ARTICLE IV. SERVICE CHARGES

Sec. 21-54. Authority.

This article is adopted pursuant to Article 7, Chapter 5, Part 3, Division 5 of the Health and Safety Code and pursuant to Article 4, Chapter 6, Part 3, Division 5 of the Health and Safety Code.
(Code 1961, § 22-9; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-54.1. Reserved.

Editor's note—Ord. No. 952, § 1 (Exhibit A), adopted July 25, 2000, repealed § 21-54.1 in its entirety. Formerly, said section pertained to definitions regarding service charges derived from the 1961 Code, § 22.8. See the Code Comparative Table.

Sec. 21-55. Applicability.

This article shall apply to sewer facilities constructed or to be constructed in the city and additions, extensions and improvements thereto.
(Code 1961, § 22.10; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-56. Billing period.

The regular billing period will be annual, consistent with the period for collection of general taxes for the city, unless an alternative billing period has been established by the finance director in order implement this chapter as may be necessary to coordinate with the district's billing practices.
(Code 1961, § 22.11; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-57. Reserved.

Editor's note—Ord. No. 952, § 1 (Exhibit A), adopted July 25, 2000, repealed § 21-57 in its entirety. Formerly, said section pertained to opening and closing bills for less than normal billing period derived from the 1961 Code, § 22.12. See the Code Comparative Table.

Sec. 21-58. When bills rendered and payable.

Bills for sewer service shall be rendered at the beginning of each billing period and are payable upon presentation.
(Code 1961, § 22.13; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-59. Penalty for delinquencies.

If the rate is not paid when due, on the first day of each calendar month thereafter a penalty of ten (10) percent of the amount of the delinquent rate shall be added and become due.
(Code 1961, § 22.14; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-60. Collection by suit authorized.

As an alternative to any of the other procedures herein provided, the city may bring an action against the person who occupied the premises when the service was rendered for the collection of the amount of the delinquent rate and all penalties and costs of collection including a reasonable attorney's fee.
(Code 1961, § 22.15; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-61. Collection of delinquencies by placing on tax roll.

The city may provide for the collection of all the delinquent charges that have not been paid and collected at the time of establishing its tax rate, upon the tax roll upon which city taxes are collected and in the same manner provided by law therefor.
(Code 1961, § 22.16; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-62. Statement of charges to be filed, posting on tax roll.

The person or his deputy who bills and collects the charges shall sign a statement of the amount of the charges and the penalties which have accrued and which shall accrue thereon to the next succeeding April 20th, and shall file it with the officer whose duty it is to post the tax roll, and he shall post the amounts thereof in the column on the roll where improvement assessments are posted and opposite the property affected.
(Code 1961, § 22.17; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-63. Collection as general taxes.

The amounts so posted shall be payable at the same times and in the same amounts and manner

and be subject to the same penalties and charges for delinquency, and the same provisions for redemption and sale for nonpayment as are provided for general taxes of the city.
(Code 1961, § 22.18; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-64. Authority to collect other utility charges with sewer charges.

The city council may provide for the collection of sewer charges with other utility charges as herein provided.
(Code 1961, § 22.19; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-65. Reserved.

Editor's note—Ord. No. 952, § 1 (Exhibit A), adopted July 25, 2000, repealed § 21-65 in its entirety. Formerly, said section pertained to collection of other utility charges on same bill derived from the 1961 Code, § 22.20. See the Code Comparative Table.

Sec. 21-66. Reserved.

Editor's note—Ord. No. 952, § 1 (Exhibit A), adopted July 25, 2000, repealed § 21-66 in its entirety. Formerly, said section pertained to discontinuance of other service upon sewer delinquency derived from 1961 Code, § 22.21. See the Code Comparative Table.

Sec. 21-67. Reserved.

Editor's note—Ord. No. 952, § 1 (Exhibit A), adopted July 25, 2000, repealed § 21-67 in its entirety. Formerly, said section pertained to time for discontinuance of other service derived from 1961 Code, § 22.22. See the Code Comparative Table.

Sec. 21-68. Reserved.

Editor's note—Ord. No. 952, § 1 (Exhibit A), adopted July 25, 2000, repealed § 21-68 in its entirety. Formerly, said section pertained to where person charged is user of another utility operated by the city derived from 1961 Code, § 22.23. See the Code Comparative Table.

Sec. 21-69. Where person charged is not user of other city utility service.

