

**RESOLUTION NO. 09-02**

**A RESOLUTION OF THE BOARD OF PUBLIC UTILITIES COMMISSIONERS OF THE CITY OF TULARE RESCINDING RESOLUTION NO. 06-641 AND ESTABLISHING WASTEWATER COLLECTION AND TREATMENT RATES EFFECTIVE JULY 1, 2009, JULY 1, 2010 AND JUNE 30, 2011, RESPECTIVELY**

**BE IT RESOLVED BY THE BOARD OF PUBLIC UTILITIES COMMISSIONERS OF THE CITY OF TULARE AS FOLLOWS, TO WIT:**

**SECTION 1.** Resolution No. 06-641 is hereby repealed.

**SECTION 2.** The following minimum monthly charges are hereby established for all connections to the city's sanitary sewer system:

<b>DWELLING TYPE</b>	<b>July 1 2009</b>	<b>July 1 2010</b>	<b>June 30 2011</b>
<b>Single Family</b>	<b>\$ 34.00</b>	<b>\$ 38.00</b>	<b>\$ 42.00</b>
<b>Multiple Family - Each Unit</b>	<b>26.18</b>	<b>29.26</b>	<b>32.34</b>
<b>Mobile Home Parks / Space</b>	<b>26.97</b>	<b>30.14</b>	<b>33.31</b>
<b>Senior Discount</b>	<b>17.00</b>	<b>19.00</b>	<b>21.00</b>

**SECTION 3.** All non-residential dischargers who are served by metered water service will pay a monthly charge based on the number of gallons of water used and a rate, which is based on the strength of the wastewater. All connections will be divided into seven (7) classes. The connections within each class will have similar discharge characteristics and will be charged the same rate.

**SECTION 4.** In all cases in which the monthly charges based on water usage and the strength factor do not exceed the minimum charge for single family dwelling, the minimum charge for single family dwelling shall apply.

**SECTION 5.** Class I shall consist of the following:

Auto Dealers	Motels without Dining Facilities
Barber & Beauty Shops	Professional Offices
Bars without Dining Facilities	Public Transportation
Churches	Repair Shops & Service Stations
Department & Retail Stores	Schools (except as provided in Section 11)
Hospitals & Convalescent Homes	Service Clubs
Markets without Garbage Disposal	Storage Facilities
Miscellaneous Offices	Truck Repair Facilities

**Class I** shall be charged the following rate for each 1,000 gallons, or any part thereof, per month:

<b>July 1, 2009</b>	<b>July 1, 2010</b>	<b>June 30, 2011</b>
<b>\$ 3.03</b>	<b>\$ 3.39</b>	<b>\$ 3.75</b>

**SECTION 6. Class II** shall consist of car washes and shall be charged the following rate for each 1,000 gallons, or any part thereof, per month:

<b>July 1, 2009</b>	<b>July 1, 2010</b>	<b>June 30, 2011</b>
<b>\$ 2.91</b>	<b>\$ 3.25</b>	<b>\$ 3.59</b>

**SECTION 7. Class III** shall consist of Laundromats and fairgrounds and shall be charged the following rate for each 1,000 gallons, or any part thereof, per month:

<b>July 1, 2009</b>	<b>July 1, 2010</b>	<b>June 30, 2011</b>
<b>\$ 2.87</b>	<b>\$ 3.21</b>	<b>\$ 3.55</b>

**SECTION 8. Class IV** shall consist of the following:

Auto Steam Cleaning	Markets with Garbage Disposal
Retail Bakeries	Motels with Dining Facilities
Butcher Shops	Mortuaries
Industrial/Commercial Laundries	Restaurants and Drive-Ins
Dry Cleaners	

**Class IV** shall be charged the following rate for each 1,000 gallons, or any part thereof, per month:

<b>July 1, 2009</b>	<b>July 1, 2010</b>	<b>June 30, 2011</b>
<b>\$ 4.42</b>	<b>\$ 4.94</b>	<b>\$ 5.46</b>

**SECTION 9. Class V** shall consist of major commercial or industrial users.

The monthly rate shall be:	<b>July 1 2009</b>	<b>July 1 2010</b>	<b>June 30 2011</b>
<b>FLOW - Per 1,000 Gallons</b>	<b>\$ 2.06</b>	<b>\$ 2.30</b>	<b>\$ 2.54</b>
<b>BOD - Per 100 Pounds</b>	<b>12.23</b>	<b>13.67</b>	<b>15.11</b>
<b>TSS - Per 100 Pounds</b>	<b>15.82</b>	<b>17.68</b>	<b>19.54</b>

