

## CHAPTER 6

### AN ORDINANCE ESTABLISHING SEWER CONNECTION POLICY

ARTICLE I. PURPOSE. It is the policy of the District to assure adequate collection and treatment facilities to provide sanitary services to all residents within the District and to provide that degree of treatment which is necessary to meet the effluent specifications established by the California State Water Quality Control Board; and

It is implicit within this policy that the Board not allow additional load to be connected, if capacity does not exist, until the earliest date that additional capacity can be added; and

Therefore, the Board establishes the following rules, among others, for assuring that this policy is maintained and that the public is duly informed.

Section 101. The District shall maintain a record of the time-dependent capacity of the treatment plant, including predictions of future capacity that are likely to be achieved as a result of improvements authorized and/or contemplated by the Board.

Section 102. The District shall also maintain a record of the time-dependent flow to be processed, including both the historical records and a prediction of future flow rates based upon future addition of new connections both already authorized and contemplated.

Section 103. Approval of new connections by the Board will be made only after the Board has affirmatively determined that adequate line and plant capacity exists, or will exist at the time the flow is expected to start, reflecting the other additions already approved by the Board, but not yet resulting in flow, and reflecting improvements and increased capacity which will reasonably occur by that same time to the extent that they have already been authorized by the Board and tentatively approved by the Regional Water Quality Control Board. The Board will also consider any other legal requirements regarding service. For an existing connection the Board will employ the same analysis discussed above but will only review line and plant capacity for an existing connection when an applicant proposes to add an additional 20 PFUs or more.

Section 104. The Capital Facilities Charges assessed for a development shall be based on the uses identified in the planning approvals of the County of Marin or the City of San Rafael. An applicant for Allocation of Line and Plant Capacity and Determination of the appropriate Sewer Connection Fee must submit copies of approved site plans or development plans that clearly identify the intended uses within the buildings and demonstrate the proposed plumbing fixture unit and type and number to allow the District to perform the calculation to determine the Sewer Connection Fee.

Section 105. Any applicant shall pay an application fee of \$500 for a new connection or \$250 to request additional capacity for an existing connection. An applicant will be charged on a time and materials basis for all staff time spent reviewing an application. If the District Engineer determines that an outside consultant is required to assist in reviewing an application, the applicant will pay the District the consultant's estimated fee prior to any review. In any event at the time the District grants line and plant capacity the applicant shall pay all time and materials charges in addition to any Sewer Connection Fee. The applicant shall have no legal rights to line and plant capacity until all fees and charges have been paid. Any Sewer Connection Fee paid remains sufficient to grant line and plant capacity as long as the original entitlements or permits which formed the basis for any calculations remain valid. No paid Sewer Connection Fee shall be refunded nor transferred to another property.