

ELK COUNTY WATER DISTRICT

# Ordinance #2003-02

Adopted December 3, 2003

## Rate/Cost Distribution Ordinance

**Whereas:** Under provisions of Division 12 of the Water Code of the State of California (known as County Water District Law), the ELK COUNTY WATER DISTRICT has the authority to fix and collect rates for water and related services in the District; and

**Whereas:** Prior ordinances and resolutions dealing with rates and fees have been approved by the Board of Directors of the District; and

**Whereas:** With the assistance of a professional engineer, and in accordance with California proposition 218, the District has developed the following rate and fee structure for the distribution and sale of water; and

**Whereas:** With the adoption of this ordinance, all previous rate related ordinances and resolutions shall be null and void;

**Therefore: Be it ORDAINED** by the Board of Directors of the ELK COUNTY WATER DISTRICT as follows:

### 1.01 Residential Unit Equivalents (RUE)

The following Residential Unit Equivalents (RUE) apply to the District:

Each Residential Unit	1.00	RUE
Visitor Serving Facility with kitchen	1.25	RUE
Mobile Home/Trailer with kitchen	0.95	(temp connection to existing metered service - 1 year max)
Visitor Serving Facility with no kitchen	1.05	RUE
Trailer hookup/no kitchen	0.70	(temp connection to existing metered service - 1 year max)
Restaurant	0.13	RUE per seat
Bar	0.10	RUE per seat
Community Center,		
Churches	1.00	RUE
Public School	4.00	RUE
Other &		
Commercial	1.05	RUE
Minimum per service connection	1.00	RUE
Surplus bulk water sales	3.00	Times RUE rate per gallon or market rate (whichever is higher)
Contractor temporary connections	3.00	times RUE rate per gallon (plus meter charge & monthly fee)
Fire suppression charges	0.00	no charge for usage by public Fire Agencies

## 1.02 Connection Fee

In 2001 Brelje and Race recommended a \$3,100 hook-up fee per RUE. This figure shall be adjusted each year for inflation. The San Francisco bay area construction price index which is published annually shall be used to determine the annual adjustment amount (percentage) to be charged to customers.

Increases to existing services shall be assessed in the same manner as new services with an RUE determination. The additional hookup fee would be the difference between the new and the previous RUE's multiplied by the current hookup fee per RUE. In lieu of a single payment of this additional hook-up charge for existing customers who are expanding their RUE classification, a pro-rated charge may be assessed each month by the District until the full additional hook-up charge has been paid. The pro-rata amount shall be charged at the same rate as the existing replacement charge amount per RUE.


Applications for a new service or service modifications that may have a significant impact on the Elk County Water District water system shall be reviewed by the District's engineer and a deposit shall be required from the applicant to cover all estimated costs. The applicant shall be responsible for all costs. The amount of the deposit shall be based upon the estimated cost of the engineering review. Actual costs less than the deposit will be refunded and costs greater than the deposit shall be billed to and paid by the applicant.

RUE charges begin when the requested service connection meter is installed. Unpaid water charges will cause loss of connection to the District water system if unpaid for more than two months. Reinstatement of connection can only occur following the payment of all unpaid monthly bills from the date of the first unpaid bill to the present (plus interest), or by paying for a new connection fee at the then current rate (whichever is less).

Passed and adopted, this 3rd day of December, 2003, at Elk, California,

by a duly taken vote of 4 in favor, and 0 opposed, and 0 abstentions.

  
President, Board of Directors

  
Attest, Secretary to the Board of Directors

**ELK COUNTY WATER DISTRICT**

**Amendment to  
Ordinance # 2003-02**

**Adopted April 7, 2004**

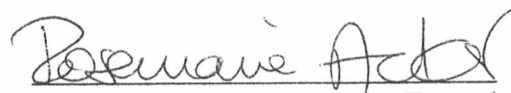
**Rate/Cost Distribution Ordinance**

**Under Section 1.02 Connection Fee - 2<sup>nd</sup> paragraph - the last sentence shall read as follows:**

The pro-rata period will be established by the Board of Directors, and is not to exceed 60 months. Failure to pay the monthly pro-rata fee by the end of the month shall cause the entire balance to become due.

Passed and adopted, this 7<sup>th</sup> day of April, 2004, at Elk, California,  
by a duly taken vote of 4 in favor, and 0 opposed, and 0 abstentions.

  
\_\_\_\_\_  
President, Board of Directors

  
\_\_\_\_\_  
attested: Secretary to the Board



# Ordinance #2010-01

introduced September 2, 2009  
approved November 4, 2009  
amended June 9, 2010

## Rate/Cost Distribution Plan - AMENDED

**WHEREAS**, the ELK COUNTY WATER DISTRICT (the "District") is legally responsible for the operation of the public water system in the community of Elk; and

**WHEREAS**, the District establishes and maintains fiscally responsible rate-payer charges and fees; and

**WHEREAS**, from time to time the District appropriately reviews these rate-payer charges and fees for any needed adjustments; and

**WHEREAS**, during such a review, the District has determined that changes are needed to properly share the cost of infrastructure replacements and improvements (wells, tanks, pipes, pumps, meters, buildings and other water system appurtenances) among all owners of paid connections; thus,

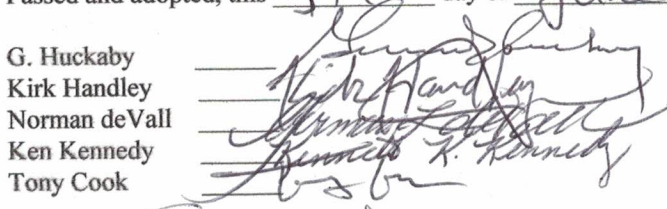
**THEREFORE**, be it ordained as follows:

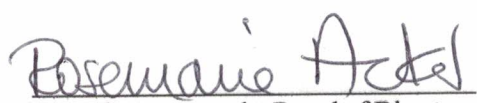
With the adoption of this ordinance each owner of a paid connection fee (duly paid and collected by the District) shall henceforth be charged the monthly recurring fee associated with the replacement and improvement of existing District infrastructure. This new charge shall begin subsequent to the adoption of this ordinance and as directed by the Board of Directors of the District but not sooner than 30 days after appropriate public notice via postings and direct mailings to all owners of paid connection fees through the United States Postal Service has occurred. This revision will only affect those owners of paid connections who have yet to either (1) connect to the system and become active ratepayers, or (2) re-activate their service(s) following disconnection from the District's supply system. Customers who have fully disconnected from the system and want to keep their right to re-activate their connection will be charged a fee equal to the current replacement charge multiplied by the number of months disconnected or a full connection charge whichever is less.

If these infrastructure replacement and improvement charges are not paid as required above, future service will not be provided by the District unless and until a new full connection fee is paid (and subject to the availability of water) or the prorated replacement charges, whichever is less, to and received by the District, the amount due being that adopted by Resolution of the District in the year the connection was completed. Any late payments will be charged late and/or other fees in accordance with District policy.

Passed and adopted, this 9th day of June, 2010, at Elk, California, by roll call vote:

G. Huckaby  
Kirk Handley  
Norman deVall  
Ken Kennedy  
Tony Cook

  
President, Board of Directors

  
Attest, Secretary to the Board of Directors

## Elk County Water District – Statement of Policy

### Rate/Cost Distribution Plan Definitions:

#### **Paid connection:**

The right to a water connection which may exist as a valve and service box in place or may be only the right to connect to the system.

#### **Connection fee:**

The full connection fee is currently \$3596.00 and pays for the full right to connect and does not include the meter cost and installation (billed at actual cost). The annual increase of the connect charge is currently set at 2%. Some lots (Barnett subdivision) have paid a deposit of \$100 which secures the right to a connection (current fee minus \$100.00 paid.)

#### **Replacement charge:**

A monthly fee for the replacement and improvement of the water infrastructure. \$12.59 for one RUE is the current charge.

#### **Disconnection/ reconnection:**

Customers have been given the option of disconnecting from the system, either temporarily or permanently. A \$25 disconnect fee is paid for the time taken to actually turn off the valve. There is also a \$25 re-connect charge to turn the valve on again. The 2009-01 Rate plan includes the "replacement charge" for each existing paid connection (or connection rights with a deposit paid). During the period of temporary disconnection, the \$12.59 (or current rate) of the "replacement charge" will be billed to the customer. If a "full disconnection" is requested, there will be no further charge, however, if a future re-connection is applied for, a fee equal to the replacement charge in effect during the time disconnected will be charged as a reconnect charge, up to the full connection charge amount in effect at the time, whichever is less.

Example: Joel "disconnects" his second unit because he no longer rents it separately. 3 years later, Joel wants his second unit connected. Joel's charge is equal to the number of months times the "replacement charge" in effect during the period. Since this amount is less than a full connection fee, he pays whichever is less.

It should be noted that once a service becomes disconnected without the "replacement charge" paid, the customer runs risk of losing the connection right which could be limited due to drought or other source limitations that may cause a moratorium on connections.

**RUE = Residential Unit Equivalent** (usage equivalent of 1 residence)

This term refers to each residential unit with no commercial signage.



# Ordinance #2009-01

introduced September 2, 2009

approved November 4, 2009

## Rate/Cost Distribution Plan - REVISION

**WHEREAS,** the **ELK COUNTY WATER DISTRICT** (the "**District**") is legally responsible for the operation of the public water system in the community of Elk; and

**WHEREAS,** the **District** establishes and maintains fiscally responsible rate-payer charges and fees; and

**WHEREAS,** from time to time the **District** appropriately reviews these rate-payer charges and fees for any needed adjustments; and

**WHEREAS,** during such a review, the **District** has determined that changes are needed to properly share the cost of infrastructure replacements and improvements (wells, tanks, pipes, pumps, meters, buildings and other water system appurtenances) among all owners of paid connections; thus,

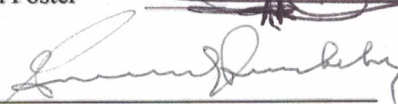
**THEREFORE,** be it ordained as follows:

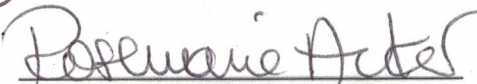
With the adoption of this ordinance each owner of a paid connection fee (duly paid and collected by the **District**) shall henceforth be charged the monthly recurring fee associated with the replacement and improvement of existing **District** infrastructure. This new charge shall begin subsequent to the adoption of this ordinance and as directed by the Board of Directors of the **District** but not sooner than 30 days after appropriate public notice via postings and direct mailings to all owners of paid connection fees through the United States Postal Service has occurred. This revision will only affect those owners of paid connections who have yet to either (1) connect to the system and become active ratepayers, or (2) re-activate their service(s) following disconnection from the **District's** supply system.

If these infrastructure replacement and improvement charges are not paid as required above, future service will not be provided by the **District** unless and until a new full connection fee is paid to and received by the **District**, the amount due being that adopted by Resolution of the District in the year the connection was completed. Any late payments will be charged late and/or other fees in accordance with **District** policy.

Passed and adopted, this 4th day of November, 2009, at Elk, California, by roll call vote:

G. Huckaby  
Kirk Handley  
Norman deVall  
Ken Kennedy  
Hugh Foster

  
President, Board of Directors

  
Attest, Secretary to the Board of Directors