**SECTION 10.** Class VI shall consist of food processing plants discharging exclusively into the "dairy waste" system. The monthly rate shall be:

	<b>July 1 2009</b>	<b>July 1 2010</b>	<b>June 30 2011</b>
<b>FLOW - Per 1,000 Gallons</b>	<b>\$ 2.06</b>	<b>\$ 2.30</b>	<b>\$ 2.54</b>
<b>BOD - Per 100 Pounds</b>	<b>12.23</b>	<b>13.67</b>	<b>15.11</b>
<b>TSS - Per 100 Pounds</b>	<b>15.82</b>	<b>17.68</b>	<b>19.54</b>

**SECTION 11.** Class VII shall consist of schools without independent landscape irrigation meters or sub-meters. The unit cost rate for each student per month shall be:

<b>SCHOOLS</b>	<b>July 1 2009</b>	<b>July 1 2010</b>	<b>June 30 2011</b>
<b>K-5/Parochial</b>	<b>\$ 1.20</b>	<b>\$ 1.34</b>	<b>\$ 1.48</b>
<b>Middle Schools (6-8)</b>	<b>1.20</b>	<b>1.34</b>	<b>1.48</b>
<b>High Schools</b>	<b>1.20</b>	<b>1.34</b>	<b>1.48</b>

**SECTION 12.** Septic tank waste will be accepted at the Water Pollution Control Facility from haulers only if the waste source is within Tulare County. The cost to dispose of this waste shall be:

	<b>July 1, 2009</b>	<b>July 1, 2010</b>	<b>June 30, 2011</b>
<b>Cost Per 1,000 Gallons</b>	<b>\$ 75.65</b>	<b>\$ 84.55</b>	<b>\$ 93.45</b>

Total gallons billed shall be based on truck's full capacity. A \$10.00 surcharge will be collected for residual sand washed into the sludge lagoons after the discharge into the treatment plant.

**SECTION 13.** Fats, oils, grease, grit and sand collected from system traps will be accepted at the Water Pollution Control Facility from haulers only if the waste source is located within the Tulare City limits. The cost to dispose of this waste shall be:

	<b>July 1, 2009</b>	<b>July 1, 2010</b>	<b>June 30, 2011</b>
<b>Cost Per 1,000 Gallons</b>	<b>\$ 75.65</b>	<b>\$ 84.55</b>	<b>\$ 93.45</b>

Total gallons billed shall be based on truck's full capacity.

**SECTION 14.** If any discharger can establish to the satisfaction of the Public Works Director that a substantial volume of water usage does not enter the sewer system, the Public Works Director shall determine a volume of water usage that he determines to be equitable. The Public Works Director may require installation of separate meters or sub-meters on any such system at no cost to the city.

**SECTION 15.** If any discharger can establish to the satisfaction of the Public Works Director that the amount and nature of the pollutants in its discharge varies significantly from others in its Class, the Public Works Director shall determine the suitable Class. Dischargers who cannot be classified into one of the existing classifications will be charged at the rates for Class V customers.

**SECTION 16.** Any questions as to the proper Class of a discharger will be determined by the Public Works Director.

**SECTION 17.** If a discharger is not connected to the city water system, the Public Works Director shall determine the volume of water to be used in determining the monthly charge. The Public Works Director may require that an approved metering device be installed to measure the volume of water discharged to the sewer system. The metering installation will be at no cost to the City.

**SECTION 18.** The Public Works Director may require the installation of a flow metering and/or sampling device to monitor the discharge of any facility discharging into the city sanitary sewer system or "dairy waste" system whenever he determines that metering and sampling are necessary to determine the proper charges. All Class V and Class VI customers shall be required to install flow meters and monitoring equipment as specified by the city.

**SECTION 19.** When the monthly service charge is determined by flow measurement and/or sampling and testing for strength and/or type of pollutants, these services will be performed by a facility and/or persons approved by the Public Works Director.

**SECTION 20.** All expenses incurred by the City for flow measurement, sampling and laboratory testing shall be in addition to the monthly service charge, except for Class V and Class VI customers who have approved flow-measuring equipment with automatic samplers.

