

**ORDINANCE 2023-01
OF
THE DONNER SUMMIT PUBLIC UTILITY DISTRICT DEFINING
AND CLASSIFYING CAPACITY FEES FOR SEWER SERVICE,
MODIFYING ORDINANCE 89-01, AND SUPERSEDING
ORDINANCES 06-2017, 2011-01, 2007-01, 01-01, 99-01, 94-4, 93-4,
AND 90-2**

WHEREAS, the Board of Directors desires to update the fee it charges for connecting to the sewer system in order to fund existing wastewater public facilities and future wastewater public facilities, and

WHEREAS, the Board of Directors desires to update the wastewater capacity fee for new single family residential connections that is scalable to the number of potential occupants, and

WHEREAS, the District Ordinances related to sewer fees charged for Accessory Dwelling Units (ADUs) needs to be updated to reflect recent regulatory changes in the State of California that require the sewer capacity charge on ADUs to be proportionate based on its size or number of plumbing fixtures.

BE IT ENACTED BY THE BOARD OF DIRECTORS OF THE DONNER SUMMIT PUBLIC UTILITY DISTRICT, as follows:

1. That Ordinances 06-2017, 2011-01, 2007-01, 01-01, 99-01, 94-4, 93-4, and 90-2 are superseded.

2. That Section 1.9 of Ordinance 89-01 be amended to read as follows:

1.9 Capacity Charge – shall mean the charge imposed on a sewer connection for existing wastewater public facilities and for future wastewater public facilities as described in California Government Code Section 66013.

3. That Section 6 of Ordinance 89-01, be amended to read as follows:

SECTION 6. SEWER SERVICE CAPACITY FEE

6.1 Applicability

Sewer Connections shall be considered the property of the Donner Summit Public Utility District, and the Donner Summit Public Utility District shall retain all rights to such Sewer Connections.

6.2 Capacity Charges

Per New EDU - \$13,187

Per Expansion EDU - \$4,365

Per Fixture Unit (Accessory Dwelling Unit) - \$659.35

Per Bedroom (Single Family Residence) - \$4,395.67 (\$8,791.33 minimum)

The Capacity Charges Per New EDU shall increase each year on July 1 by the Engineering News Record Construction Cost Index year over year increase for the most recent April, plus \$773.

The Capacity Charges Per Expansion EDU shall increase each year on July 1 by the Engineering News Record Construction Cost Index year over year increase for the most recent April.

The Capacity Charges Per Fixture Unit (for an Accessory Dwelling Unit) shall adjust each year on July 1 to be equal to the adjusted Per New EDU charge divided by 20 fixture units.

The Capacity Charges Per Bedroom (for a single family residence) shall adjust each year on July 1 to be equal to the adjusted Per New EDU charge divided by three bedrooms.

6.3 Payment of Capacity Fee

Payment of the aforementioned Capacity Fee shall be concurrent with and at the time of application for Sewer Service.

6.4 Voluntary Return of EDU(s) by Purchaser

The District policy of repurchasing the voluntary return of purchase unused EDU(s) shall expire on July 1, 2011. After July 1, 2011 the District shall not be obligated to repurchase said EDU(s).

This ordinance, amendments and modifications as set forth above shall become effective 21st day of April 2023 and shall be duly posted and published within the time and manner required by law.

Published: April 7, 2023