

ORDINANCE NO. 002C

**AN ORDINANCE OF THE VICTOR VALLEY
WASTEWATER RECLAMATION AUTHORITY AMENDING
ITS RULES AND REGULATIONS FOR CONNECTION TO
THE SEWERAGE SYSTEM**

WHEREAS, Ordinance No. 002, adopted May 26, 1983 by the Board of Commissioners (Commission) of the Victor Valley Wastewater Reclamation Authority (AVVWRA@), establishes and imposes a schedule of fees for the connection of real property to the VVWRA sewerage system ("Connection Fee Schedule");

WHEREAS, the funds collected pursuant to the Connection Fee Schedule are use exclusively to pay for capital improvements to the VVWRA sewerage system that are designed and constructed for the purpose of increasing the capacity of the VVWRA sewerage system or improving the VVWRA sewerage system to comply with applicable laws and regulations;

WHEREAS, recent public requests have identified the need for the Connection Fee Schedules to include a fixture unit count for residential recreational vehicle (RV) dump stations;

WHEREAS, the Board has determined a need to address residential RV dump stations, and to make an additional amendment to Ordinance No. 002 to correct a typographical error related to the commercial connection fee schedules.

NOW THEREFORE, the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority does hereby ordain as follows:

SECTION 1. Effective July 1, 2002, Ordinance No. 002 as amended, is hereby replaced in its entirety with the language set forth in the attached Exhibit AA."

SECTION 2. Effective July 1, 2003, Table I and Table III of Ordinance No. 002, entitled "Connection Fee Schedule," is hereby replaced in its entirety with the language set forth in the attached Exhibit "B."

SECTION 3. Effective July 1, 2003, Table I and Table III of Ordinance No. 002, entitled "Sewerage Facility Fees," is hereby replaced in its entirety with the language set forth in the attached Exhibit "C."

SECTION 4. This Ordinance shall take effect and be in full force thirty (30) days after its adoption. Prior to the expiration of the fifteen (15) days from its adoption, the Ordinance or a summary of it shall be published in The Daily Press, a newspaper of general circulation within the boundaries of the Victory Valley Wastewater Reclamation Authority.

APPROVED AND ADOPTED this 23rd day of July, 2002 by the following vote:

AYES:
NOES:
ABSTENTIONS:

Robert G. Sagona
Chair, VVWRA Board of Commissioners

APPROVED AS TO FORM:

ATTEST:

James P. Morris, for Best Best & Krieger LLP
General Counsel, VVWRA

John Graff
Secretary, VVWRA Board of Commissioners

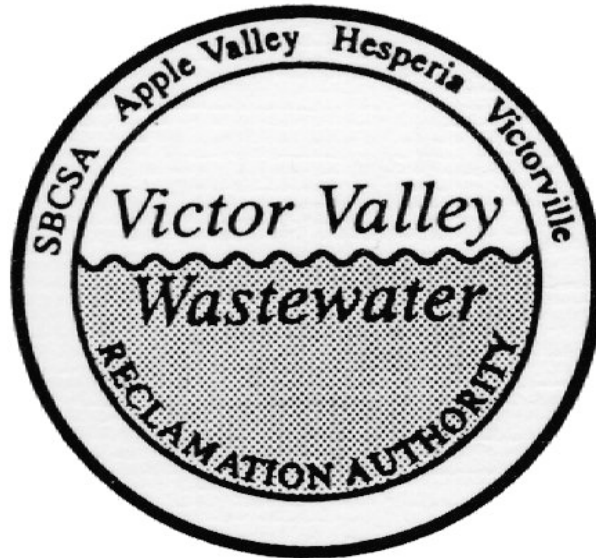
EXHIBIT "A" - ORDINANCE NO. 002C

ORDINANCE NO. 002

(EFFECTIVE JULY 1, 2002)

[ATTACHED BEHIND THIS PAGE]

VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY
20111 SHAY ROAD
VICTORVILLE, CA 92394
(760) 246-8638



