

**ORDINANCE NO. 146**

**AN ORDINANCE OF THE BOARD OF DIRECTORS  
OF THE LEUCADIA WASTEWATER DISTRICT  
INCREASING THE DISTRICT'S WASTEWATER CAPACITY FEE**

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**WHEREAS**, Leucadia Wastewater District (LWD) is a county water district that operates as a special district in accordance with Government Code Section 56036; and,

**WHEREAS**, LWD charges a capacity fee that is based on equivalent dwelling unit (EDU) Factors for various Wastewater Use Categories;

**WHEREAS**, the current LWD Wastewater capacity fee (Capacity Fee) was set by Ordinance No. 143 at \$5,089 per EDU; and,

**WHEREAS**, LWD maintains a long-range financial plan that includes a capacity fee study to guide its finances over the next 20 years; and,

**WHEREAS**, the 2023 Wastewater Capacity Fee Study finds that an increase in the wastewater capacity fee is appropriate for the funding of the LWD's Capital Improvement Program attributable to buy-in for which the Capacity Fee is charged; and

**WHEREAS**, the LWD Board of Directors has determined that a capacity fee increase is appropriate; and,

**WHEREAS**, a copy of the 2023 Wastewater Capacity Fee Study is available for public review at the LWD Administration Office; and

**WHEREAS**, a public hearing to consider the increase in capacity fee was duly noticed and held in accordance with Government Code Section 66016 on the date hereof,

**NOW, THEREFORE, BE IT ORDAINED:**

1. The LWD Wastewater Capacity Fee shall be increased from \$5,089 per Equivalent Dwelling Unit (EDU) to \$6,240 per EDU for the privilege of capacity in LWD's wastewater system.
2. That the capacity fee charges shall be assessed in accordance with the EDU Factors previously established by LWD and incorporated herein as "Exhibit A".
3. That the provisions of this ordinance shall be effective immediately after its adoption, and thereafter, Ordinance No. 143 shall be void and of no further force and effect.

**PASSED AND ADOPTED** this 14th day of June 2023, by the following vote:

**AYES:** Sullivan, Saldana, Omsted

**NOES:** Roesink

**ABSENT:** Hanson

**ABSTAIN:** None.



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Elaine Sullivan  
President

**ATTEST:**



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Paul J. Bushee  
Board Secretary

**EXHIBIT A  
 LEUCADIA WASTEWATER DISTRICT  
 EDU FACTORS CAPACITY FEE SCHEDULE**

| WASTEWATER USE CATEGORIES   |  |             |
|---|--|-------------|
| NO.   | DESCRIPTION  | EDU FACTORS |
| 1   | <u>Single-Family Residence</u>   | 1.0         |
| 2   | <u>Accessory Dwelling Unit &amp; Junior Accessory Dwelling Unit</u>  |             |
| a   | 500 square feet or smaller (small)   | 0.25        |
| b   | 501-1000 square feet (medium)  | 0.50        |
| c   | 1,001 square feet or larger (large)  | 0.75        |
| Capacity Fees do not apply to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) that are exempt from such fees under State Law (generally new units contained within the existing space of a single-family residence or accessory structure). Sewer Service Fees still apply, and they are determined by the applicable EDU Factor for the ADU and JADU. Only JADUs with an individual kitchen and bathroom will be independently assessed an EDU factor. JADUs that do not have independent kitchen and bath facilities will be covered by the EDU already assessed to the primary property. |  |             |
| 3   | <u>Multiple Dwelling</u> (apartments, duplexes, condominiums and townhouses)<br>Each living unit   | 1.0         |
| 4   | <u>Mobile Home or Trailer Park</u><br>Each mobile home or trailer space  | 1.0         |
| 5   | <u>Motel or Hotel</u>  |             |
| a   | Each unit without a kitchen  | 0.33        |
| b   | Each unit with a kitchen   | 0.55        |
| 6   | <u>Medical Care or Elder Care</u> (hospitals, skilled nursing homes, convalescent homes, retirement homes, assisted living homes and similar facilities)<br><br>Each plumbed facility must have a 1.0 EDU minimum. If the EDU calculation below is less than 1.0, the base minimum of 1.0 will apply | 1.0 min.    |
| a   | Multiple dwellings without individual kitchen & with on-site community eating facilities, per individual bed   | 0.4         |
| b   | Multiple dwellings with individual kitchen and on-site community eating facilities, per living unit  | 0.8         |
| c   | Multiple dwellings with individual kitchen and no on-site community eating facility, per living unit   | 1.0         |
| d   | Single dwellings with individual kitchen regardless of community facilities, per living unit   | 1.0         |

