

ORDINANCE NO. 508

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE AMENDING THE SANITARY CODE OF THE CITY OF BLUE LAKE, ARTICLE XI (FEES) SECTIONS 1112, 1113, AND 1115

The City Council of the City of Blue Lake, Humboldt County, California, does hereby ordain as follows:

Section 1. Findings. The City Council for the City of Blue Lake hereby makes the following findings:

- A. The City of Blue Lake has adopted a Sanitary Code for regulation of the City's sanitary wastewater collection and treatment system, adopted as Ordinance 357 and subsequently amended.
- B. On April 23, 2013 the City Council accepted a Wastewater User Rate Analysis prepared by SHN Consulting Engineers & Geologists, dated April 2013 analyzing the operational and capital needs for the City's sewer system and proposing rate changes.
- C. Pursuant to California Constitution Article XIII D and Government Code Sections 53750-53756 (commonly referred to as Proposition 218), the City Council held a public hearing on June 18, 2013, after publishing notice thereof more than 45 days in advance, to hear protests over the proposed sewer rate changes as analyzed in the Sewer Rate Study.
- D. After canvassing the written protests submitted in response to said proposed rate changes, the City Clerk advised that a majority protest does not exist.

Section 2. Amendment. Article XI (Fees), as adopted initially by Ordinance No. 357 and subsequently amended, Section 1112 (Fees – Residential Rate Schedule), Section 1113 (Fees – Non Residential Service Rate Schedule) and Section 1115 (Unit Charges), are replaced in their entirety by the following:

“1112. FEES - RESIDENTIAL RATE SCHEDULE.

- (a) Annual sewer service charges for residential living units rates inside and outside the City shall be as set forth in Schedule 1, attached hereto and incorporated herein.
- (b) Residential living units include mobilehomes and individual units in hotels, motels, and transient trailer camps and courts, which contribute only domestic sewage.

1113. FEES – NON-RESIDENTIAL, NON-SIGNIFICANT INDUSTRIAL USER RATE SCHEDULE

- (a) Annual sewer service charges for non-residential non-significant industrial user units shall be as set forth in Schedule 1, Table 3, attached hereto and incorporated herein.
- (b) In addition to the service charge described in subparagraph (a), each non-residential service user shall pay an additional monthly fee based upon the residential equivalent of the user's effluent strength as and for the user's share of the capital repair and replacement portion of service fees. The residential equivalent shall be determined by the Director of Public Works based on published data for similar establishments or historical data. Residential equivalent shall be calculated in multiples of the Sewer Capital Reserve portion of the monthly residential rate (see Schedule 1, Table 2).

1115. UNIT CHARGES, SIGNIFICANT INDUSTRIAL USER. The unit charges for significant industrial user connections are as set forth in Schedule 1, Table 4, attached hereto and incorporated herein.”

Section 3. Said revised Sections 1112, 1113 and 1115 are hereby integrated into Article XI of the Sanitary Code of the City of Blue Lake. All other provisions of Ordinance 357 as amended shall remain unaffected.

Section 4. To the extent that the terms and provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior city ordinance, motion, resolution, rule or regulation governing the same subject, the terms of this Ordinance shall prevail with respect to the subject matter thereof and such inconsistent or conflicting provisions of prior ordinances, motions, resolutions, rules or regulations are hereby repealed.

Section 5. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

Section 6. The Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

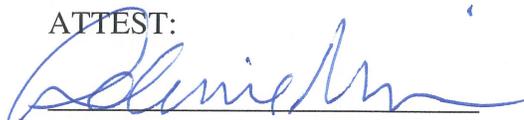
Section 7. This Ordinance shall go into effect and be in full force and operation thirty (30) days after its final passage and adoption.