CONNECTION FEE ORDINANCE
NO. 002

Adopted: May 26, 1983

Amendment Adopted: July 25, 1985
Tables I through IV Amended: January 1, 1986
Amendment 002A: August 21, 1997
Table II Amended: March 25, 1999
Amendment 002B: March 19, 2002
Amendment 002C: July 23, 2002

ORDINANCE NO. 002

AN ORDINANCE PRESCRIBING FEES FOR CONNECTING ANY PARCEL WITHIN THE BOUNDARIES OF THE VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY OF SAN BERNARDINO COUNTY TO THE SEWERAGE SYSTEM, OR FOR INCREASING THE STRENGTH AND/OR QUANTITY OF WASTEWATER ATTRIBUTABLE TO A CONNECTED PARCEL WITHIN THE DISTRICT, AND PROVIDING FOR THE COLLECTION OF SUCH FEES.

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PART I - GENERAL PROVISIONS

SECTION 1.01: SHORT TITLE

This Ordinance shall be known as the "Connection Fee Ordinance for the Victor Valley Wastewater Reclamation Authority" and may be cited as such.

SECTION 1.02: PURPOSE

The purpose of this Ordinance is to establish and impose fees for connecting a parcel within the boundaries of the VVWRA to the VVWRA's sewerage system as hereinafter defined or for increasing the strength and/or quantity of wastewater attributable to 20 fixture units, and to provide for collection of said charges. All funds collected under this Ordinance shall be used for capital expansion of VVWRA facilities.

SECTION 1.03: AUTHORITY TO ACT

The VVWRA is empowered to fix fees and charges for connecting to or altering use of its sewerage system pursuant to the Service Agreement between member entities dated November 1976; the Joint Powers Agreement which created VVWRA, dated December 1977; Sections 6500 et seq. of the California Government Code, relating to Joint Powers Authorities; VVWRA's Wastewater Ordinance No. 80-19, as amended; and other applicable law.

SECTION 1.04: ADDITIONAL REVENUE

The revenue generated by the connection fees herein defined shall be in addition to all revenue otherwise collected by the VVWRA, including, but not limited to ad valorem taxes, federal and state grants, contract revenue, investment income, fees, service charges, and charges imposed under the VVWRA's Wastewater Ordinance.

SECTION 1.05: ADMINISTRATION

The Senior Administrative Officer shall administer, implement and enforce the provisions of this Ordinance in accordance with policies established by the Board of Commissioners.

SECTION 1.06: VALIDITY

If any part, section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is held invalid or unconstitutional for any reason by any court, that decision shall not affect the validity or constitutionality of the remainder of this Ordinance. The Board of Commissioners declares that it would have adopted each part of this Ordinance irrespective of the validity of any other part.

PART II - DEFINITIONS

This Ordinance shall be interpreted according to the following definitions:

SECTION 2.01: BIOCHEMICAL OXYGEN DEMAND (BOD)

Biochemical Oxygen Demand or BOD shall mean the measure of decomposable organic material in wastewater as represented by the oxygen utilized as determined by the procedure described in the current edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association.

SECTION 2.02: BOARD OF COMMISSIONERS

Board of Commissioners shall mean the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority of San Bernardino County, California.

SECTION 2.03: CAPACITY UNIT

Capacity Unit shall mean the loading in terms of capacity that a typical single-family home places on the sewerage system based on flow, biochemical oxygen demand, suspended solids, and ammonia nitrogen.

SECTION 2.04: DISTRICT

District shall mean the adopted boundaries of VVWRA.

SECTION 2.05: INDUSTRIAL WASTEWATER

Industrial Wastewater shall mean all waterborne wastes and wastewater of the community excluding wastewater of domestic origin and uncontaminated water, and shall include all wastewater from any producing, manufacturing, processing, institutional, commercial, agricultural, or other operation where the wastewater discharged includes significant quantities of wastes of non-human origin.