**SECTION 21.** All metering and sampling devices and facilities shall be approved by the Public Works Director.

**SECTION 22.** All metering and sampling devices and facilities shall be maintained in a manner acceptable to the Public Works Director.

**SECTION 23.** No facility or person may make a connection to, or discharge into the city sanitary sewer system or "dairy waste" system without the prior approval of the Public Works Director.

**SECTION 24.** All dwellings, apartment houses and places of commercial and industrial business in which wastewater is generated within the City shall be required to use the collection and treatment service of the City and to pay the charges set forth by the Department of Public Utilities.

**SECTION 25.** Billing and collection charges for sewer service shall be included on the regular city utility bills to customers who have city water service. When the sewer customer does not have city water service, a separate bill for sewer service shall be mailed in accordance with standard billing procedures to the person who owns or controls the premises serviced.

**SECTION 26. BILLS PAYABLE.** Bills for sewer service shall be due and payable on or before the 20th day following each applicable billing month. To all bills, which remain unpaid at five o'clock p.m. on the 20th of said month, shall be added a 10% amount thereof as a penalty for said delinquency, which shall become a part of said delinquent sewer bill. Upon being declared delinquent, a final notice shall be sent to the consumer stating the amount due, including penalties. Delinquent sewer accounts shall be discontinued and scheduled for shut off by removing a section of sewer lateral pipe as directed by the General Manager of the Department of Public Utilities. The cost to **disconnect** the sewer lateral pipe shall be **\$450.00**. The cost to later **reconnect** the sewer lateral pipe shall be an additional **\$490.00**.

**SECTION 27. DELINQUENT SEWER SERVICE.** Once a sewer service bill has been declared delinquent and disconnected from the sewer system in accordance with the provisions of these rules and regulations, said service shall not be reconnected until all delinquent bills and penalties, and a **\$940.00 disconnection/reconnection charge** have been paid. It shall be the responsibility of the owner of the property, or the consumer requesting reconnection, to pay the delinquent bill and disconnection/reconnection charges.

A consumer's sewer service may be discontinued by the Department of Public Utilities for the non-payment of a bill for sewer service at a previous location, provided said bill has not been paid within thirty (30) days after presentation at the new location.

**SECTION 28.** These rules and regulations shall be in full force and effect from and after July 1, 2009, July 1, 2010 and June 30, 2011 respectively.

**PASSED, ADOPTED, AND APPROVED this 22nd day of January 2009.**

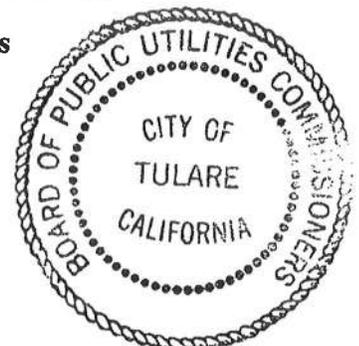


Vice President of the Board of  
Public Utilities Commissioners

ATTEST:



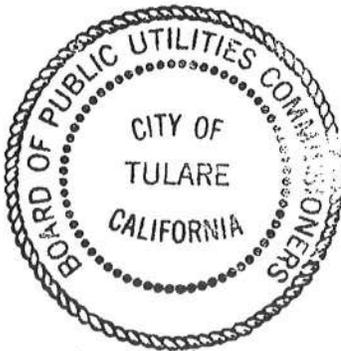
Secretary, Board of Public Utilities  
Commissioners of the City of Tulare



STATE OF CALIFORNIA       )  
COUNTY OF TULARE       ) ss  
CITY OF TULARE        )

I, DARREL L. PYLE, City Clerk of the City of Tulare and Secretary of the Board of Public Utilities Commissioners of said City, do hereby certify that the foregoing **Resolution No. 09-02** was duly adopted by the Board of Public Utilities Commissioners of said City and was signed by the Vice President of said Board, at a special meeting of said Board held on the **22<sup>nd</sup> day of January 2009**, and was approved by the following vote:

<b>AYES:</b>	<b>COMMISSIONERS:</b>	<b>Ron Quinn Dick Johnson Scot Hillman</b>
<b>ABSENT:</b>	<b>COMMISSIONERS:</b>	<b>Wayne Hinman Darlene Jensen</b>
<b>NOES:</b>	<b>COMMISSIONERS:</b>	<b>None</b>



DARREL L. PYLE, CITY CLERK

BY:   
Secretary, Board of Public Utilities  
Commissioners of the City of Tulare