APPROVED:



Mayor – City of Blue Lake

ATTEST:



City Clerk – City of Blue Lake

CLERK'S CERTIFICATE

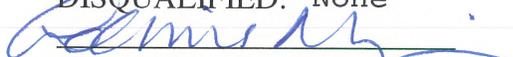
THIS IS TO CERTIFY that Ordinance No. 508 of the City Council of the City of Blue Lake was introduced and read at the regular meeting of the City Council of the City of Blue Lake, California, held on June 18, 2013. This Ordinance, again read at the regular meeting of the Blue Lake City Council, held on June 25, 2013 and at the time, passed by roll call vote, the vote on the adoption of the Ordinance being as follows:

AYES: Manzanita, Benjamin, Kullmann, Sawatzky, Schapiro

NOES: None

ABSENT: None

DISQUALIFIED: None



City Clerk, City of Blue Lake

**ORDINANCE 508, SCHEDULE 1
MONTHLY SEWER CHARGES
Rates Effective August 1, 2013**

**Table 1
Base Rate (All Customers, Inside and Outside of City)**

| 8/1/2013 | 3/1/2014 | 3/1/2015 | 3/1/2016 |
|-----------------|-----------------|-----------------|-----------------|
| \$ 32.96 | \$ 33.00 | \$ 33.99 | \$ 35.01 |

**Table 2
Sewer Capital Reserve Rate (All Customers Except Significant Industrial Users,
Inside and Outside of City)
Per Residential Equivalent Unit**

| 8/1/2013 | 3/1/2014 | 3/1/2015 | 3/1/2016 |
|-----------------|-----------------|-----------------|-----------------|
| \$ 9.84 | \$ 9.80 | \$ 10.09 | \$ 10.40 |

**Table 3
Monthly Residential Rate (All Customers, Except Significant Industrial Users,
Inside and Outside of City)
Base Rate plus Sewer Capital Reserve Charge**

| 8/1/2013 | 3/1/2014 | 3/1/2015 | 3/1/2016 |
|-----------------|-----------------|-----------------|-----------------|
| \$ 42.80 | \$ 42.80 | \$ 44.08 | \$ 45.41 |

**Table 4
Significant Industrial User Rate In Addition to Base Rate**

| | 8/1/2013 | 3/1/2014 | 3/1/2015 | 3/1/2016 |
|-----------------------|-----------------|-----------------|-----------------|-----------------|
| Flow (per cubic foot) | \$ 0.01098 | \$ 0.0314 | \$ 0.0323 | \$ 0.0333 |
| BOD (per pound) | --- | \$0.6080 | \$0.6263 | \$ 0.6451 |
| COD (per pound) | \$ 0.49704 | --- | --- | --- |
| TSS (per pound) | \$ 0.49704 | --- | --- | --- |

AFFIDAVIT OF POSTING OF ORDINANCE NO. 508

STATE OF CALIFORNIA)

COUNTY OF HUMBOLDT)

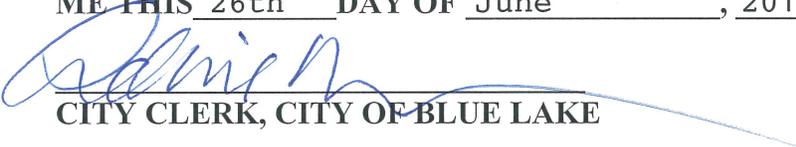
I, Adrienne Nielsen, HAVING BEEN FIRST DULY SWORN,
DEPOSES AND SAYS:

THAT SHE/HE IS AND AT ALL TIMES MENTIONED WAS
A CITIZEN OF THE UNITED STATES, OVER THE AGE OF 21 YEARS,
THAT WITHIN 15 DAYS AFTER PASSAGE OF ORDINANCE NO. 508,
AND ON THE 26th DAY OF June, 2013, AFFIANT POSTED
TRUE AND CORRECT COPIES OF THE SAID ORDINANCE IN THREE
PUBLIC PLACES IN THE CITY OF BLUE LAKE, ALL IN CONFORMITY
GOVERNMENT CODE SECTION 36933.

SIGNED 

SUBSCRIBED AND SWORN TO BEFORE

ME THIS 26th DAY OF June, 2013


CITY CLERK, CITY OF BLUE LAKE