SECTION 2.06: MEMBER AGENCIES

Member Agencies shall mean the participating agencies of the City of Victorville; County Service Areas #42 and #64; The Town of Apple Valley; and the Hesperia Water District;.

SECTION 2.07: NEW CONNECTION

A New Connection shall mean any of the following:

(1) A connection to the sewerage system for the first time of any improvement or parcel(s) of land within the boundaries of the VVWRA.

(2) An existing connection from a parcel or improvement where the number or strength of capacity units attributable to said parcel or improvement has been increased due to construction of additional dwelling or other units or change in land usage.

(3) An existing connection from an industrial, commercial, or institutional parcel or improvement where operational modifications have increased the original number or strength of capacity units attributable to said parcel or improvement.

SECTION 2.08: PARCEL

Parcel shall mean real property or any improvement thereon, real or personal, which has or seeks access to the sewerage system.

SECTION 2.09: PERSON

Person shall mean any individual, partnership, committee, association, corporation, public agency, or any other organization, entity, or group of persons, public or private.

SECTION 2.10: SENIOR ADMINISTRATIVE OFFICER

Senior Administrative Officer shall mean the General Manager of the Victor Valley Wastewater Reclamation Authority.

SECTION 2.11: SEWERAGE SYSTEM

Sewerage System shall mean the network of wastewater collection, conveyance, treatment and disposal facilities which are interconnected by means of sewers either owned in whole or in part by the VVWRA, or as to which the VVWRA has a contractual right of use.

SECTION 2.12: TOTAL SUSPENDED SOLIDS

Total suspended Solids shall mean the insoluble solid matter suspended in wastewater that is separable by laboratory filtration in accordance with the procedure described in the current edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association.

SECTION 2.13: VVWRA

VVWRA shall mean the Victor Valley Wastewater Reclamation Authority, a Joint Powers Authority and Public Agency of the State of California, located in San Bernardino County, California.

SECTION 2.14: WASTEWATER

Wastewater shall mean the waterborne wastes of the community derived from human or industrial sources including wastewater of domestic origin and industrial wastewater.

SECTION 2.15: WASTEWATER ORDINANCE

Wastewater Ordinance shall mean the ordinance providing for the administration of a wastewater control system, for regulating sewer construction and sewer use, for the imposition of a permit requirement for industrial wastewater dischargers, for the imposition of requirements to assess rates and charges for delivery of all waste sludge for further treatment and processing, and for the prohibition or pretreatment of industrial wastewater as adopted by the VVWRA of San Bernardino County, California, as Ordinance No. 80-19, on October 8, 1980, and as amended.

SECTION 2.16: AMMONIA NITROGEN

Ammonia nitrogen shall mean the soluble ionized and unionized ammonia nitrogen component in wastewater that can be measured using the procedure described in the current edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association.

PART III - FEES

SECTION 3.01: CONNECTION FEES

No person or parcel shall connect any parcel or improvement within the boundaries of the VVWRA to the sewerage system until a sewer connection permit or similar instrument has been issued by the local agency having jurisdiction over land use. Connection fees shall be collected as described in Section 3.05 herein.

(1) All applicants for new connections shall pay a connection fee in accordance with Sections 3.02 and 3.03, and the Connection Fee Schedule set forth in the Tables to this Ordinance. With respect to new connections which constitute an increase in the existing strength and/or quantity of wastewater attributable to a particular parcel or improvement already connected, the connection fee shall be based on the increase in anticipated use of the sewerage system only.

(2) A credit against new connection fees shall be allowed with respect to new construction replacing a demolished building that had been connected to the sewerage system. The credit shall be equal to the connection fee that was paid with respect to the demolished building under the terms of this Ordinance or its predecessors. There will be no additional charge for an exact duplication of replacement construction. It shall be the responsibility of the applicant to demonstrate to the reasonable satisfaction of the Senior Administrative Officer, the user category and the number of units of usage applicable to the demolished building and that such building was connected to the sewerage system. In no case shall the credit provided exceed the new connection fee, calculated in accordance with Section 3.03.