Where the other utility service is furnished by a department or agency of the city over which the city council does not exercise control, or where the city or department or agency thereof does not own or operate another utility, and the person charged is a user of a publicly or privately owned utility, the city council may provide by contract for such department, agency or utility to collect such charges. The city council may provide in such contract the compensation for making such collection.
(Code 1961, § 22.24; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-70. Collection on county tax roll—Procedure established by state law.

Unless the council otherwise directs, successive annual sewer charges, and delinquent sewer service charges not previously so posted, shall be collected on the county tax roll as provided in Article 4, Chapter 6, Part 3, Division 5, of the state Health and Safety Code.
(Code 1961, § 22.25; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-71. Same—Report.

A written report shall be prepared and filed with the clerk, which shall contain a description of each parcel of real property receiving such services and facilities and the amount of the charge for each parcel for the forthcoming fiscal year, computed in conformity with the charges prescribed by this article.
(Code 1961, § 22.26; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-72. Reserved.

Editor's note—Ord. No. 952, § 1 (Exhibit A), adopted July 25, 2000, repealed § 21-72 in its entirety. Formerly, said section pertained to publication of time and place of hearing derived from 1961 Code, § 22.27. See the Code Comparative Table.

Sec. 21-73. Same—Mailing of notice of hearing, etc.

Prior to such election for the first time, the clerk shall cause a notice in writing of the filing of the first report proposing to have such charges for the forthcoming fiscal year collected on the tax roll and of the time and place of hearing thereon to be mailed to each person to whom any part or parcel of real property described in the report is assessed in the last equalized assessment roll on

which general city taxes are collected at the address shown on such roll or as known to the clerk.
(Code 1961, § 22.28; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-74. Same—When notice in writing not required.

If the city council adopts the report, then the requirements for notice in writing shall not apply to hearings on reports prepared in subsequent years but notice by publication as herein provided shall be adequate.
(Code 1961, § 22.29; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-75. Same—Hearing by city council.

At the time of the hearing, the city council shall hear and consider all objections or protests, if any, to the report referred to in the notice and may continue the hearing from time to time.
(Code 1961, § 22.30; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-76. Same—Protest by majority of property owners.

If the city council finds that protest is made by the owners of a majority of separate parcels of property described in the report, then the report shall not be adopted and the charges shall be collected separately from the tax roll and shall not constitute a lien against any parcel or parcels of land.
(Code 1961, § 22.31; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-77. Same—Final determination.

Upon the conclusion of the hearing on the report, the city council may adopt, revise, change, reduce or modify any charge or overrule any or all objections and shall make its determination upon each charge as described in said report, which determination shall be final.
(Code 1961, § 22.32; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-78. Same—Report to auditor; entry of amounts on assessment roll.

On or before the tenth day of August in each year following such final determination of the city council, the clerk shall file with the auditor having charge of the tax roll a copy of the report with a statement endorsed thereon over his signature that it has been finally adopted by the city council of the city, and the auditor shall enter the amounts of the charges against the respective lots or parcels of land as they appear on the current assessment roll.
(Code 1961, § 22.33; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-79. Same—Parcels outside boundary of city.

Where any parcels are outside the boundaries of the city they shall be added to the assessment roll of the city for the purpose of collecting the charges mentioned in section 21-78.
(Code 1961, § 22.34; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-80. Same—Parcels not on roll.

If the property is not described on the roll, the auditor may enter the description thereon together with the amounts of the charges herein, as shown on the report.
(Code 1961, § 22.35; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-81. Same—Amount of charges to be lien; tax collector to include charges in bill for taxes.

The amount of the charges herein shall constitute a lien against the lot or parcel of land against which the charge has been imposed as of noon on the first Monday in March immediately preceding the date of levy. The tax collector shall include the amount of the charges on bills for taxes levied against the respective lots and parcels of land.
(Code 1961, § 22.36; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-82. Same—Collection of charges.

Thereafter, the amount of the charges herein shall be collected at the same time and in the

same manner and by the same persons as, and together with and not separately from, the general taxes for the city, and shall be delinquent at the same time and thereafter be subject to the same penalties for delinquency.
(Code 1961, § 22.37; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-83. Same—Applicability of laws relating to levy, collection, etc., of taxes.

