed the funds required to  
6 provide the property related service;
- 7 2. Revenues derived from the increase shall not be used for any purpose other than  
8 for which the increase is imposed;
- 9 3. The amount of the increase imposed upon any parcel or person as an incident of  
10 property ownership shall not exceed the proportional cost of the service  
11 attributable to the parcel;
- 12 4. No charge shall be imposed for a service unless the service is actually used by, or  
13 available to the owner of the property in question; and
- 14 5. No charge may be imposed for general governmental services including but not  
15 limited to police, fire, ambulance or library services where the service is  
16 available to the public at large in substantially the same manner as it is to the  
17 property owners.  
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20 **SECTION IV. Effective Date**

21 This ordinance shall be and is hereby declared to be in full force and effect as of  
22 thirty (30) days from and after the date of its passage and shall be published once before  
23 the expiration of fifteen (15) days after its passage, with the names of the supervisors  
24 voting for and against the same in the MARIN INDEPENDENT JOURNAL, a  
25 newspaper of general circulation published in the County of Marin.  
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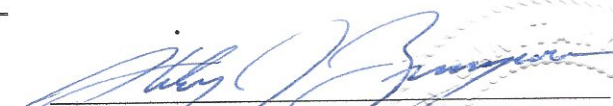
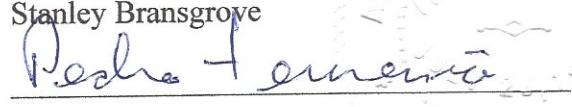
28 **PASSED AND ADOPTED** at a regular meeting of the Board of Directors of the Alto  
29 Sanitary District held on this **22nd** day of **June, 2016**, by the following vote:  
30

31  
32 AYES: 5

33  
34 NOES: 0

35  
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37 ABSENT: 0

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39  
40 ATTEST:

41   
 42 President, of the Board  
 43 Stanley Bransgrove  
 44   
 45 Secretary/Treasurer  
 46