SECTION 3.02: CALCULATION OF THE CONNECTION FEE (INDUSTRIAL DISCHARGERS)

(1) The connection fee for any parcel or improvement within the VVWRA's boundaries connecting to the sewerage system shall be based on anticipated use and shall equal the product of the estimated number of capacity units which will result from the connection, as determined in paragraph (3) of this section, and the connection fee rate determined pursuant to Section 3.03 hereof.

(2) Industrial dischargers shall provide approved flow measuring devices at their point of discharge when required by VVWRA or a Member Agency.

(3) The anticipated use of the sewerage system by industrial dischargers shall be calculated in terms of capacity units (CU).

The number of capacity units (CU) shall be determined by the following formula:

$$CU = X \frac{(Q_2)}{(Q_1)} + Y \frac{(BOD_2)}{(BOD_1)} + Z \frac{(TSS_2)}{(TSS_1)} + A \frac{(NH_3_2)}{(NH_3_1)}$$

Where:

X = A proportional share of the total capital costs required to construct an incremental expansion of the sewerage system for conveyance, treatment, and disposal of wastewater which is attributable to flow,

Y = A proportional share of the total capital costs required to construct an incremental expansion of the sewerage system for conveyance, treatment, and disposal of wastewater which is attributable to biochemical oxygen demand (BOD),

Z = A proportional share of the total capital costs required to construct an incremental expansion of the sewerage system for conveyance, treatment, and disposal of wastewater which is attributable to total suspended solids (TSS),

A = A proportional share of the total capital costs required to construct an incremental expansion of the sewerage system for conveyance, treatment, and disposal of wastewater which is attributable to ammonia nitrogen (NH₃),

Q₁ = Average flow of wastewater from a single family home in gallons per day,

BOD₁ = Average loading of biochemical oxygen demand in the wastewater from a single family home in pounds per day,

TSS₁ = Average loading of total suspended solids in the wastewater from a

single family home in pounds per day,

NH_3_1 = Average loading of ammonia nitrogen in the wastewater from a single family home in pounds per day,

Q_2 = Estimated flow of wastewater which will enter the sewerage system via the connection in gallons per day,

BOD_2 = Estimated loading of biochemical oxygen demand which will enter the sewerage system via the connection in pounds per day,

TSS_2 = Estimated loading of total suspended solids which will enter the sewerage system via the connection in pounds per day.

NH_3_2 = Estimated loading of ammonia nitrogen which will enter the sewerage system via the connection in pounds per day.

Q, BOD, SS, NH3, X, Y, Z, and A shall be determined by periodic review.

(4) A single family home discharging domestic sewage only for a period of twenty-four hours is the basis for one capacity unit (i.e. one equivalent dwelling unit). A capacity unit has the following values in computing the loading on the regional sewage system:

Flow = 245 gallons per day, or 20 fixture units
BOD = 200 mg/l, or 0.40866 pounds per day
TSS = 250 mg/l, or 0.51082 pounds per day
NH3 = 20 mg/l, or 0.040866 pounds per day

(5) Any facility which is subject to an Industrial Wastewater Permit pursuant to the VVWRA's Industrial Wastewater Ordinance shall be considered a discharger of industrial wastewater. The loadings of flow, BOD, total suspended solids, and ammonia nitrogen resulting from the connection of such a facility, for the purpose of calculating the number of capacity units attributable to such a connection, shall equal the loadings based on information contained in the Industrial Wastewater Permit, including the estimated sanitary wastewater loadings. Each full-time employee shall be considered to discharge 15 gallons per day of single family home strength wastewater.

The Senior Administrative Officer may, at any time after connection, verify the actual flow, BOD, total suspended solids, and ammonia nitrogen attributable to the new connection. Should a discrepancy exist between measured quantities and the estimated quantities of flow, BOD, total suspended solids, and ammonia nitrogen upon which the connection fee had been based, the owner of the parcel or improvement shall, upon written notification, pay to the VVWRA the difference between the connection fee paid and the amount due on the basis of the verified quantities.

