

ORDINANCE NO. 882 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING SECTIONS 14.04.020 ~~AND 14.16.020~~* OF THE CITY OF EL PASO DE
ROBLES MUNICIPAL CODE TO ADJUST WATER USER FEES

* Clerical error in title identified & corrected 1/6/05

WHEREAS, the City Council has approved participation in the Nacimiento Water Project to help assure a high quality and continuous supply of water to its citizens; and

WHEREAS, as the Nacimiento Water Project will, based upon current construction costs, result in a new reoccurring annual cost of \$4.8 million; and

WHEREAS, the City Council proposes to collect said annual cost from a combination of user and impact fees; and

WHEREAS, it has been determined that it is necessary to raise water user fees by \$36.00 per month; and

WHEREAS, in order to mitigate the impact upon the City’s water customers, the City Council desires to raise monthly rates by \$6.00 every July 1st beginning 2005 and continuing through 2010.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES ORDAIN AS FOLLOWS:

SECTION 1. Subdivision C of Section 14.04.020 of the Paso Robles Municipal Code is hereby amended to read as follows:

“C. FEES—WATER USAGE RATES. The monthly rates to be charged and collected by the water department for all water consumption including private fire lines, bulk water delivery or fire hydrant usage from every person, school, firm or corporation shall be charged at rates established by ordinance of the City Council. Other than as expressly set forth herein, such water usage rates may only be established or amended by a two-thirds vote of the city council in favor of such establishment or amendment of water usage rates.

Effective July 1, 2005, the base water usage fee in place at the time shall be increased by \$12.00 for up to 2,000 cubic feet of water per customer for each two-month billing period (\$6.00 per month) and shall be further adjusted every July 1st thereafter through July 1, 2010 by an additional \$12.00 for up to 2,000 cubic feet of water per customer for each two-month billing period (\$6.00 per month).

Unless otherwise specifically adjusted by subsequent action of the City Council or by the annual inflationary adjustment provided for below, the variable consumption rate shall remain unchanged at \$0.96 per 100 cubic feet.

The base water usage fee and variable consumption rate established in this section shall be modified annually by the increase in the Consumer Price Index for the San Francisco-Oakland-San Jose Region as reported by the Bureau of Labor Statistics for the year ending April of each year and shall be applied to all billing statements calculated, generated and distributed beginning July 1st of each fiscal year.

The water usage fees shall further be reviewed no less than bi-annually in conjunction with the update of the City's budget to ensure that the sewer and water connection fees then in existence do not exceed the costs of providing water service within the City.”

SECTION 3. Severability

If any action, subsection, sentence, clause or phrase of this ordinance is, for any reason, held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Introduced at a regular meeting of the City Council held on August 3, 2004, and passed and adopted by the City Council of the City of El Paso de Robles on the 17th day of August 2004 by the following vote:

AYES: Finigan, Heggarty, Nemeth, Picanco, and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk