

ORDINANCE NO. _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
BELMONT REVISING AND INCREASING THE CITY'S
SEWER CHARGES

WHEREAS, Section 21.93 of the Belmont Municipal Code and Section 5471 of the California Health & Safety Code permits the City Council of the City of Belmont to set the City's sewer charges; and,

WHEREAS, on June 9, 2009, the City Council held a full and fair public hearing, properly noticed as required by law, at which all persons interested, were given an opportunity to provide oral and written testimony with respect to a proposed revision and increase of the City's sewer charges; and

WHEREAS, the City Council desires to revise and increase the City's sewer charges.

The City Council of the City of Belmont does ordain as follows:

SECTION 1. The City Council hereby establishes the schedule set forth in Exhibit A to this Ordinance, which is incorporated herein by reference, as the City's schedule of sewer charges.

SECTION 2. The City Council hereby finds and determines that:

- A. The City has complied with each of the requirements of Section 6 of Article XIID of the California Constitution with respect to the actions taken by this Ordinance.
- B. The rates established by this Ordinance do not exceed the amounts permissible under Article XIID for a fee for sewer service, and the sewer service charge is not a tax.
- C. A majority protest, as defined by Section 6(b) of Article XIID of the California Constitution does not exist with respect to the reestablishment and increase of the sewer service charge.

SECTION 3. This Ordinance does not affect the Sewer Treatment Facility Charge imposed by the City.

SECTION 4. The City Council hereby declares that it would have passed this Ordinance word by word, sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that any provisions of this Ordinance are severable and, if for any reason any word, sentence, paragraph or section of this Ordinance shall be held invalid, such decision shall not affect the validity of the remaining parts of this Ordinance.

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Introduced and adopted at a meeting of the City Council of the City of Belmont held on the 9th day of June, 2009, by the following vote:

* * * * *

I hereby certify that the foregoing ordinance was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on June 23, 2009 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont

EXHIBIT“ A”

PROPOSED SEWER CHARGE RATE SCHEDULE

Each parcel’s sewer charge will be the sum of a Base Charge and a Flow Charge.

Base Charge

- Residential Customers (single-family and multi-family):
\$254.83 per dwelling unit per year
- Non-Residential Customers:
\$254.83 per parcel per year

Flow Charge

- Residential and most Non-Residential Customers:
\$3.34 per hundred cubic feet of estimated annualized wastewater discharge
- High-Strength” Non-Residential Customers (supermarkets with grinders and restaurants with on-site food preparation):
\$6.51 per hundred cubic feet of estimated annualized wastewater discharge