SECTION 3.03: CALCULATION OF THE CONNECTION FEE RATE

The total capital costs required to construct an incremental expansion of the sewerage system shall be determined periodically by VVWRA. In addition, VVWRA shall calculate the number of capacity units that can be accommodated by the incremental expansion and shall then divide the former value by the latter value. The resulting value shall be known as the capacity unit rate.

The number of capacity units resulting from a connection through which no industrial wastewater is discharged shall be based on the actual number of fixture units per connection. No connection, however, shall be charged less than the fee for eight (8) fixture units.

SECTION 3.04: CAPITAL IMPROVEMENT FUNDS

Connection fee revenue collected pursuant to this Ordinance and all accruals thereon shall be deposited into a capital account and shall be maintained according to accepted VVWRA management policies and shall be owned and maintained by the VVWRA.

The connection fee, which is for the capital cost of expansion of the regional facilities, shall be used for capital expansion of the VVWRA regional system.

SECTION 3.05: IMPOSITION, PAYMENT, AND COLLECTION OF CONNECTION FEE

No sewer use by any person or parcel shall be permitted prior to payment of the connection fee. The connection fee for a parcel shall be paid and collected at the time of final inspection or the date the certificate of occupancy is issued for improvements to the subject parcel, whichever occurs first. No person who has secured a sewer connection permit prior to July 1, 1982 from the local agency having jurisdiction over land development shall be liable for the payment of a connection fee with respect to facilities of the type, quantity, and strength of use therein described.

In order to assure uniform calculation and collection of connection fees, and in accordance with good audit procedures, each member agency shall be responsible for the calculation and collection of connection fees from properties located within their respective jurisdictions. Member agencies shall use the connection fee worksheet and/or other forms as provided by or as approved by VVWRA. The connection fee shall be calculated according to VVWRA Ordinance 001 and 002, and shall be forwarded to VVWRA on a monthly basis. Connection fees collected during each calendar month are due and payable no later than the last day of the next month. Interest will be assessed for connection fees received more than fifteen (15) days beyond the due date. The interest charge will be calculated using the State of California legal interest rate applicable to judgements.

SECTION 3.06: CREDIT

A credit against the connection fee shall be allowed with respect to any building which had been constructed and was located within the VVWRA boundaries prior to July 1, 1982. Said developments will be allowed up to five years after July 1, 1982 to make the connection without payment of the connection fee, contingent upon interceptor sewer availability as stated in Wastewater Ordinance No. 80-19, Section 11.2 B.

SECTION 3.07: APPEALS

Any User Permit applicant, or permit holder affected by any decision, action, or determination, including Cease and Desist Orders, made by the Senior Administrative Officer, interpreting or implementing the provisions of this Ordinance or in any permit issued herein, may file with the Senior Administrative Officer a written request for reconsideration with ten (10) days, setting forth in detail the facts supporting the user's request for reconsideration. The Senior Administrative Officer shall render a decision on the request for reconsideration to the user, permit applicant or permit holder in writing within 15 days of receipt of the request. If the ruling on the request for reconsideration made by the Senior Administrative Officer is unsatisfactory, the person requesting reconsideration may, within ten (10) days after notification of the Senior Administrative Officer's action, file a written appeal with the Secretary of the Board of Commissioners.

SECTION 3.08: TABLES

Tables I through V are included in this Ordinance as follows: Table I, Connection Types and Definitions; Table II, Equivalent Fixture Units; Table III, Commercial Facility Fees; Table IV, Cost of Expansion; and Table V, EDU Credit Program.

SECTION 3.09: PERIODIC REVIEW

This Ordinance, including the Tables, shall be reviewed at least annually by the Senior Administrative Officer, and shall be revised as needed. A revision of this Ordinance requires the approval of the Board of Commissioners and shall be presented for Public Hearing at a regularly scheduled meeting of the Board.

