

1 [SEWER SERVICE CHARGE.]

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3 **Ordinance adopting and imposing schedules of sewer service charges to be paid by**
4 **users for fiscal year 2002-2003 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the**
5 **San Francisco Municipal Code (Public Works Code).**

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Be it ordained by the People of the City and County of San Francisco:

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8 Section 1. In order to qualify for federal and state grant assistance and in accordance
9 with the provisions of Board of Supervisors Resolution No. 656-92, adopted August 4, 1992,
10 as amended, providing for the issuance of sewer revenue bonds, the City and County must
11 establish sewer service charges that will provide sufficient revenue to meet the cost of
12 operation and maintenance, replacement of equipment and structures, and debt service of the
13 sewerage system. The General Manager of Utilities has prepared a report titled " Report on
14 Sewer Rates for Fiscal Year 2002-2003 (on file with the Clerk of the Board of Supervisors in
15 File No. _____) explaining the method of deriving such charges. The Mayor and
16 the General Manager of Utilities recommend, with the concurrence of the Controller,
17 schedules of the sewer service charges to be paid by users pursuant to Part II, Chapter X,
18 Article 4.2 of the San Francisco Municipal Code (Public Works Code).

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20 Section 2. Federal laws that require each sewer system discharger to pay charges
21 proportionately to his or her use of the system provide an exception to this requirement that
22 would allow the City to charge reduced rates for residences designated as low income. The
23 Board of Supervisors desires to provide reduced sewer service charge rates for boarding
24 houses, motels and hotels that are participating in the Modified Payments Program as
25 certified and operated by the Department of Human Services for the benefit of low income
general assistance recipients and homeless persons.

1 Section 3. The Certificate of Determination of Exemption/Exclusion From
2 Environmental Review on file in Board of Supervisors File No. _____ states that
3 the adoption of the sewer service charge schedules, as stated herein, is exempt from
4 environmental review requirements in accordance with California Public Resources Code
5 Section 21080(b)(8).

6 Section 4. All income related to the Clean Water Public Service Enterprise Fund,
7 including, but not limited to, investment income on sewer service charge collections, Water
8 Quality Improvements Trust Fund balances and unexpended balances of proceeds resulting
9 from the issuance of general obligation and revenue bonds, shall be credited on a quarterly
10 basis to the Clean Water Public Service Enterprise Fund. All monies remaining in the Clean
11 Water Public Service Enterprise Fund at the end of each fiscal year shall be set aside in a
12 fund entitled Surplus Revenue Fund and shall be used to reduce the requirements of the
13 sewer service charge during the next succeeding year.

14 Section 5. The following schedules of sewer service charges to be paid by all
15 dischargers to San Francisco's sewerage system are hereby adopted and imposed pursuant
16 to Part II, Chapter X, Article 4.2 of the San Francisco Municipal Code (Public Works Code):

17 SCHEDULE A. This schedule shall apply to users connected to an individual or a
18 common water meter whose sewage discharge contains more than fifty percent (50%)
19 wastewater originating from the result of human habitation in dwelling units, defined herein to
20 be a room or suite of two (2) or more rooms that is designed for, or is occupied by, one (1)
21 family doing its own cooking therein and having only one (1) kitchen; or provided, however,
22 that dwelling unit shall not include a boarding house, motel or hotel as defined in the City
23 Planning Code. The rates under this schedule are based upon the typical strengths
24 (parameter loadings) of residential wastewater as determined by the General Manager of
25 Utilities and upon the parameter costs as follows:

<u>Parameter</u>	<u>Unit Cost</u>
Volume of wastewater discharged	\$3.9171 per 100 cubic feet (1 unit)
<u>PLUS</u>	
Suspended Solids discharged	\$0.4311 per lb.
<u>PLUS</u>	
Grease/Oil discharged	\$0.5940 per lb.
<u>PLUS</u>	
Chemical oxygen demand discharged	\$0.0909 per lb.

Based upon the above parameters and unit costs, all residential users who have not had their flow factor percentage (percentage of water consumption discharged to the sewer) reduced as a result of the Residential Users Appeals Procedure shall be charged on the basis of water consumption in accordance with the schedule of rates which includes a flow factor of ninety percent (90%), as follows:

LIFELINE RATE	The first 300 cubic feet of water consumption per residential dwelling unit per month shall be charged at the lifeline rate of
EXCESS OF LIFELINE RATE	\$1.8623 per 100 cubic feet of water consumption.
	All water consumption in excess of 300 cubic feet per residential dwelling unit per month shall be charged at the rate of \$4.8334 per 100 cubic feet of water consumption.