All laws applicable to the levy, collection and enforcement of general taxes of the city, including, but not limited to, those pertaining to the matters of delinquency, correction, cancellation, refund and redemption, are applicable to the charges herein.
(Code 1961, § 22.38; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-84. Reserved.

Editor's note—Ord. No. 952, § 1 (Exhibit A), adopted July 25, 2000, repealed § 21-84 in its entirety. Formerly, said section pertained to issuance of separate bills by the tax collector derived from 1961 Code, § 22.39. See the Code Comparative Table.

Sec. 21-85. Reserved.

Editor's note—Ord. No. 952, § 1 (Exhibit A), adopted July 25, 2000, repealed § 21-85 in its entirety. Formerly, said section pertained to compensation of county derived from 1961 Code, § 22.40. See the Code Comparative Table.

Sec. 21-86. Same—Use of revenues.

Revenues derived under this article shall be used only for the acquisition, construction or reconstruction, maintenance and operation of sanitation or sewerage facilities of the city and to repay principal and interest on bonds issued for the construction of such sanitary or sewerage facilities and to repay federal, state, county or other loans or advances made to the city for the construction or reconstruction of sanitary or sewerage facilities; provided, however, that such revenue shall not be used for the acquisition or construction of new local street sewers or laterals, as distinguished from main trunk, interceptor and outfall sewers.
(Code 1961, § 22.41; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-87. Disconnection upon delinquency.

Premises as to which charges under this article have become delinquent shall be disconnected. The person in charge of the sewer system shall estimate the cost of disconnection of such premises from the enterprise and the cost of reconnecting it thereto, and such user shall deposit the cost as estimated of disconnection and reconnection before such premises are reconnected to the sewer system. The amount of the cost of disconnection and reconnection over the deposit shall constitute a charge and be collected as such. The amount of the deposit not used shall be repaid or applied as a deposit.
(Code 1961, § 22-43; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-88. Procedures declared alternative.

The procedures provided in sections 21-56—21-86 are alternative to each other. The separate procedures under sections 21-56—21-69 are alternate to each other.
(Code 1961, § 22.45; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-89. Provisions declared cumulative.

The procedures provided in sections 21-56—21-86 are cumulative with each other. More than one (1) or all thereof may be utilized at the same time as to the same charges.
(Code 1961, § 22.46; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-90. Provisions supplemented to each other.

The procedures provided in sections 21-56—21-86 are supplemental to each other.
(Code 1961, § 22.47; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-91. Provisions nonexclusive.

The procedures provided in this article are not exclusive. Notwithstanding any provisions herein, the city may utilize any procedures provided in

any law or which are a legal incident to its powers, and any remedy in laws or in equity, to collect the charges and penalties.
(Code 1961, § 22.48; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-92. Purpose of article.

It is the intention of this article that there shall be available to the city all procedures, that they shall be diligently exercised and that all charges and the penalties thereon or other charges incident thereto shall be promptly and effectively collected.
(Code 1961, § 22.49; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-93. Schedule of charges.

The council of the city shall, by resolution, establish a schedule of charges for sewer service based upon the user classifications as follows:

Low strength:

Low strength sewer service charges shall be charged to the following types of customers:

Residential, including but not limited to single-family dwellings, duplexes, and multi-family dwellings, apartments, and flats;

Retail and commercial, [including] but not limited to motels and hotels, commercial houses, office buildings, car washes and laundromats, restaurants (foods prepared off premises), and food markets (foods prepared off premises);

Institutional and public authorities, including but not limited to nursing homes, retirement homes, sanitariums, government institutions, and schools;

Industrial (with permitted pretreatment facilities).

High strength: High strength sewer service charges shall be charged to the following types of customers:

Restaurants (foods prepared on premises);

Food markets and supermarkets (foods prepared on premises).
(Code 1961, § 22.50; Ord. No. 484, § 1, 5-22-72; Ord. No. 510, § 1, 5-14-73; Ord. No. 535, § 1, 2.38 per 4-22-74; Ord. No. 575, § 1, 6-22-76; Ord. No. 701, § 1, 6-9-82; Ord. No. 801, § 1, 7-26-86; Ord. No. 827, § 1, 7-10-90; Ord. No. 873, § 1, 7-13-93; Ord. No. 884, § 2, 7-12-94; Ord. No. 907, § 1 7-9-96; Ord. No. 917, § 1, 6-24-97; Ord. No. 930, § 1, 7-14-98; Ord. No. 946, § 1, 6-22-99; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-94. Computation of annual charges.