SECTION 3.11: CONFLICT WITH PREVIOUS PROVISIONS

If any provision of this Ordinance is in conflict with any provision of any previous ordinance, resolution or other regulation of VVWRA, then the provisions of this Ordinance shall govern.

TABLE I
CONNECTION FEE SCHEDULE
CONNECTION TYPES AND DEFINITIONS

A. NEW UNITS

1. RESIDENTIAL

All dwelling units shall be charged on a total fixture unit (F.U.) basis. The fee for each fixture unit is \$71.75. A typical single family home will have twenty (20) fixture units, which is considered to be one equivalent dwelling unit (EDU). The connection fee for one EDU is \$1,435.

For single family homes, mobile homes, multiple family dwellings (apartments), condominiums, motels/hotels (rooms only), or any other form of residential property, the residential column of Table II shall be used for determining fixture units. In the case of jointly used facilities (such as laundry rooms, cabanas, clubhouses, etc.) for serving more than one residential unit, these additional fixture units shall be determined using the public use column of Table II.

2. COMMERCIAL

Each commercial building, office, store, motel/hotels (restaurant and service facilities) or separately owned or operated commercial space, or like structure, or any other similar structure or use, with a separate service connection, shall be billed on a fixture unit basis with each fixture unit charged at \$71.75. The public use column of Table II shall be used for determining the number of fixture units. In addition, sewerage facility fees shall also be collected for those categories listed in Table III.

3. INDUSTRIAL

Connection fees for industrial dischargers will be calculated according to Ordinance No. 002 (Section 3.02) by VVWRA and will be based on wastewater quantity and strength contained in the application for permit for industrial wastewater discharge and other pertinent data. VVWRA Ordinance No. 001 defines which dischargers are industrial and provides instructions for completing the application for industrial discharge. The connection fee for each capacity unit (CU) for an industrial discharger is \$1,435.

For purposes of this Ordinance, the following types of facilities shall be considered industrial dischargers:

1. Bakeries are considered to be classified as industrial waste dischargers.
2. Commercial facilities with garbage grinders of 2 hp or greater may be

considered to be classified as industrial waste dischargers.

3. Laundries are considered to be classified as industrial waste dischargers.
4. Facilities with servicebay or garage facilities that have floor drains in the work area are considered to be classified as industrial waste dischargers.
5. Facilities with swimming pools open to general public use are considered to be classified as industrial waste dischargers, if the swimming pool, filters, or associated equipment have floor drains in the work area or connections to the sewer system.
6. Hospitals are considered to be classified as industrial waste dischargers.
7. Prisons are considered to be classified as industrial dischargers.

B. EXISTING UNITS

1. SUPPLEMENTAL FEES

a. Supplemental fees shall be collected for modifications that result in the addition of fixture units to all structures and units connected to the sewer system. The fee shall be based only on the actual number of fixtures added using the appropriate fixture unit tables.

b. Exemptions to Supplemental Fees:

1. Additions to residential units that previously paid for their connections on a flat fee-EDU basis (as opposed to a total fixture unit basis)

2. Additions to residential units that connect as exempt properties developed as of July 1, 1982 (See Section 11.2 of VVWRA Ordinance No. 80-19)

2. FIXTURE UNIT TABLE

For purposes of determining the fixture unit count applicable to any development under this Ordinance, the "Table of Equivalent Fixture Units" most recently adopted by VVWRA shall be utilized.