Residential users whose flow factor percentages have been reduced as result of the Residential Users Appeals Procedure shall be charged on the basis of water consumption in

1 accordance with the above unit rates, except that the flow factor shall be that determined by
2 the appeals procedure instead of ninety percent (90%).

3 SCHEDULE B. Users, other those users charged under Schedule A of this ordinance,
4 whose parameter loadings are established by the General Manager of Utilities in accordance
5 with the provisions of Part II, Chapter X, Articles 4.1 and 4.2, of the San Francisco Municipal
6 Code (Public Works Code) shall be charged the cost for each parameter according to the
7 following:

<u>Parameter</u>	<u>Unit Cost</u>
10 Volume of wastewater discharged 11 determined in accordance with Part II, 12 Chapter X, Articles 4.1 and 4.2 of the San 13 Francisco Municipal Code (Public Works 14 Code)	\$4.1054 per cubic feet (1 unit)
15 <u>PLUS</u>	
17 Suspended Solids discharged	\$0.5537 per lb.
19 <u>PLUS</u>	
21 Grease/Oil discharged	\$0.7512 per lb.
23 <u>PLUS</u>	
24 Chemical oxygen demand discharged	\$0.1113 per lb.

1 Those users who are charged under Schedule B of this ordinance and who are
2 determined by the General Manager of Utilities as being engaged in manufacturing, as
3 defined by Division D of the Standard Industrial Classifications published by the Office of the
4 President of the United States Office of Management and Budget (1972), shall be charged for
5 wet weather debt service at such unit costs as are determined by the General Manager of
6 Utilities on the basis of such user's sanitary waste, excluding any sewer discharge resulting
7 from a manufacturing process, in accordance with such procedures for application and
8 determination as established by the General Manager of Utilities.

9 SCHEDULE C. Users, other than those users charged under Schedule A of this
10 ordinance and whose parameter loadings are not established by the General Manager of
11 Utilities in accordance with Schedule B of this ordinance, shall be charged at the rate of
12 \$5.3483 per 100 cubic feet of water consumption. The rate under this schedule is based on
13 the a ninety percent (90%) flow factor and parameter loadings and parameter costs as
14 follows:

<u>Parameter</u>	<u>Unit Cost</u>
18 Volume of wastewater discharged	\$4.1054 per 100 cubic feet (1 unit)
20 <u>PLUS</u>	
22 Suspended Solids discharged	\$0.5537 per lb.
24 <u>PLUS</u>	
25	

1 Grease/Oil discharged \$0.7512 per lb.

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3 PLUS

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5 Chemical oxygen demand discharged \$0.1113 per lb.

6 Section 6. For purposes of calculating and imposing sewer service charges in
7 accordance with Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code
8 (Public Works Code), sewer service rates set forth in Schedule B and in Schedule C
9 applicable to water consumption for each certified tenant unit, as calculated by the General
10 Manager of Utilities, in boarding houses, motels and hotels that are participating in the
11 Modified Payments Program certified and operated by the Department of Human Services for
12 the benefit of homeless and low income general assistance recipients shall be reduced by a
13 factor of fifty percent (50%).

14 Section 7. The sewer service charge schedules set forth in this ordinance will not
15 apply to special agreements executed by the City and a discharger; provided that such
16 agreements may be negotiated only when justified by special circumstances not generally
17 applicable to other discharges, that such agreements shall provide schedules of sewer service
18 charges and other terms and conditions that may be required as the result of any outstanding
19 bonded indebtedness or loan agreements and the requirements of local, state and federal
20 laws and regulations, and that such agreements shall be approved by the Board of
21 Supervisors.

22 Section 8. If any section, subsection, subdivision, paragraph, sentence, clause or
23 phrase of this ordinance or any part hereof, is for any reason held to be unconstitutional or
24 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
25 validity or effectiveness of the remaining portions of this ordinance or any part hereof. The

1 Board of Supervisors hereby declares that it would have passed each section, subsection,
2 subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any
3 one or more section, subsections, subdivisions, paragraphs, sentences, clauses or phrases
4 be declared unconstitutional or invalid or ineffective.

5 Section 9. This ordinance shall take effect immediately upon adoption by the Board of
6 Supervisors and signature by the Mayor. The rates adopted pursuant to this ordinance shall
7 be used in conjunction with meter readings made on or after July 1, 2002, or as soon
8 thereafter as possible, and shall remain in effect until repealed, modified or superceded.

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Recommended:
By: _____
Willie L. Brown, Jr.
Mayor

By: _____
Patricia Martel
General Manager of Utilities
Public Utilities Commission

Concurred:
By: _____
Edward Harrington
Controller

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
John Roddy
Deputy City Attorney