The city's finance director shall compute each customer's annual charges after April 30 by multiplying each customer's sewered water use by the corresponding sewer service charge. The computation of annual charges shall be prior to the date by which they are required by the County of San Mateo. New customers shall pay an annual charge for the ensuing year based upon the water use of any prior occupant of the property to be served or, where data regarding prior use are unavailable or unlikely to fairly estimate the usage of the new customer, upon any other reasonable estimate of water use made by the finance director.
(Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-95. Minimum and maximum annual charges.

Minimum annual charges. The council of the city shall, by resolution, establish minimum annual charges for sewer service based upon the user classifications defined [in] section 21-93. The minimum annual charge shall be reduced in proportion to the actual usage of the customer in the event that evidence satisfactory to the finance director is produced pursuant to sections 21-169 and 21-170 of this chapter, or otherwise demonstrates that the customer did not use water or otherwise generate wastewater on the property for any period during the previous year in excess of thirty (30) days or that, for other reasons, basing service charges on winter water consumption would not fairly estimate the customer's wastewater generation.

Maximum annual charges. In the event that district meter readings for the immediately preceding winter period are inordinately high compared with the winter water consumption for the prior winter period, the finance director may at his or her sole discretion, and upon written re-

quest from the customer, make an appropriate adjustment to account for leaking plumbing, meter reading inaccuracies, and other factors that otherwise overestimate the amount of winter water use.
(Ord. No. 952, § 1(Exh. A), 7-25-00)

Secs. 21-96—21-104. Reserved.

ARTICLE V. USE REGULATIONS

DIVISION 1. GENERALLY

Sec. 21-105. Purpose.

The purpose of this article is to establish standards and conditions, and to provide for fees, relating to the use of sanitary sewerage facilities of the city. It is further the purpose of this article to establish uniform requirements for discharges into the wastewater collection and treatment system used jointly with other public entities as a party to the Joint Exercise of Powers Agreement establishing and providing for the Joint Powers Authority for the Strategic Consolidation Sewerage Plan, a public entity, and any successor thereto. It is further the purpose of this article to enable the city to comply with and meet applicable laws, regulations, standards and conditions established by federal and state law, or by agencies thereof in implementation of such law. The council of the city hereby finds and declares that the health, safety and welfare of the people of the city require the enactment of the provisions of this article.
(Code 1961, § 22A.1; Ord. No. 566, § 1, 11-10-75; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-106. Terminology.

General. Words, phrases or terms not specifically defined herein, and having a technical or specialized meaning, shall be defined as set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation. References to waste constituents and characteristics shall have the meanings ascribed thereto in the aforesaid "Standard Methods for the Examination of Water and Wastewater," and measurements thereof shall be as set forth in said publication or as established by federal or state regulatory agencies.
(Code 1961, § 22A.2; Ord. No. 566, § 1, 11-10-75; Ord. No. 715, § 1, 1-10-84; Ord. No. 952, § 1(Exh. A), 7-25-00)

Secs. 21-107—21-112. Reserved.

DIVISION 2. REPORTS, PERMITS AND ADMINISTRATION

Sec. 21-113. Discharge reports.

Upon a determination by the director that such information is necessary or appropriate for him reasonably to carry out the provisions of this article, he may require that any person discharging, causing to be discharged, permitting to be discharged, or proposing to discharge wastewater into the sewerage facilities shall file a periodic discharge report, the cost of which shall be borne by such person. Such report may include, but shall not necessarily be limited, the information relating to the nature of manufacturing, fabricating, or other processes, fresh or non-wastewater volumes, wastewater volumes, rates of flow, mass emission rates, production quantities, hours of operation, number and classification of employees, or other information relating to the generation of waste, including wastewater constituents and characteristics of the pertinent wastewater discharge. The director may also require that such reports include the chemical constituents and quantity of liquid or gaseous materials stored on the premises relating to such discharge, even though such materials are not normally discharged into, or become a part of, the wastewater in the sewerage facilities. Such reports shall be in addition to self-monitoring reports, information furnished in connection with wastewater discharge permits, or other permits authorized under this article. The reports authorized and required under this section shall be filed with the director periodically and/or at such other times as the director may reasonably require.
(Code 1961, § 22A.18; Ord. No. 566, § 1, 11-10-75; Ord. No. 952, § 1(Exh. A), 7-25-00)