TABLE II
CONNECTION FEE SCHEDULE
EQUIVALENT FIXTURE UNITS

<u>FIXTURE TYPE</u>	<u>NUMBER OF FIXTURE UNITS</u>		
	<u>Residential Use</u>	<u>Public Use</u>	
Floor Drain (for emergency overflows)	1	1	
Floor Drain	2	4	
Bar Sink	1	2	
Bathtub			
(with or without shower over)**	2	4	
Dental unit or cuspidor	*	1	
Drinking Fountain (each head)	*	1	
Recreational Vehicle (RV) dump station	4	20	
Recreational Vehicle (RV) spaces	8	8	
Laundry Tub or Clotheswasher**			
(each pair of faucets)	2	4	
Lavatory (bathroom) - Dual Basins**		2	4
Lavatory (bathroom)-Single basin**	1	2	
Lavatory (dental)	1	1	
Shower Stall (only if separate from bathtub)(per set of faucets)	2	4	
Sink (kitchen/utility) ***	2	4	
Dishwasher**	2	4	
Sink (flushing rim, clinic)	*	10	
Sink (washup, each set of faucets)	*	3	
Sink (washup, circular spray)	*	4	
Urinal (pedestal or similar step on type)	*	10	
Urinal (flush tank - old style)	*	3	
Urinal (wall)	2	5	
Water Closet (flush tank - home style)**	4	6	
Water Closet (flushometer - automatic valve)	6	10	

Notes: *Non-residential use
 **Typical residential fixtures use
 ***Kitchen sink including garbage disposal

TABLE III
CONNECTION FEE SCHEDULE
COMMERCIAL FACILITY FEES

<u>Category</u>	<u>Unit</u>	<u>Fee</u>
Prison	Per Bed	\$ 52.56
Restaurant	Per Seat	23.65
Cocktail Bar	Per Seat	9.46
Hospital	Per Bed	118.27
Laundromat	Per Machine	105.13
Day Care Center	Per Child	10.51
Convalescent Care Center	Per Bed	26.28

The Victor Valley Wastewater Reclamation Authority may require the owner to submit plans and other information as may be needed to determine the charge.

TABLE IV
CONNECTION FEE SCHEDULE
COST OF EXPANSION

For support purposes, the rate schedules contained in this Ordinance are based upon the findings of the Victor Valley Wastewater Reclamation Authority Capital Improvement Fund and Connection Fee Review, which was completed by So & Associates Engineers in June 2001 ("Connection Fee Study"). The Connection Fee Study and its findings and recommendations were approved by the Board of Commissioners on July 25, 2001.

TABLE V
CONNECTION FEE SCHEDULE
EDU CREDIT PROGRAM

Resolution No. 85-4 of the VVWRA entitled "Resolution of the Victor Valley Wastewater Reclamation Authority Establishing Policy Guidelines for a Limited Term 'EDU Credit' Program," and the formulas for the EDU Credit Program entitled "VVWRA Deferred Payment Sewer Financing Approach Requirements and Procedures to Determine 'Credit' Amount," dated May 30, 1985, all as previously adopted by the VVWRA, are incorporated herein by this reference and, in conjunction with any contracts executed for that purpose, shall govern those situations wherein a project is approved for inclusion in the EDU Credit Program.

EXHIBIT "B" - ORDINANCE NO. 002C

TABLE I OF ORDINANCE NO. 002

(EFFECTIVE JULY 1, 2003)

[ATTACHED BEHIND THIS PAGE]

TABLE I
CONNECTION FEE SCHEDULE
CONNECTION TYPES AND DEFINITIONS

A. NEW UNITS

1. RESIDENTIAL

All dwelling units shall be charged on a total fixture unit (F.U.) basis. The fee for each fixture unit is \$75.00. A typical single family home will have twenty (20) fixture units, which is considered to be one equivalent dwelling unit (EDU). The connection fee for one EDU is \$1,500.

For single family homes, mobile homes, multiple family dwellings (apartments), condominiums, motels/hotels (rooms only), or any other form of residential property, the residential column of Table II shall be used for determining fixture units. In the case of jointly used facilities (such as laundry rooms, cabanas, clubhouses, etc.) for serving more than one residential unit, these additional fixture units shall be determined using the public use column of Table II.

2. COMMERCIAL

Each commercial building, office, store, motel/hotels (restaurant and service facilities) or separately owned or operated commercial space, or like structure, or any other similar structure or use, with a separate service connection, shall be billed on a fixture unit basis with each fixture unit charged at \$75.00. The public use column of Table II shall be used for determining the number of fixture units. In addition, sewerage facility fees shall also be collected for those categories listed in Table III.