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| 7  | <u>Churches, Theaters, and Auditoriums</u><br>Each unit of 115 persons or fraction thereof  | 1.0               |
| 8  | <u>Schools</u>  |                   |
| a  | Each Elementary School per 60 pupils or fraction thereof  | 1.0               |
| b  | Each Junior High School per 50 pupils or fraction thereof   | 1.0               |
| c  | Each High School per 30 pupils or fraction thereof  | 1.0               |
| d  | Each Trade, Vocational, University or College per 30 pupils or fraction thereof   | 1.0               |
| 9  | <u>Laundries - Self Service</u><br>Per each washer  | 0.75              |
| 10 | <u>Food Services Establishments</u>   |                   |
| a  | <i>Limited Food Preparation Establishments.</i> Facilities that only engage in the reheating, hot-holding or assembly of ready to eat products and the incidental sale of beverages.<br><br>See "Other Commercial or Industrial Users"  | (See Category 15) |
| b  | <i>Low Food Preparation Establishments.</i> Facilities that prepare food, but have equipment and/or uses deemed to have a low risk of FOG <sup>1</sup> , BOD <sup>2</sup> or TSS <sup>3</sup> discharge (microwave, toaster, toaster oven, bread oven, combi-oven, steamers, freezers for serving frozen products, and other similar equipment) <sup>4</sup> . Includes facilities for which the preparation and sale of specialized beverages, such as coffees and smoothies, is an incidental part of the business.<br><br>Minimum allows for up to 14 seats with multi-use utensils or up to 30 seats with single-use utensils     | 2.0 min.          |
| 1) | Additional for each unit of 7 seats or portion thereof with multi-use utensils that exceeds minimum seating   | 1.0               |
| 2) | Additional for each unit of 15 seats or portion thereof with single-use utensils that exceeds minimum seating   | 1.0               |
| c  | <i>High Food Preparation Establishments.</i> Facilities that prepare food and have equipment and/or uses deemed to have a high risk of FOG <sup>1</sup> , BOD <sup>2</sup> or TSS <sup>3</sup> discharge (char-broiler, griddle, grill, stove (range), oven (range), deep fryer, kettle, rotisserie, smoker, tilt skillet, pizza oven and other similar equipment) <sup>4</sup> . Includes facilities for which the preparation and sale of specialized beverages, such as coffees, is the primary focus of the business.<br><br>Minimum allows for up to 21 seats with multi-use utensils or up to 45 seats with single-use utensils | 3.0 min.          |
| 1) | Additional for each unit of 7 seats or portion thereof with multi-use utensils that exceeds minimum seating   | 1.0               |
| 2) | Additional for each unit of 15 seats or portion thereof with single-use utensils that exceeds minimum seating   | 1.0               |

1 Fats, Oils, and Grease

2 Biochemical Oxygen Demand, 5 day

3 Total Suspended Solids

4 The type of equipment alone is not dispositive. A final determination regarding a facility's classification is made after considering its specific equipment and use characteristics.

|  |  |                   |
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| 11   | <u>Commercial Facilities With Food Preparation</u>   |                   |
| a  | For Food Preparation Area, See "Food Services Establishments"  | (See Category 10) |
| b  | For Commercial Area, See "Other Commercial or Industrial Users"  | (See Category 15) |
| 12   | <u>Ballrooms, Banquet Facilities and Convention Facilities</u><br>Per block of 40 seats  | 1.0               |
| 13   | <u>Automobile Service Stations</u>   |                   |
| a  | Not more than four (4) gasoline pumps  | 2.0               |
| b  | More than four (4) gasoline pumps  | 3.0               |
| c  | Additional for each washing rack, pit or floor drain (Drains subject to collecting toxic, hazardous, or potentially explosive waste are not allowed to be connected to sewer)  | 2.0               |
| d  | Car washes shall be individually evaluated by LWD District Engineer based on peak net discharge rate of specific equipment to be used with internal water recycling required   | (Per Review)      |
| 14   | <u>Banks and Savings and Loan Associations</u><br>Each 3,000 square feet or portion thereof  | 1.0               |
| 15   | <u>Other Commercial or Industrial Users</u>  |                   |
| a  | Up to 1,000 square feet  | 1.0               |
| b  | Plus for each additional 1,000 square feet or portion thereof up to 5,000 square feet  | 0.6               |
| c  | Plus for each additional 1,000 square feet or portion thereof over 5,000 square feet   | 0.4               |
| d  | The Capacity Fees for establishments with unusual sewer characteristics or for any commercial use not described in the categories above shall be fixed by the Board of Directors by motion, resolution, or ordinance when each specific application is submitted | (Per Case)        |
| <p>At any time the District may review the current standards of practice of any commercial or industrial customer with regard to sewer use during the previous year. If such use is not within the limits of the previous classification, the service may be reclassified accordingly and any additional capacity charges shall become due and payable immediately on request.</p> |  |                   |