3. INDUSTRIAL

Connection fees for industrial dischargers will be calculated according to Ordinance No. 002 (Section 3.02) by VVWRA and will be based on wastewater quantity and strength contained in the application for permit for industrial wastewater discharge and other pertinent data. VVWRA Ordinance No. 001 defines which dischargers are industrial and provides instructions for completing the application for industrial discharge. The connection fee for each capacity unit (CU) for an industrial discharger is \$1,500.

For purposes of this Ordinance, the following types of facilities shall be considered industrial dischargers:

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considered to be classified as industrial waste dischargers.

3. Laundries are considered to be classified as industrial waste dischargers.
4. Facilities with servicebay or garage facilities that have floor drains in the work area are considered to be classified as industrial waste dischargers.
5. Facilities with swimming pools open to general public use are considered to be classified as industrial waste dischargers, if the swimming pool, filters, or associated equipment have floor drains in the work area or connections to the sewer system.
6. Hospitals are considered to be classified as industrial waste dischargers.
7. Prisons are considered to be classified as industrial dischargers.

B. EXISTING UNITS

1. SUPPLEMENTAL FEES

a. Supplemental fees shall be collected for modifications that result in the addition of fixture units to all structures and units connected to the sewer system. The fee shall be based only on the actual number of fixtures added using the appropriate fixture unit tables.

b. Exemptions to Supplemental Fees:

1. Additions to residential units that previously paid for their connections on a flat fee-EDU basis (as opposed to a total fixture unit basis)

2. Additions to residential units that connect as exempt properties developed as of July 1, 1982 (See Section 11.2 of VVWRA Ordinance No. 80-19)

2. FIXTURE UNIT TABLE

For purposes of determining the fixture unit count applicable to any development under this Ordinance, the "Table of Equivalent Fixture Units" most recently adopted by VVWRA shall be utilized.

EXHIBIT "C" - ORDINANCE NO. 002C

TABLE III OF ORDINANCE NO. 002

(EFFECTIVE JULY 1, 2003)

[ATTACHED BEHIND THIS PAGE]

TABLE III
CONNECTION FEE SCHEDULE
COMMERCIAL FACILITY FEES

<u>Category</u>	<u>Unit</u>	<u>Fee</u>
Prison	Per Bed	\$ 54.94
Restaurant	Per Seat	24.72
Cocktail Bar	Per Seat	9.89
Hospital	Per Bed	123.63
Laundromat	Per Machine	109.89
Day Care Center	Per Child	10.99
Convalescent Care Center	Per Bed	27.47

The Victor Valley Wastewater Reclamation Authority may require the owner to submit plans and other information as may be needed to determine the charge.

VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY

**NOTICE OF PUBLIC HEARING AND
ADOPTION OF ORDINANCE NO. 002C**

PUBLIC NOTICE IS HEREBY GIVEN that the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority will conduct a public hearing in the Administration Building Conference Room, 20111 Shay Road, Victorville, CA 92394, on Tuesday, July 23, 2002, at 8:30 a.m. or thereafter upon the following:

The adoption of Ordinance No. 002C of the Victor Valley Wastewater Reclamation Authority (VWVRA) to address residential recreational vehicle (RV) dump stations, and to correct a typographical error related to the commercial fixture unit cost applicable from July 1, 2002, to July 1, 2003.

This will be a public hearing and you are invited to attend and comment on the proposed action described above. If you challenge any action related to this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered at, or prior to, the public hearing. If you have written comments that you wish to submit, please deliver them to Daniel P. Gallagher, VWVRA General Manager, 20111 Shay Road, Victorville, CA 92394, on or before the date of the public hearing. If you have questions about this notice or the proposal, please call Daniel P. Gallagher, VWVRA General Manager at (760) 246-8638. Documentation supporting the proposed fees and charges will be available for public review, at least ten days prior to the public hearing, at the Victor Valley Wastewater Reclamation Authority, 20111 Shay Road, Victorville, CA 92394.